FRIEDRICH EBERT STIFTUNG

STUDY

Exiting Conflict, Owning the Peace

Local Ownership and Peacebuilding Relationships in the cases of Bosnia and Kosovo

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June 2012

- Local ownership is regarded as a desirable outcome of international peace operations, which enables local people to control reform and reconstruction processes, and internationals to eventually scale down or end their presence in a country. Yet, beyond this broad characterisation, local ownership is an unclear and contested idea, which provokes mis-understandings among local and international constituencies, and makes it harder to achieve outcomes which are satisfactory to all of these groups.

- Research in two cases of late-stage intervention, Bosnia and Kosovo, confirms that ›local ownership‹ is a problematic concept. In both cases, internationals and locals express a sense of being trapped in an intervention which has become bogged down. The channels of communication among the international community, local authorities, civil society and grassroots are poor and ineffectual, resulting in mutual distrust, resentment and weak expectations. The dysfunctionality of relationships is also reflected in how the peace- building agenda is negotiated and implemented.

- The case studies reveal the need to find new ways of framing and organising relationships between external actors and locals, to restore trust, effectiveness and legitimacy in peace operations. These could include human security peacebuilding contracts, a change in communications strategies and re-thinking the ›local‹ dimension in conflict affected societies.

LSE International Development

Content

Foreword

International peace building is seen as one of the key features of global security in the 21st century. However, successful peace building is compromised by the fact that the exit from conflict has been shown to be fragile and reversible. In the post WW2 era, nearly 60 per cent of conflict-affected countries have experienced recurring bouts of violence. Sustainable peace which allows populations in these societies to rebuild their lives, and external assistance to withdraw, remains an elusive goal.

Part of the definition of sustainable peace is that it should be built from within, and enables local populations to regain control over their own physical and material security. Thus local ownership is critical as a normative ideal for peace operations and as a way of making them more effective, for both hard security actors such as the military and police as well as those focused on development and governance issues. It is also linked to the desire of both local and international actors to bring about an end to conflict, instability and the need for external intervention.

How should ownership be built into international peace operations to not only counter criticisms that these interventions represent a return to a neo-colonial form of global politics, but also to provide a satisfactory exit from conflict for both local and external actors? While the claim for local ownership is turning more and more into a political mantra, which has become part of the accepted rhetoric of global security operations, the concept remains poorly defined, and indeed operationally problematic. There is a lack of agreement or clarity on what it really means and how it can be implemented. Moreover, ownership policies tend to succumb to the paradox that they are in fact prescribed from the top, by internationals or local political elites, disregarding the expectations and needs of locals at the grass-root level, thus undermining their chances of contributing to sustainable peace.

In cooperation, Friedrich Ebert Foundation and the London School of Economics have implemented a study project that explores from both a top-down and a bottom-up perspective, the norm of local ownership and the challenges of promoting it in the context of international peace building. Within our study, special focus was given to cases of late-stage intervention, namely Bosnia, Kosovo and Afghanistan[1], implementing qualitative empirical research involving a broad range of stakeholders in the peace process and using a specific Human Security methodology.

This publication presents our overall conclusions and policy recommendations as well as country case studies of Bosnia and Kosovo. Peacebuilding in the Western Balkans is of vital importance to Europe, not only because Europe is the main international actor in these missions, but also because these peace operations are at the heart of the project of developing a common European security policy. Our findings therefore offer food for thought for the way that peace operations in Bosnia and Kosovo are implemented, as well as how Europe conceives of itself as a security actor. Our main conclusion is that we have to re-think local ownership in international peace operations, both in theory and in practice. There is a need for a more rigorous concept of local ownership which is based on a bottom-up approach and which constructs an effective relationship between local and external actors. And there is a need for a comprehensive policy approach in the field, involving new communication strategies and contractual arrangements if the commitment to local ownership is to go beyond mere rhetoric and become a factor of success in international peace building.

1. Research in Afghanistan is to be finalized in summer 2012 and to be published later that year.

Local Ownership in International Peace Operations – Conclusions and Policy Recommendations

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Introduction

How do we generate positive outcomes to long-running peacebuilding operations? How do we define an exit from conflict that is driven by the people and their needs? The idea of ›local ownership‹ is frequently put forward as a way of answering these questions and legitimising external intervention, through transferring power from outsiders to locals, and at the same time providing the means by which the international community can withdraw, summarised in the phrase ›going local to go out‹.

The aim of the study project undertaken by Friedrich Ebert Stiftung and the London School of Economics, was to explore the concept of ›local ownership‹, and the way it is linked to achieving a satisfactory end to external intervention. We wanted to know if ›local ownership‹ was a useful concept and practice in the discourse of peace- and statebuilding, particularly in cases of late-stage intervention. To do that we had to first clarify what is understood by the term and how it is used on the ground.

The study began with the assumption that ›local ownership‹ has developed as a shorthand way of describing the relationship between different local and international actors. Our approach was to substantiate ›local ownership‹ as a relational, interactive concept through examining these actors' expectations and desires concerning the intervention. The study was also guided by the observation that ›local ownership‹, and the quality of peacebuilding relationships assumed greater significance in mature interventions with a heavy international footprint. The longer and more intense the international community's engagement, the more critical the power balance and interaction between peacebuilding actors become. This is the case in Bosnia, Kosovo and Afghanistan where the international community has been engaged in statebuilding for between one and almost two decades. In each case, locals and internationals expect intervention to deliver reforms which cement and sustain peace. However, time is also a critical element in this process as all sides now want to move beyond a situation where outsiders dominate security and governance in the country. In all three cases, intervention has yielded only partial gains and the balance of power between actors remains in flux and unsettled.

The project had an important characteristic which distinguishes it from other studies on this topic. It adopted a human security approach, meaning that it focused on the needs of individuals and groups within peace- and statebuilding processes, and emphasised principles such as a bottom up perspective, and the creation of legitimate political authority. Local ownership is an expression of those principles which is why it is also a critical component in delivering human security.

