

Discussion Paper 22

For Example, Kosovo: Seven Principles for Building Peace

Speech delivered by the United Nations Special Representative of the Secretary General in Kosovo, Michael Steiner, at the London School of Economics and Political Science, on 27 January 2003

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Michael Steiner, 'For Example, Kosovo: Seven Principles for Peace Building'

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Ladies and Gentlemen,

We've come a long way since the best advice for keeping the peace was Basil Fawlty's order to Polly and Manuel: 'Don't mention the war.'

The years since the end of the Cold War have not seen a general outbreak of peace. Today the world is no longer menaced by a clash of superpowers. Instead it is threatened by failed states collapsing into internal ethnic conflict, anarchy and warlordism. The vast majority of armed conflicts in the past decade or so - averaging 28 a year - have been internal.

In response to this epidemic, the international community has become increasingly involved in large-scale peace operations. Since its founding in 1945, the United Nations has embarked on 54 such operations. Of these, 41 began after 1988 and 15 are still underway. Today, the weapons inspectors have just reported to the UN Security Council on their findings in Iraq. We all know what is at stake.

As the representative of the Secretary General in Kosovo, I have the privilege of presiding over the largest UN peace-building enterprise ever mounted. UNMIK has undertaken a far more ambitious challenge than most previous missions: to lay the foundation of future peace.

Our mandate has three parts. First, it had to administer Kosovo. Second, it had to create the institutions and other conditions necessary for Kosovo to exercise substantial self-government. Kosovo also has a special challenge. For Bosnia, Dayton provided a peace treaty. In Kosovo though, UN Security Council Resolution 1244 leaves unresolved the very cause of the conflict: Kosovo's status. Therefore, UNMIK's third task will be to facilitate a political process to determine Kosovo's final status once the time is ripe.

Our work in the Balkans is far from over. But we have already learned invaluable lessons from it.

The first lesson is that peace-building is hard. Indeed, winning the peace tests our resolve and ingenuity even more profoundly than achieving a military victory. But we have also learned that it is possible.

When UNMIK first arrived in Kosovo in June of 1999, it found a society in chaos. There was no government. No police. No laws. The physical infrastructure had mostly collapsed. Into this disordered environment, some 900,000 Kosovo Albanians who had fled Serbian security forces returned with unprecedented speed. But the challenge was more complex.

Therefore, UNMIK organised itself into four Pillars. Pillar One has created a multi-national UN police force and a multi-ethnic Kosovo Police Service that will eventually replace the international police. It has also created a judicial system from the ground up. Pillar Two first managed all of Kosovo's public services. Since transferring authority in many areas, it is now scaling down and playing a more advisory role. Pillar Three, the OSCE, does democratization and elections. The EU, as

Pillar Four, took responsibility for rebuilding physical infrastructure and is now helping to create the foundation for a EU-compatible economy.

KFOR, a joint NATO command that includes troops from 37 countries, has responsibility for maintaining a secure and stable environment. The civil mission would not have had a chance without KFOR. Thanks to effective coordination, KFOR has not agonized over 'mission-creep' in the way IFOR in Bosnia often did in the beginning.

To fill the administrative vacuum after the war, UNMIK first created joint administrative structures. Later, in 2001, UNMIK and Kosovo representatives collaborated in drafting a Constitutional Framework as the basis for Provisional Institutions of Self-Government. Kosovo-wide elections organized by the OSCE created a multi-ethnic Assembly and Government. The Government has eleven ministries including finance, education, health, transport and social-welfare. Two sets of municipal elections also yielded multi-ethnic municipal assemblies across Kosovo. Despite substantial continuing shortcomings - especially with multiethnicity - UNMIK is well on its way to fulfilling its mandate to equip Kosovo with the institutions it needs to exercise substantial autonomy and to set it on the way to Europe.

The key to these achievements was not just the generous resources committed - over three billion Euro in civilian aid - but applying principles we had learned in previous peace-building experiences, especially Bosnia. In Kosovo, we have learned still more, giving us reason to hope that future peace operations will be even more efficient.