A human security approach also determined our methodology. We undertook comparative bottom-up case studies of Bosnia, Kosovo and Afghanistan over a period of 18 months – 2 years, with fieldwork carried out by local researchers. The study targeted four groups for interviews: internationals, local elites, local NGOs and grass roots civic representatives. In each group 5-10 interviewees were selected, with efforts to include a representative mix between ethnic communities, ages, genders and an urban-rural split. In total around 100 people participated, with a bias in the case of locals, towards those with existing contacts with internationals. A standard research questionnaire was adapted to each location and formed the basis of structured conversations with interviewees, framed in terms of three key questions:

1. What do different stakeholders define as legitimate outcomes of peace operations?

2. What are the processes and strategies by which these outcomes can be achieved?

3. What do stakeholders see as the main risks and threats to achieving the desired outcomes?

Findings of the Research

1. Understanding ›Local Ownership‹: Language and Terminology

One of the main findings of the research was that the key term of the study was itself contested. To international actors, the English word ›ownership‹ has a figurative sense, referring to the locus of political control or responsibility for political processes. When an international discussant observed, for example, that ›it is impossible to tell who is the owner of the political process‹, he means that ultimate responsibility for political decisions cannot be determined. For local discussants in Bosnia and Kosovo, understanding of the term is strongly influenced by the experience of a paternalistic state, where physical assets such as housing and factories were ›owned‹ and controlled by the government, and relates more to property rights than to political control. In Afghanistan, ›local ownership' is generally understood as the progressive transfer of responsibilities to the Afghan state, and thus is associated with sovereignty and independence, although ownership as a process is contested and ambiguous.

There are also potential problems with using a term or concept which reflects more an aspiration than reality. Many respondents, both local and international, were clear that local actors have not directed the policy agenda in the post-war era. Many felt that international priorities for peacebuilding are often influenced by external factors, such as the domestic politics of intervening states or disputes among members of the international community. There is also a common view among local respondents that when the international community is determined to push a particular issue (such as visa liberalisation in BiH), it is generally implemented. This suggests that the international community risks appearing hypocritical in emphasizing ›local ownership‹, when it is widely acknowledged that the involvement of local actors is significantly constrained.

2. Dysfunctional Relationships

A prominent finding in the research is that of a dysfunctional relationship between all stakeholder groups in peacebuilding. At the heart of the idea of 'local ownership' is an ongoing interaction between these groups. However in all the cases studied in this project, multiple constituencies, each with an active role in reform and reconstruction, meant that local ownership depends on a series of overlapping and complex relationships which are constantly evolving, between and within local and international actors. Multiple relationships are problematic because of the complexity and opacity they bring to external-local interaction. Among externals, some countries are particularly vociferous, others are content to take a back seat role, although policy-makers in Brussels and national capitals may be less passive. Unclear and confusing mandates add to this complexity. So do frequent changes of international personnel among internationals which is a feature of all the missions studied.

One effect of this complexity is that it becomes difficult to locate ownership. Multiplicity makes it impossible to tell who among different groups holds real power. Discerning the local interest is made further difficult by fractures within different local stakeholder groups, and the presence of gatekeepers which block transparent communication. ›Local interest‹ is reduced to the interests of the elite class by internationals, in the absence of a robust working relationship between them and the grass roots. Similarly, internationals are enmeshed in the local political processes, so that they are part of local games, and the dividing lines between internationals and locals can often seem blurred. Internationals are in fact domestic political actors. However they cannot be considered a coherent actor but rather represent, as some Afghan interviewees described it, a ›tribal community‹, which is itself composed of various sub-groups and factions and is highly heterogenous. Instead of effective interactions, multiple and complex relations result in dysfunctionality, which clouds a clear sense of agency – both on the part of internationals and locals. Whereas effective relationships are more likely to lead to a sense of local empowerment and lasting and beneficial reforms, dysfunctional relationships obscure these aims.

Relationships in all three cases are also marked by an underlying tension between each group's security needs or agendas. An example is the priority given to ›stability‹ by internationals versus concerns for justice which is more marked among some but not all local stakeholders. Similarly, internationals tend to focus on state and institution building, whereas local priorities centre much more on the need for socio-economic reconstruction, including improved job prospects. Employment generation tends

to receive less attention than security issues in peacebuilding, reflecting a disjuncture between the greater ability of internationals to determine agendas and a relative weakness among local constituencies to direct the reform process.

3. Consequences of dysfunctional relationships

Other scholars have highlighted the deteriorating relationship between the external and local actors over the course of mandates, resulting in outright resistance and opposition. By contrast, this research into mature interventions deconstructs this dysfunctionality to highlight specific dimensions of the relationship that are not working. Thus one of our unanticipated, but key findings points to a local demand for re-engagement - albeit on different terms- rather than for a straightforward exit which would imply resistance and opposition to governance by outsiders.

Interaction between international actors and locals suffers from the ever-present risk of intervention failure and pressure to ›keep the mission on track‹. While every peace- and state-building operation is an assymetrical exercise in terms of power distribution, there is a lack of agency in governance processes which reflects the dysfunctional nature of peacebuilding relationships. This dysfunctionality manifests itself in the following tendencies:

- **bargaining** between external and local actors, which is conducted in an ad hoc manner depending on the urgency of the particular issue at stake. This bargaining takes place within a predetermined framework of policy targets and conditionality, and results in minimum, common denominator outcomes which distort the coherence of peacebuilding and ultimately the ideal of ownership itself as an exercise of local agency.

Bargaining is not a flexible and progressive process. It reflects, and at the same time perpetuates, mutual feelings of disempowerment by those involved – locals in the sense that they are conscious of their subordinated role and dependence on international engagement which may be unreliable and inconsistent; and internationals because of the difficulty of locating the sites of local power and of exerting meaningful influence.

- **squeezing:** concluding bargains which justify the peacebuilders' mandate and ensure its implementation often implies squeezing local political autonomy without paying adequate attention to the potential impact of such a strategy on the relationships among various groups. For example, interviews suggested that certain actors are short-circuited in the outcome-oriented search to deliver a given policy. Internationals used NGOs to advance policies which local authorities were reluctant to adopt, in an example of how one stakeholder group can be used against another.

- **fragmentation** occurs as different groups of actors strive to derive maximum gains from this unstable and unpredictable constellation of local-local and local–international interactions, and it leads to ultimately counterproductive alliances and strange bedfellows. External actors choose deals with local power-holders which exclude civil society (both NGOs and grass-roots at large), while there are also examples of both internationals and local elites conducting ad hoc partnerships with NGOs in order to validate their policies, in moves which ultimately misrepresent the interests of the population at large. At the other extreme NGO consultations which are usually restricted to a small elite concentrated in the capitals and do not represent civil society at large, work against a general understanding, buy-in, and resonance of externally-driven policies, and create neglected and marginalized groups, often at the grass-roots. Fragmentation diminishes the open political space for dialogue about the goals and the process of peacebuilding and the respective roles, responsibilities and accountability of all those involved. It also produces compromises over ›shallow ownership‹, where groups settle for limited forms of agency, which are neither substantive nor durable. An example of this is government ministers fronting announcements of reforms which are really settled by internationals.