Ladies and Gentlemen. This evening I would like to focus on seven principles that Bosnia and Kosovo have taught us are essential to the success of peace-building efforts anywhere. The first five of these principles are:

- 1) Begin with a clear mandate;
- 2) Match the mandate with the means to achieve it;
- 3) Get it right from the beginning;
- 4) Learn as you go;
- 5) Finish what you start.

These principles may be challenging to implement but they don't pose any philosophical problems.

The last two principles, on the other hand, pit the hard lessons of experience against some of our most cherished political notions.

But let's first consider the uncontroversial ones:

One: Begin with a clear mandate.

A peace operation has to start with a clear set of objectives. This may seem obvious. But even in recent missions, this elementary principle has been ignored.

When we hammered out the Dayton Peace Agreement, our main aim was to end the fighting in Bosnia. Basically to have a lasting cease-fire agreement.

I remember that creating the Office of the High Representative was almost an afterthought. Especially in the early days, this lack of clarity created a great deal of confusion about which of the many organizations was responsible for what. This undermined the efficiency of international engagement.

A mission's objectives also have to be realistic, both in terms of what the local population wants and what can actually be achieved. In Kosovo our aim is not nation building but institution building: we are fostering institutions and attitudes that will be able to build themselves. This doesn't mean cloning EU societies. In Kosovo, we're aiming at achieving fundamental standards that apply to all stable and functioning societies.

In Bosnia, although the High Representative is clearly the most senior international official, the various international organizations have been quasi-autonomous. I remember all too well how much we suffered from the fact that in the beginning there was no coordinated decision-making process. This structure made it difficult for the international community to coordinate its own efforts, much less anyone else's.

In Kosovo, at the insistence of Kofi Annan, UNMIK acted on the lessons learned in Bosnia and built a new kind of structure. It created the four pillars I've mentioned, each with a well-defined mandate and all of them subordinate to the overall authority of the Special Representative of the Secretary General. Although still imperfect, I think all observers agree that, thanks to Kofi Annan, this structure has resulted in a dramatically improved level of coordination among international actors.

Two: Match the mandate with the means to achieve it.

If you're given a far-reaching mandate, you must also be given the capacity to follow through. This applies both to legal powers and authority and to human and physical resources.

First and foremost, it is essential to establish security and the rule of law - the very basis for all other progress. Courts need the authority and resources to dispense justice. Police need the authority and resources to enforce it.

The massacre at Srebrenica is perhaps recent history's most powerful example of noble aims not matched by the means needed to achieve it. Peacekeepers making a promise that they weren't given the means to keep contributed to the deaths of over 7,000 people.

Now, a Kosovo success story: the Kosovo Central Fiscal Authority, UNMIK's tax service, and its Customs Service. The CFA and Customs together collected 80% of the money that went into Kosovo's own budget. The CFA has now merged with Kosovo's Ministry of Finance.

The creation of the CFA and the Customs Service is a great credit to Bernard Kouchner. You see, when UNMIK was given this enormous mandate nobody had thought much about how to pay for its Kosovo costs. Bernard responded by creating institutions to raise money the way all governments do - taxes and customs.

Another example of matching the means to the mandate: in Kosovo, Resolution 1244 has made UNMIK the ultimate authority. That gives us the power to carry out police investigations, the powers of arrest and the authority to try suspects and imprison criminals. Not advisory powers, as international police in Bosnia had, but executive powers. Powers that are critical to meeting the challenge of our mission - achieving fundamental standards that apply to all functioning societies.

Three: Get it right from the beginning

The tone of the entire mission is set in its very first days. The beginning is no time for trial-and-error.

It's critical to begin as you mean to go on. First, in order to establish credibility. Second, because it's much more difficult to correct course later on.

Bosnia lacked the civil mandate and the means to begin strongly; Kosovo had the mandate but still lacked the means in the beginning.