4. The affective dimension of ownership

Research in the three locations revealed a significant affective dimension to ownership, consisting of mutual mistrust, lack of respect among various groups, and the tendency to put the blame on ›the other side‹ for the failure to achieve specific goals. The perception of local elites as actors who are driven by self-interest, opportunism and incompetence, and sustained by the inconsistent

engagement, self- interest, double standards and incompetence of the international community dominate grassroots views. There is deep resentment at the perceived subordinated role of ›locals‹ and in particular the absence of instruments that would allow genuine grassroots involvement in the peacebuilding process. These views are paralleled by a similar distrust among grass roots and local elites of the role played by NGOs. International actors for their part tend to see local elites as disingenuous, self-serving, manipulative and incompetent for their nominal roles. Whilst formally endorsing civil society activities, in actual fact internationals tend to subordinate local information, knowledge and expertise to that which is externally produced. These mutual perceptions affect the communication between peacebuilding actors, their level of engagement and tolerance, and the exercise of accountability and responsibility which shape the local experience of ownership.

Policy Recommendations

1. Break the link between exit and ownership

While ›local ownership‹ is an attractive objective for international policy makers seeking to disengage from resource-intensive peacebuilding operations in a legitimate way, the study shows that the term is poorly fixed as a concept and thus unreliable as a policy goal. Discussions of ownership which are driven by an international desire for an ›exit strategy‹ risk becoming tied more to the exit itself rather than to meaningful local engagement. Instead, the focus should be on the level and quality of international engagement, and equal attention should be paid to ownership of the processes as well as the legitimacy of the outcomes.

2. Change of Communication Strategy

Communication is one of the most readily available ways of addressing the roots of dysfunctional relationships between external and local actors in mature interventions. Given the power asymmetry built into external interventions, communication is a critical tool both for legitimation and effectiveness of policies initiated and implemented on behalf of local beneficiaries. Examples of where clearer communication is needed are:

- Role clarification instead of ownership talk

Discussions of ownership, which as this research shows does not travel or translate adequately to other non-Western concepts, have proved only of limited benefit. Instead, more can be gained by setting clear boundaries of responsibility, scope of roles, implications of co-operation, and, conversely, non-cooperation, as well as processes of governance among all stakeholders.

- Manage expectations

Role delineation, clarification and communication of mission mandates are directly linked to better management of expectations, with particular attention to the fact that the winding-down of the intervention in terms of a military withdrawal, may not necessarily always mean scaling down the intervention by external governance actors. By contrast, the idea of exit raises expectations of palpable achievements prior to the departure of external actors.

- Address the affective dimension

Mature interventions, as this research shows, are prone to become mired in a deep sense of distrust, of which a logical consequence is a pervasive blame-game for inadequate outcomes. While the relationship between the internationals and locals represent the main fault line, the sense of dignity and respect are also shaped by dynamics of inclusion and exclusion in governance processes and consultations among different groups of local actors as well. Establishing and restoring communication channels on all aspects of policy is the first task in addressing the sense of marginalisation and exclusion. This should take place at the level of perpetually revisited/revised overall mission goals and mandates, and, in parallel, a focus on specific policy areas. A publicly available record of consultations, logged by policy area and also according to who engaged in the consultation would further contribute to transparency.

3. Reframe relationships

The key challenge for peacebuilding missions, identified by this research, is to be able to gauge from the bottom-up, and more accurately than at present, what local populations want and need from peacebuilding policies, whoever ultimately delivers them. Relationships between

internationals and locals need to recognise that gatekeepers among local elites and ›organized‹ civil society are likely to be poor filters for policy preferences, in the absence of robust democratic institutions, and will reflect self-interest, often ethnically framed, that is disconnected or even opposed to the interests of a broader society, unrepresented either by NGOs or political parties. Equally internationals alone cannot unilaterally, or as a result of shady alliances with selective local constituencies, deliver acceptable policy reforms. Consequently, peace operations must disaggregate the local political landscape, paying particular attention to those whose voices have not been heard in the process, and define new instruments for understanding the needs and aspirations of different constituencies in the reform process. Peacebuilding operations must frame relationships within the reform process which can adapt and respond continuously and more effectively to the ever changing landscape of long term interaction between multiple local and international groups.

Concretely, consideration should be given to supplementing mission mandates after a certain period with peacebuilding compacts. Although these compacts would not replace mandates as legal documents, they would be an additional means by which to regulate the relationship between different groups within the peacebuilding process. There are various models of ›compacts‹ in Sierra Leone, Burundi, Afghanistan, Iraq and Timor Leste, and scholarly literature on this aspect of peacebuilding. They attempt to provide a public framework for engagement between externals and locals on the basis of mutual accountability and joint commitment. Going beyond ›compacts‹, we propose the idea of a human security contract to supplement mission mandates (or indeed follow on from them where these run out and are not renewed once formal missions end). Human security contracts would represent a two-way political agreement, to rebuild the diminishing legitimacy of outside interveners in mature peace operations, reset peacebuilding relationships and address the affective deficits noted in extended interventions (such as trust, respect, dignity).

Human security contracts would be context specific, negotiated in a transparent process, at regular pre-determined intervals, and generate a formal sense of responsibility and accountability. The process of developing such a HS contract is as important as the outcome, initiating a broad dialogue in between all stakeholder groups with a focus on arguing, convincing and negotiating instead of bargaining, commanding or squeezing. Their principal aim should be to promote public dialogue on the objectives and priorities of peacebuilding, and to define the roles and relationships of external and local actors. Their ongoing functioning would necessarily also include a consultative process, including the possibility of participation by all stakeholder groups and unaffiliated individuals; soft accountability mechanisms such as benchmarking, two-way (local-external) monitoring and evaluation, mechanisms for agenda setting and prioritisation and a platform for co-opting additional donors and stakeholders. To redress the asymmetry of power relations attention could be paid to processes of mutual learning and shared experiences as part of peacebuilding dialogues. A human security contract could help to institutionalise such a new type of interaction between multiple local and international groups, while making it clear that all groups have something to gain (and to learn) from more intense co-operative interactions.

However the main point about human security contracts as successors to mission mandates is that they are not just ceremonial or symbolic on the one hand, nor largely unilateral, on the other – both characteristics which define current peacebuilding arrangements. In order to counter the complexity and dysfunctionality of existing relationships which this research has observed, and to address the emotional and psychological hazards which long-term intervention produces, a new relationship has to emerge which is performative, verifiable and which offers dignity to all parties.

Bosnia and Herzegovina Case Study

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Introduction

The purpose of the case study in Bosnia and Herzegovina (Bosnia, or BiH) was to use field research to determine how to meaningfully conceptualise local ownership in internationally-driven peace operations. It is hoped that the findings may assist policy makers in the European Union develop appropriate strategies for peacebuilding. The European Union plays a major role in BiH, both as part of the international community in the country and through the accession process.

The study showed that ownership is not a straightforward concept. Relationships between local and international actors are multi-faceted, and it can be difficult to locate agency for political action where authority is decentralised and divided. In the Bosnian context, there also appears to be substantial disagreement within and between local and international actors on how the international community can leave behind sustainable institutions, even when there is broad agreement on the overall goals of the intervention.

Research Approach and Methodology

This study examined the attitudes of the international community, local government authorities, and civil society in BiH, with the aim of determining how the respective groups approached the following questions:

1. What are the legitimate outcomes of the peace operation?

2. What are the processes and strategies by which these outcomes and transition from external intervention towards local autonomy are to be achieved?

3. What are the main constraints and incentives for ownership?

At the international level, interviews were conducted with senior representatives of four agencies which have high profile and/or directly interventionist roles in the peacebuilding process: the Office of the High Representative (OHR), the Delegation of the European Union to Bosnia and Herzegovina (EU), the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations Development Program (UNDP). At the local level, interviews were conducted with government authorities (both state and entity level) and civil society organisations (including academia). Because of the concern of the researchers that the civil society organisations did not necessarily reflect the views of ordinary citizens and voters, a round of follow up interviews with individual citizens in focus groups was conducted. At the local level, all of the interviews were conducted by a team of Bosnian researchers[1] and took place in Sarajevo, Banja Luka and Mostar between August 2010 and August 2011.

Country Context and Background

Politics in BiH are shaped by the Dayton Peace Agreement (Dayton) which ended the war in 1995, and have been influenced since 2003 by the Stabilisation and Association Process which regulates Bosnia's accession to the European Union. Dayton is both a peace treaty and a blueprint for the post-war order. It created a decentralised, ethnically-based political architecture and put in place a complex electoral system to guarantee representation in the parliament and presidency for the three main ethnic groups. The constitution (itself an annex to Dayton) divides most powers between two ethnically-based »entities«, the Federation of Bosnia and Herzegovina and Republika Srpska (as well as Brcko district), leaving the national government with limited jurisdiction. The Federation is further subdivided into cantons, and both entities contain municipalities as the lowest level of government. At the same time, the peace treaty requires the government to protect the fundamental human rights of all citizens, including, significantly, those rights set out in the European Convention on Human Rights. As a result of this fragmented political authority, policy coordination at the domestic level has been weak, which has influenced the pace and direction of reforms intended to develop sustainable institutions.

Dayton also created specific roles for different international organisations, most significantly the Office of the High Representative (OHR), which is mandated to over-

1. The Bosnian research team consisted of Lejla Ibranovic, Midhat Izmirlija and Damir Kapidzic.

see the implementation of the peace agreement and has powers to impose policies and remove local office holders. These international agencies are not formally accountable to the people of Bosnia and report to stakeholders outside the country.[2] The decision of the European Court of Human Rights in December 2009, which found Bosnia's constitution and election laws to be contrary to the Convention's anti-discrimination provisions, simultaneously made Bosnia not only in violation of the Convention (and thus, ironically, its own constitution, which gives supremacy to the Convention) but also the Stabilisation and Association Agreement, which requires compliance with European standards. Despite rhetoric from most local political actors on the importance of European integration, the government of BiH has not been able to make significant progress toward EU accession.

Findings

1. Legitimate outcomes of peace operations

All four local and international constituencies agreed that while international intervention in BiH was successful in ending the war, it has been less successful in building a functioning state. Local actors believe that the international community's agenda has become increasingly muddled with time, a view which some international actors did not dispute. As a civil society representative observed:

> »The main objective of the international community was to end the war, and by implementing the peace agreement, create conditions to building political community in the long term. Except in its military aspects, other instruments of international intervention were not well thought through. Hence, once the fighting stopped, other objectives simply got lost.«.

There was widespread agreement among international and local actors that the ultimate goal of the peace operation should be to build sustainable political institutions through integration with, and eventual membership in, the European Union. Within this, however, international and local actors tended to prioritise the various aspects of peacebuilding differently. The official international priorities, which most international discussants referred to, are expressed in the 2008 Peace Implementation Council benchmarks for the closure of OHR and the 2008 Stabilisation and Association Agreement signed between the European Community and BiH[3]. These include fiscal sustainability, institutional stability, democracy and the rule of law. While local actors saw these as worthy objectives, they argued that issues of employment and social welfare should be prioritised. According to a number of interviewees, this is because:

> »economic insecurity makes people vulnerable and susceptible to radical ideas«.

The international community representatives acknowledged the relevance of economic concerns, but tended to see constitutional and political reform as more important. Half of the international discussants pointed out that corruption in BiH was on a par with other countries in the region, and thus did not need to be prioritised.

A number of local respondents expressed the view that a sense of political community, underpinned by civic identity, must be fostered for a sustainable peace. In the words of a civil society activist:

> »[Sustainable, stable] peace would mean a congruence between ethnic communities and the political process, which we do not have at the moment. Instead of peace, Bosnia-Herzegovina has a substitute, i.e. a long peace process«.

This view was echoed by a member of Bosnia-Herzegovina parliament who said that that even though the fighting has ceased,

> »the peace is incomplete because the war continues in peoples' heads«.

2. The OHR reports to the Peace Implementation Council, a collection of 55 states and international agencies which direct the implementation of Dayton. The Organisation for the Security and Cooperation in Europe (OSCE) reports to its 56 Participating States, and the European Union (EU) to its 27 Member States. The United Nations Development Program (UNDP) reports within the UN system and to donor countries, although it also has had an agreement with the government of BiH since 1995 outlining the responsibilities of each party.

3. These two documents are broadly similar and in fact refer to each other. There is also some overlap between the OHR and the EU. The European Commission and the Presidency European Union sit on the Peace Implementation Council Steering Board. The High Representative is also currently »double hatted« as the European Union Special Representative.

Similarly, according to an academic based in Banja Luka:

»The way out [of the present stalemate] is to promote tolerance and ensure a minimum of coexistence before the international community can leave«.