The mission in Bosnia was not front-loaded. The international community shied away from making Bosnia a protectorate. There were two reasons for this: the ideological legacy of decolonization and a terror of 'mission creep'. When I arrived in Sarajevo in January 1996, alongside Carl Bildt, the most pressing problem was to reunify the city. Under the terms of Dayton, seven areas controlled by the Bosnian Serbs were to be returned to Bosnian government control. Though there was a lot of fear and confusion on both sides, many Bosnian Serbs were ready to stay in these areas and try to live again with their former neighbors.

This posed a direct challenge to the logic of Bosnian Serb nationalism. Serb paramilitaries proceeded to force other Serbs to leave these areas and set fire to dozens of buildings. In this vacuum, there was looting by both sides. While this was going on, soldiers and police stood aside. Later the international community had to invest enormous resources in undoing the damage inflicted in these few weeks.

Kosovo, by contrast, was front-loaded - or so it seemed. We'd learned this much from Bosnia.

But even in Kosovo implementation was too slow. The military prepares in advance for crises and NATO was ready. But the civil mission in Kosovo only had ten days to prepare. As the Brahimi Report stresses, the UN's Department of Peacekeeping Operations must be given sufficient time and resources to respond quickly and effectively to crises as they arise.

As in Bosnia, some of the most difficult problems in Kosovo are the legacy of the mission's early days, when UNMIK was operating with a skeleton staff.

The summer and autumn of 1999 saw the most vicious reprisals, both among Kosovo Albanians and by the Albanian majority against Kosovo Serbs and members of other minority communities. Members of rival Albanian groups kidnapped, tortured and murdered one another. People in Kosovo say there have been more Kosovo Serbs killed after the war than during it. Local politicians and former fighters struggled to fill the power vacuum. As a consequence, developing legitimate democratic institutions was delayed by the need to dismantle the structures that sprang up in the first six months.

UNMIK didn't focus on organized crime at first because it didn't have the means. Criminal gangs spread their tentacles in the political and legal vacuum. Starting in 2001, all the security forces shifted resources to organized crime. Both the police and Justice improved their strategic cooperation with KFOR.

Though more remains to be done, UNMIK's efforts against organized crime demonstrate the value of coordination and objective-driven policy.

The creation of a group of Serbs who styled themselves 'the Bridgewatchers' in northern Mitrovica also dated back to the very first days after KFOR and UNMIK arrived. Only last November was UNMIK finally able to assert its authority in the northern half of the city.

Four: Learn as you go.

International missions need to be 'learning organizations.' Critical to this is admitting we've made mistakes. You can't learn if you don't admit that you didn't do it right in the first place. Criticism will be more effective for the mission and less damaging politically if it comes from the mission itself rather than from outsiders.

To be effective, missions must study the environment - its political rivalries and alliances, how people make a living and the stories they tell one another. The mission needs to conduct public opinion surveys and consultations with the public in order to understand how people view their situation.

Part of this is that the mission has to recognize what priorities are critical. Because of Kosovo's open status, it wasn't clear in the beginning whether UNMIK would or could engage in privatization. But UNMIK came to recognize that privatization was essential to putting Kosovo's economy on its feet. Last year we created the Kosovo Trust Agency to conduct privatization of these strange Titoist Yugoslav animals called Socially Owned Enterprises, like the Peja Brewery, and reform publicly owned enterprises, such as the Post.

Just as we need to recognize our administrative limits, we must recognize our knowledge limits. We can never know everything, of course, but we need to learn to manage our ignorance.

Key to this is to listen to the people and to seek their advice. It might seem banal, but in my experience it's important to remember that no matter how hard we try, they know their own society better than we do.

'Lessons Learned' has become a bit of a buzzword. That doesn't mean everyone understands how to do it effectively.

The Lessons Learned Unit in the EU pillar of UNMIK offers an effective model. Being attached to the mission gives it access to information it needs. Being based on an NGO, the European Stability Initiative, gives it a critical degree of independence.

To learn as it goes, a mission also needs to have a way to measure its achievements. That's one reason UNMIK created a list of eight benchmarks or standards for measuring Kosovo's progress. These benchmarks cover the basic requirements for any functional democratic society: democratic institutions, the rule of law, a viable market-based economy, property rights, multi-ethnicity and returns, freedom of movement.

The point of writing them down in a list and publicizing it is to ensure that all relevant actors - the international community, UNMIK, Kosovo's institutions and civil society - are all singing from the same song sheet. On the international side, it will make it easier to identify both achievements and problems. On the Kosovo side, we hope the standards will help to concentrate people's minds on Kosovo's key challenges.

Five: Finish what you start.

If the international community starts a peace-building mission, it has to stay until the society and its institutions are sustainable.

Finishing what we start is critically important for two reasons. First, for the credibility of other peace-building missions. Second, because leaving business unfinished often plants the seeds of even worse conditions than the original intervention was meant to address.

This seems obvious. But it runs directly counter to how governments operate. The problem is that peace-building, although it must never be open ended, is longer-term while political logic in individual governments is nearly always short-term. Consequently, abandoning enterprises before their aims have been accomplished may be the most common mistake of the international community.

Afghanistan provides a dramatic example of the folly of not finishing what you've started. After years of supporting the mujahedeen, the anti-Soviet coalition abruptly abandoned Afghanistan. Rival warlords and the Taliban rushed into the vacuum that was only filled in the aftermath of 9/11.

One of the reasons that measuring progress is so important is that we need to recognize when we should make the transition from peacekeeping to development. The core of the development stage is consolidating the rule of law and creating the institutions and regulations of a market economy. The important point here is that there is a lot of expertise in this area that is never applied to post-conflict areas: peacekeepers are kept in a box marked 'peacekeeping' and developers are in a box marked 'development.'

Greece is a great EU success story. Its economy has soared since it began the accession process in the mid-70s. To achieve this progress, the European Union used very specific development tools: structural funds, 50/50 cooperation between international donors and locals, and public/private partnerships.

Unlike candidates for accession, conflict areas are the domain of emergency funds rather than development economists. By recognizing when to make the transition from peacekeeping to development, regional organizations can apply the full range of their economic expertise to integrating the society into its respective regional economic system.

The point of creating a yardstick like UNMIK's standards is to gauge when to make the transition from one stage to another and when the mission itself is no longer needed.

And now, the tough ones:

Principle Six is about the right sequence - the essential sequence. It is: Security and law first, democratization later.

First, a peace-building mission must establish order out of chaos. In this phase, the mission is in control of everything. Order means no discrimination, no violence, no bullying. This is the essential framework for democracy.

The mission's first priority must be security and the rule of law. In Bosnia we made a mistake by holding elections before establishing the rule of law. I remember how we agonized over whether to hold them just six months after Dayton. We had endless discussions about it. But we were driven to try it by unrealistic pressure to be out of Bosnia with everything done and dusted within a year.

While establishing security, the mission must respect human rights. As Sir Gerald Templer, High Commissioner of Malaya during the communist insurgency in 1948, observed, an administration must also follow its own laws. Consistently observing human rights and the law are essential for a mission's moral authority. 'Any idea,' said Templer, 'that the business of normal civil government and the business of the Emergency are two separate entities must be killed for good and all. The two activities are completely and utterly related.' And Blaise Pascal observed: 'Justice without force is powerless; force without justice is tyranny.'

Next, we establish consent through information, dialogue and participation. In this stage, regulations, laws and an administrative framework are created. Effective institutions that deliver the key benefits of peace are an essential part of this. This must extend to all elements of the local population.

Elections are vital but they must come at the right time.

Step three is to institutionalize consent for the established order so it sinks it into the society. Peaceful coexistence, democratic decision-making and conflict resolution must become habits. As Rousseau wrote: 'The strongest are still never sufficiently strong to ensure them continual mastership, unless they find means of transforming

force into right and obedience into duty.' This is obviously a long-term process that is just beginning in Kosovo.

A peace-building mission's endgame is to hand over all its responsibilities to a capable partner. It has only succeeded when it has made itself superfluous. As I've said, in Kosovo, we measure our progress toward this goal against the yardstick of the eight standards or benchmarks.

This can only be achieved if you get the transition right. This is a mission's most critical - and even volatile - phase. Responsibilities have to be transferred gradually, so that the society's institutions have the capacity to bear them. But it's hard to pace this process correctly.