2. Processes and strategies to achieve desired outcomes

The interviews highlighted differences of opinion on how best to achieve the overall goal of sustainable institutions through European integration. Some in the international community placed the onus on local authorities to undertake constitutional reform. As one discussant put it,

»It is up to local authorities to join the club or not.... The international community cannot negotiate directly with electorate.«

Another member of the international community similarly observed,

»The problem is not the international community versus the local authorities. The problem is with the local authorities who refuse to form a workable consensus.«

However, other international representatives saw the strategies to achieving European integration in broader terms:

»Corruption and organised crime are serious problems and the international community should play a strong role in combating them ... BiH should be supported on its path to Europe.«

Many local actors viewed the international community as too heavy handed in their approach. A common view was that internationals should focus on developing the capacity of domestic institutions, consult with local actors more regularly and implement the advice and recommendation offered by local expert constituencies. Some expressed resentment at the ad hoc and short-term nature of international projects, which are often implemented using technical or bureaucratic language. One interviewee illustrated the perceived asymmetry of the relationship between local and internationals as follows:

»collaboration is a misnomer in a situation when one side approaches the relationship from a position of absolute political power.«

This was echoed by a villager in Kasindo who said simply:

»(locals) do what the internationals tell us to do.«

A number of those interviewed, both international and local, expressed the seemingly contradictory view that while international actors should engage better with local institutions in order to facilitate local ownership, the international community should also become more involved in direct policy making. One international representative said,

»Only the international community can create the rule of law because it is the international community which created the constitution .... The international community should fix the constitution in accordance with the Universal Declaration of Human Rights ...ethical local people should be empowered.«

It is important to highlight that this latter view was not shared by a number of respondents from Republika Srpska, both local authorities and civil society, which are more inclined to see the international community withdraw. Similarly, grassroots interviews in Mostar reveal more ambivalence towards the international community's presence, where there is a common view that local people should take more responsibility at this stage of peacebuilding process. A respondent in Mostar[4] argued that:

»The international community's presence is overwhelming, and there is a feeling that its self-interest keeps the status quo that facilitates its ongoing involvement.«

This links to another widely shared view on the ambiguity and lack of transparency in the international community's engagement in Bosnia. Many local respondents felt that the international agenda is often influenced by external factors, such as the domestic politics of intervening

4. In Mostar the relationship between local authorities and the international community has historically been one of conflict and stalemate. Many locals feel that the international decisions there have been unjust, which has led to many disengaging with the political process or favouring nationalist parties.

states or disputes among members of the international community. Local respondents across the three categories were united in their view that when the international community is determined to push a particular issue, it is generally implemented (one example given was the visa liberalisation regime).

There was also strong evidence to suggest it is very difficult for civil society and ordinary citizens to communicate either with local government authorities or the international community. According to one civil society representative, proposals from the local community are ignored equally by international and local authorities. Local authorities simply:

»do not recognise anyone who might influence public opinion«.

According to another NGO representative:

»the cooperation with local authorities is by far the worst; it is rarely genuine and mutual, and it happens primarily because of the pressure by the international community.«

At the same time, civil society actors generally feel that the

»international community treats civil society as a source of information. We are always expected to be at their disposal. And there is no feedback. Our collaboration does not extend to joint creation of policies«.

At the grassroots level, there is an enormous resentment of the international community's alleged lack of interest in working directly with individuals and communities, especially given their view of local elites as corrupt and eager to manipulate their access to international agencies and funding. The trust in local elites is generally low, particularly among the individuals interviewed in Novo Sarajevo, Istocna Ilidza and Hadzici, where a view was expressed that local elites were rekindling tensions deliberately to safeguard their position, which was not adequately sanctioned by the international community. A grassroots focus group representative in Novo Sarajevo claimed that:

»there are no mechanisms for citizens to voice their grievances.«

At the same time, given the perception that the international community is the ultimate authority in Bosnia, it has become expected that the international community will impose decisions. In the words of a grassroots representative:

»The implementation of laws and regulations is a problem. It has become customary to expect that the international community will impose decisions since our leaders can not reach an agreement. And that is like inviting a neighbour to sort out your domestic problems, which of course he does in his own way, not paying much attention to the needs of your household.«

Civil society representatives were particularly critical of the lack of systematic evaluation and clear benchmarks which could hold local and international authorities to account. They observed that changes in institutions with responsibility over particular policy areas and high turnover among the staff of international agencies often leads to changes in priorities and approach, making it difficult for citizens to track progress.

International actors admitted that there was little official interaction between key international decision makers and civil society:

»there is no mechanism (for citizens' concerns to be heard). Citizens will receive a response if they write a letter of complaint.«

According to another international representative:

»Local people have no official redress.«

3. Constraints, risks and threats

The constitutional structure established under Dayton is perceived by all four groups to be the main constraint to creating a self-sustainable polity. Many of the interviewees mentioned the decision of the European Court of Human Rights, which has clearly called into question the utility of Dayton in the context of European integration.

In the words of a member of the Federation government, the Dayton-based structure

> »creates and promotes ethnic and not political leaders«.

It has also led to a decentralisation, even circularity, in decision making. As one representative of the international community claimed,

> »it is impossible to say who is the owner of the political process.«

Another member of the international community observed in frustration:

> »the international community has no control over how the different branches of government communicate with each other, and no control over the political parties«.

Another respondent, a member of Bosnia-Herzegovina parliament, suggested that there is a deliberate attempt on the part of local authorities to subvert constitutional reform:

> »local actors take advantage of the weakness of the system, especially the decision making procedure in the legislature, to block reforms«.

Some local actors feel that while the Dayton arrangements have created a structural constraint to peacebuilding, the international community approach has reinforced its impact by

> »promoting inter-ethnic rather than supra-ethnic dialogue.«

Beyond the constraints stemming from the constitutional framework established by Dayton, many respondents felt that capacity both at the level of state institutions and civil society, despite years of international engagement, remains inadequate. This accounts for the concern among many local actors that if the international community were to leave, the progress achieved thus far may be at risk. A number of local respondents pointed to the weakness of key institutions such as the judiciary, the fragile economic situation and lingering political extremism, as some of the more critical examples of low local capacity to address political and societal issues.

Civil society is also seen as weak, even by members of this group themselves, and divided along the lines of ethnicity, private interests and donor agendas. According to a member of Bosnia-Herzegovina Parliament:

> »Civil society is still not mature enough. Both political structures in the government and in opposition are corrupt. There is no democratic media«.

The role of civil society, according to a large number of respondents, ought to be to change the perceptions and mentality of citizens, especially given that the educational system in its current form is ill equipped to support this kind of progressive change. Civil society is seen as pivotal in creating a constructive approach to reconciliation at the local community level, in order to replace local nationalisms.

Analysis

1. Concepts

The study showed the difficulties in defining local ownership in an environment where all political constituencies experience disempowerment. Representatives from each of the four communities interviewed, including the international community, argued that other groups possessed some significant control which they themselves lacked. The ownership of goals, priorities, and decisions was difficult to locate, suggesting that it is not something that can easily be identified and transferred from international to local actors.

Legitimacy is another concept that concerns the nature of the relationship between the local population on one side, and political elites and internationals, on the other. The data shows that local communities feel disengaged not only from the processes of decision making (formal legitimacy) but also from the results of the intervention (output or effective legitimacy). There was also widespread agreement among local actors that social and economic development should have been prioritised by the international community. Local discussants also pointed to the bureaucratic or technical language used by the international community for their proposed

reforms, which cannot respond to fundamental political needs such as justice and dignity. This suggests that changing the discourse of the international community to include more normative concepts could lend legitimacy to the intervention.

The word local also needs to be examined further. Local actors from all groups believe that local interests and priorities are not of particular significance to the international community, whose agenda is seen to be influenced by other factors outside the country. Moreover, the international community, according to the civil society representatives and citizens interviewed, has not done enough (or more critically, has lacked both the will and the capacity) to engage with local communities in order to find out what their real concerns are. Instead, the international community has engaged primarily with local government authorities, which the individuals and local communities do not see as necessarily working in their interest. Thus ownership is not truly local, and, as such, the intervention has been only partly successful in stabilising the country.

Finally, exit is a term that is attractive to some international policy-makers keen to disengage themselves from perceived failures of intervention or to put financial and political resources toward other priorities. However, many local actors were wary of a sudden international departure. Re-engagement, with a focus on recalibration of relationships may be a more pragmatic way for the international community to remain involved but in a more effective way.

2. Relationships

The views of the different constituencies show how the relationships between them are complex and multi-layered. Generally the local actors feel inferior to the international community, while the international community representatives often feel constrained by local politics. Lack of trust in other actors was expressed by all groups, which was in turn blamed on others – the international community tended to blame the local authorities for their intransigence, the local authorities tend to blame the international community for being top down, and civil society blamed both. All actors perceive the others as incompetent.

Within this, however, similar views could be found across the different groups. All local actors (civil society, individual local people and the local authorities) agreed that the relationships with the international community were problematic. Agreement could also be found between the international community and civil society. Both these groups described local authorities in negative terms; both these actors saw cooperation among local authorities as a key strategy for local ownership. However, there was no evidence that agreement between the different groups ever contributed to forming functional or effective alliances between them, ie between civil society and the international community against local authorities. The fundamental nature of the relationship between the groups, while not violent or even overtly hostile, was one of mistrust, disrespect, and blame.

The building of effective relationships between international and local actors could be a way to conceptualise a successful international intervention. Currently relationships among the groups in Bosnia are characterized by a deep-seated mistrust and a lack of effective or meaningful communication. A reconceptualisation of the relationships, perhaps based on more flexible interpretation of the various mandates (or even changing them) to develop an authentic system of communication and accountability, could provide a way for local voices to meaningfully influence political decision making.

3. Agency

Locating agency is a fundamental problem in Bosnia. Local actors feel disempowered – so much so that, in the words of a villager from Kasindo »(locals) do what the internationals tell us to do«; in other words, they have no agency whatsoever. While not all local discussants painted so bleak a picture, there was universal agreement that the local actors are fundamentally disempowered in the post-war political settlement. Civil society was seen as particularly weak, as it often depends on the financial support and good will of the international community to stay active. Members of civil society criticised the bureaucratic nature of international action, by which selective goals are developed independently of local institutions, and are then imperfectly implemented by uncoordinated agencies using technical jargon. Locals feel disempowered in both the development and execution of policies.

However, the international community often feels similarly constrained, by the Dayton constitutional settlement (and their own mandates which either flow directly from Dayton or must be consistent with it) and the intransigence of the local authorities in promoting reform. As one international representative argued, »it is impossible to tell who is the owner of the political process«. This frustration felt by all groups leads to a kind of circle of blame, where one group will point to another's failings in a endless cycle.

It seems clear that the fundamental problem in locating agency in Bosnia is the lack of accountable political authority. Local authority under the Dayton framework is so diffuse that accountability is too fragmented to be effective, and international agencies are by their nature unaccountable to either local institutions or the population. The asymmetry of power in favour of entrenched institutions with fixed constituencies as against more dynamic local communities also prevents effective communication which could lead to constructive political action.

4. The Role of the EU

The EU is acknowledged as a fundamental political actor in BiH due to its formal role in accession process, and its role as a key member of the broader international community which has been part of the political landscape of the country since the end of the war. The striking finding that some international and local actors thought the EU should get more involved in the political process in Bosnia in order to effect results which would be seen as positive by locals, suggests that some believe the EU could be more legitimate (at least in the sense of output legitimacy) than elected officials. The recent decision of the European Court of Human Rights against the government of BiH, which requires Bosnia to fundamentally alter the Dayton settlement in order to proceed with accession, shows at once the continuing relevance but also the impotence of the EU, since the accession discussions have effectively stalled.

Conclusions

This study demonstrated widespread agreement among international and local actors in the stated overall goals of the peacebuilding process (to leave BiH politically stable and economically sustainable within a European framework) and the constraints (constitutional deadlock, and the lack of effective local participation in international community activity) that have prevented these goals from being fully realised. The most significant areas of disagreement appear to be the process and strategies by which the goals can be met. The deep levels of mistrust and the lack of constructive interaction between the different actors, even when there is broad (although not absolute) agreement on the basic political challenges, underscore the difficulties in effectively operationalising local ownership.

Kosovo Case Study

MARY MARTIN

1. Introduction

Local ownership is a concept commonly referred to in international peace operations, yet it is fuzzy and contested. It connotes, in a non-specific way, the de facto legitimacy of an external intervention, by casting outsiders not as colonisers, but as enablers in peace and reconstruction. In situations of mature post-intervention, it becomes more significant in that local ownership is often proposed as a specific process for addressing expectations of a shift in power and responsibility from outsiders to locals, and the prospect of an exit from conflict on the part of both these groups. This is the situation in Kosovo, 13 years after the military campaign by NATO, the UNMIK administration and successive forms of supervision by the international community.

This case study is part of the research project between Friedrich Ebert Stiftung and London School of Economics, which aims to reach a clearer understanding of what local ownership means, and to link it to specific policy choices about how to manage intervention, and in particular the later stages of intervention, which are characteristic of the status quo in Kosovo.