The problem is that once the transfer begins, unrealistic expectations are raised. This leads to impatience. Impatience, in turn, leads to friction.

This is the stage where we are now in Kosovo. This is exactly what I discussed with my colleagues at nine this morning in Prishtina in our Executive Committee meeting.

The three and half years we've had are a short time to build all the institutions of society from the ground up. But they're a long time in human lives. As in South Africa, many people hoped that deliverance from their oppressors would mean immediate improvement on all fronts. They were impatient. We are working with our partners in Kosovo to transfer responsibilities as quickly as they are able to handle them. Thousands of political representatives and civil servants are under pressure to learn quickly. On our part, this requires continuous consultations, sensitivity and consistency.

In this phase, the support of the international community is especially imperative. In responding to the tensions of the transfer phase, it's critical for the international community to avoid sending mixed signals and vital to speak with one voice.

Seven: Peace-building means changing bad habits - however 'traditional' they may be.

I said earlier that peace-building does not mean creating clones of western European societies. Clearly, a range of traditions is consistent with sustainable stability. But not all are.

Peace-builders have to abandon the pretension that they are 'neutral.' Yes, we must be impartial. But this does not mean being neutral. We must accept that the process of change from violence to peace is a struggle in which we have to take sides. We don't choose among those who support the process. But we support those who are for the peace process and oppose those who are against it.

We also have to try to change general attitudes that may appear to be 'traditional' if in reality they are only holding the society back. For example: corruption and cronyism. Corruption may have been practiced since time immemorial, but it retards the development of any society.

The empowerment of women has been shown to be perhaps the most reliable single predictor of overall social and political development. In most parts of the world women have limited access to education and employment. Knowing what we know, international missions should not hesitate to change this wherever they can.

The willingness to challenge bad habits, however, does not mean forcing change on a society. Far from it. Change is not a one-way lecture, but a dynamic process of mutual learning. The international community brings its experiences to a community that wants to leave conflict behind and enjoy the fruits of peace. The peace-building mission must also learn from the local community to understand its values and ways of doing things.

The point here is that building peace doesn't allow us to run away from the hard challenges just because they're deeply rooted. When we finish a mission, we have to leave a healthy and self-sustaining society behind us. Otherwise weeds will grow back and entangle us for years to come.

The Art of Letting Go

UNMIK will not be the last international effort to build up a peaceful society amid the ashes of war. Indeed, it seems likely that such efforts, in various shapes and sizes, will be part of our future.

No one can be pleased to see the expanding number of candidates for international intervention. But the good news is that we have demonstrated that peace-building is not an exercise in futility, as some have argued. It is instead a manageable human enterprise subject to the determined application of certain basic principles.

When looking at a conflict, the international community can legitimately decide whether or not to intervene. Clearly, we can't intervene everywhere.

But if we do, we have to be serious about it and follow it through. As I've said, when it comes to peace-building, this means adhering to tested principles.

- First, a mission must go in with a clear mandate.
- Second, it must have the authority and resources to do the job.
- Third, it must get it right from the beginning.
- Fourth, it must learn from the host society and from its own mistakes.
- Fifth, it must finish what it starts. And the two hard ones:
- Sixth, it must first establish security and the rule of law as the framework for democratization.
- Seventh, it must change the host society's bad habits - even if they are 'traditional.'

Ladies and Gentlemen. A peace operation is only finished when it has handed over its responsibilities, making itself superfluous. This is the art of letting go.

Success is when we are gone. It is about handing over responsibilities, not clinging to them. We should build up the importance of those to whom we need to hand over. Letting go is not easy. But in the end our success is their success.

For future operations we have a rich store of experience and an excellent storekeeper in Jean-Marie Guehenno, head of UN peacekeeping. We must apply the lessons of that experience. This takes endurance. Whether we can do so depends on political will. Unlike our collective knowledge, political will does not build up but tends to evaporate after every crisis. But political will and our belief in our own abilities are closely connected: Where we know there's a way, there's more likely to be the will.

Thank you