In Kosovo, we found that local ownership is problematic in conceptual and operational terms because it depends on a series of overlapping and complex relationships which are constantly evolving, between and within local and international actors, without a stable or clear sense of roles and responsibilities. This means that local ownership is poorly fixed as a concept and malleable as a policy goal.

Moreover, these relationships between different social and political actors in Kosovo, display complexity compounded by dysfunction, and this has the effect that common understandings of ownership, as well as wider goals of peacebuilding, including agreements about an effective and just distribution of power and responsibility between locals and internationals, are hard to achieve.

This lack of understanding exacerbates a fundamental tension between the security needs and interests of locals and the need by international actors to ultimately disengage from intervention, having secured – and been seen to secure – its stated aims, a tension which is characteristic of most interventions. »Self-determination« has become increasingly dominant as a theme in Kosovo politics, replacing a rhetoric of »status« which marked the run up to independence in 2008. It is part of the motif of Vetëvendosje, the radical grass roots movement which has now entered parliament, winning seats in the last election, and which has become arguably the most dominant dynamic force in Kosovo politics. Equally, sustainability also resonates as a theme which many groups feel should guide peacebuilding. While local ownership is seen as a desirable norm, which is ideationally linked to both self-determination and sustainability, it generates less discussion and appears to have less traction in formulating policy direction. More than this, instead of offering a conceptual framework for local politics or the international missions, »local ownership« often appears as an impediment – an example of persistent misunderstanding, and often mistrust, between different groups, rather than something which bridges or bonds them.

This paper is based on fieldwork carried out in Kosovo in 2010–2011. In the first instance it maps some of the complexities of relationship and agency of political actors in Kosovo which make ownership a problem component in peacebuilding. It reveals some of the divergences over how different groups see the goals and processes of intervention. It also shows areas where there is agreement. From this mosaic of views, it is possible to infer ideas about the relationship between locals and outsiders, and in turn, how we might construct a more satisfactory and productive, relational norm of local ownership.

2. Research approach and Methodology

The research initially addressed three separate target groups: internationals, local elites and grass roots civil society, represented by NGOs. It used structured interviews to produce findings which would be comparable across each target group, and also between country cases. All of the interviews were conducted by a team of Kosovar researchers[1].«

1. The Kosovar research team consisted of Lundrim Aliu, Arben Qirezi and Senad Sabovic.

In each target group 5-10 respondents were identified and agreed in outline, based on the type of organisation or role they represented. Typically they were people who had direct experience of engagement between internationals and locals.In this sense, the study was a self-limiting inquiry among a restricted group, and therefore not representative of the Kosovo population as a whole.

The international group consisted of individuals from OSCE, EULEX, the European Commission, the International Civilian Office and KFOR. In the local elite group the interviews were with an opposition MP, two government representatives, and a Kosovo police representative.

In the civil society group the interviews included individuals from the Balkan Policy Institute, KIPRED the Kosovo Institute for Policy Research and Development, the Kosovo Foreign Policy Club, the Centre for Policy and Advocacy, the American University in Kosovo, the Institute for Cultural and Social Studies, the Association of Professional Journalists.

The authors discussed the general framework questions which were set out in the research brief, and adapted them to include the core themes of the project while taking into account the particular circumstances of Kosovo. As far as possible the target groups were asked the same questions in order to make comparison easier both within the Kosovo case study but also to provide some consistency across the 2- possibly 3 case studies of the project as a whole. (Others include Bosnia and Afghanistan).

Structured interviews were carried out mostly on a one to one basis. A fourth target group was added later in order to access more people at the grass roots level, rather than assume that civil society was represented only by NGOs. For this reason we approached individuals who are part of the municipal safety committees which also provided more geographic and ethnic diversity in the response base.

This methodology makes the study qualitatively different from many other investigations into ownership. Rather than identifying and analysing specific initiatives of local participation or capacity building, – whether by internationals, or other groups – the interview process was an attempt to instigate a dialogue with individuals, based on their personal as well as their professional views, about themes such as »exit«, »engagement« »objectives« and about key processes in the intervention. This did not address head on the question of local ownership and how it is understood and practiced in Kosovo. Instead we hoped to be able to define inductively – from the bottom up – the concept of local ownership and how it is put into practice, from what internationals and locals see as the objectives and processes of peacebuilding in Kosovo and their role in it. It also meant that we incorporated an »affective« dimension into the study, capturing the emotional and psychological aspects of how those on the receiving end of peacebuilding feel about their levels of dependency, control and ability to act.

3. The Kosovo Context

There have been different phases of international intervention, which can be divided into the NATO intervention, firstly with a bombing campaign followed by a peacekeeping role which continues at a lesser level today; second was the UNMIK administration which lasted from 1999-2008 and included sweeping executive powers exercised through a pillar structure, sanctioned by UN Security Council Resolution 1244, and a remit which covered physical security handled by KFOR (NATO) through governance to economic reconstruction (Pillar 4) which was placed in the hands of the EU.The third phase began with supervised independence under the terms of the Ahtissari proposal of 2007, under which the International Civilian Office (ICO) was established, with executive and advisory powers based on a recognition of Kosovo's sovereignty, while the EU launched a law and order mission, EULEX, which is a mentoring, advisory and partly executive intervention, but based on »status neutral« approach which does not formally recognise Kosovo's independence, which is not in any case accepted by 5 of the 27 EU member states.[2]

In addition to the supervisory mechanisms and institutions, the government of independent Kosovo exists as an autonomous, independent executive with full state functions, since the declaration of independence in 2008, although the devolution of competences began in

2. In contrast King and Mason label the four phases of intervention until 2006 as 1.Emergency;2.Consolidation; 3. Confrontation and Stagnation and 4.The Reckoning (see I.King & W.Mason (2006) *Peace at Any Price. How the World Failed Kosovo*, Cornell University Press.)

2001. However, sovereignty remains constrained by unresolved status issues, in particular relations with Serbia and Kosovo's lack of jurisdiction over the northern part of its territory. Arguably a fourth phase is now emerging in which international engagement, particularly ICO and EULEX, is revised with a downscaling of the size and scope of their missions, and Kosovan political authorities at central and local level are attempting to exercise more power. Among the key institutions of intervention, UNMIK was highly unpopular and seen as top down and high handed. Within the different phases of the intervention, it has to be noted that 2004 represented a watershed moment in the relationship between externals and locals, after UNMIK and KFOR failed to control the outbreak of violence in March 2004.

The EULEX mission has inherited some of this unpopularity and is regarded with a mixture of derision for its perceived ineffectiveness, and resentment. In contrast, the ICO has relatively more credibility among Kosovans, partly because it recognises Kosovan independence and works with the elected Kosovan government. The unpopularity of EULEX, particularly compared to the ICO is critical to understanding the local ownership puzzle in Kosovo. The conceptualisation of »ownership«, and the processes by which power is, or is not devolved onto Kosovans, are at the core of the problems of the law and order mission.

Kosovo is a post-conflict case which makes it impossible for the international intervention to be driven only by a bottom-up approach. A main characteristic of the peace-building process in Kosovo is the large scope and scale of the international intervention and the fact that it has occurred over a sustained period. Rand Corporation ranked it as the most intensive intervention ever in terms of money, staff and effort per Kosovan citizen.[3] As a result, the fate of Kosovo has become in general a shared concern between outsiders and locals: each constituency has a vested interest in its »success«, and therefore both top down and bottom up approaches apply. On the other hand there is signifiant disagreement over the precise aims and modes of the international presence, particularly between Serb communities, and more hardline Albanian Kosovans. However the main consideration for this study is that international organisations, polities such as the EU and individual third party states have invested so much time, money and reputation in different modes and phases of intervention that the outcomes in terms of what they gain from a peaceful Kosovo, need to be set alongside the diverse interests of Kosovans. This substantially affects how ownership is understood and how each side views the prospect of an international exit.

3. RAND Corporation »Post-war Nation-building from Germany to Iraq« 2003.

4. Findings from the Study

There are fundamental differences of understanding between locals and internationals about local ownership as a concept within peacebuilding in Kosovo. For locals the term has deep historical, social and linguistic roots to do with property rights, the transfer of state owned enterprises to workers in the Communist era, and the rights of municipalities and local communities in relation to the state. This is quite different from internationals' understanding of the term, which has more to do with the locus of control and the balance of power.

At first sight, there is a consensus among all groups interviewed concerning the goals of the international intervention in Kosovo. For example all interviewees spoke of broad brush concepts such as democracy, rule of law, sustainable institutions, capacity-building, justice mechanisms working independently and impartially, peaceful inter-ethnic relations and the decentralization of local government, as well as a positive environment for economic and social development with the ability to attract foreign investment.

More specific aims include integration of the north of the country and the implementation of integrated border management, although this a typical issue where the overall aim conflicts with the policy of decentralization, imposed by international actors in the eyes of some local groups. A clear path to EU integration is important and to this end all groups felt that Visa Liberalization Guidelines would be an important sign of normalization. Many also felt that the internationals should support Kosovo in advancing its foreign-policy interests including status recognition and Kosovo's membership in international organizations. One interlocutor told us that EULEX should help the Kosovo police to join Interpol and Europol and regional policing initiatives.

However in most cases – and most issue areas, there was little specific detail about these goals, nor was there evidence of an ongoing dialogue between the multiple parties which could help define these objectives more clearly, or reach consensus on how to attain them. The internationals saw the aim of their presence as making Kosovo »a country like any other in the EU,« where the end state is a situation in which independence is no longer supervised, institutions are accepted as the governor of social processes, are responsive, and display an »acceptable level of corruption«. They spoke of goals such as a self-sustainable economy which provides for an appropriate state budget and employment, and relevant institutions being able to fight off organized crime and corruption by themselves.

These aims are shared by the different local constituencies. All groups interviewed cited corruption as a key concern and they agreed that international assistance was necessary to combat it effectively. Kosovans felt that by themselves it would be more difficult to root out a culture of bribery, or address organised crime. However no-one interviewed could provide a common definition as to what constitutes »an acceptable level« of corruption. Local interviewees spoke more frequently of the EU failure to arrest people for war crimes or corruption. Indeed many, even if not all, interviewees were opposed to an international exit in the areas of security and justice.

KFOR remains one of the most trusted and welcome aspects of the intervention, with locals almost unanimous that its presence was required because the perceived threat of Serbian aggression in the north could not be dealt with by Kosovo alone. In contrast there was widespread criticism of EULEX, but on the basis that it had not done enough to meet expectations, rather than that it was an intrusive mission which deprived locals of executive powers.

»EULEX is the biggest mission and we expect they do their mandate – fight corruption and organized crime. Their responsibility is to assist the local institutions, but they also have executive powers especially in this area. This is the main expectation, fight against organized crime and corruption. This is also what I personally and many NGOs expect from EULEX. This is the main priority.«

»These expectations have not been met so far, there are very few cases which have ended up in courts, which have been taken up by EULEX prosecutors. EULEX has a small number of prosecutors and judges, which make impossible for them to complete the mission. It also has little political support. At the same time, there is some ambiguity on the executive powers as per when and how these powers should be exercised. Often EULEX uses this as a justification for lack of action.«

»Organized crime and corruptive behaviour criminals should be addressed from the moment international presence enters into a particular context. Otherwise they should leave the authorities to be completely responsible so people know whom to hold accountable«

The EULEX mission symbolises for many the disjuncture of expectations: EULEX officials believe the government has a minimalistic vision of the mission's role, wanting it to strengthen its authority over the Serb-dominated north of Kosovo,as a way of introducing Pristina«s authority there – something the Kosovan government could not do by itself. Yet in the rest of the country, the government would prefer that EULEX focuses exclusively on its advisory rather than an executive role. Civil society wants EULEX to use its executive powers against organized crime and corruption. The EULEX mission itself would like Kosovo institutions to take the lead against organized crime and corruption, so that it plays a supporting role. These conflicting expectations are resolved by way of a bargaining process with the government, whereby EULEX increases authority in the north in exchange for Kosovo institutions showing more will to address organized crime and corruption. This makes it hard to discern what or where any idea of »ownership« lies.

Another example of differing ways of viewing the same process is visa liberalization vis-à-vis the Schengen countries.[4] The topic currently dominates relations between ECLO (European Commission Liaison Office) and local stakeholder groups and, while the overall goal is mutual, the difference of vision on details is acute. ECLO focuses on substantial reforms in Kosovo that meet the visa liberalization requirements while the government is focused

4. Schengen countries almost fully correspond to EU member states and thus the process is handled by the ECLO.

on getting visa liberalization as soon as possible and with the least possible amount of reforms. A „check list" approach by the government is not seen by internationals as a sufficient commitment to substantial reforms Inevitably, there is a bargaining process between the ECLO and the Kosovo government, whereby the former is pushing for essential reforms and the latter tries to minimize its work.

Another issue area where international intervention was not rejected per se, as a matter of principal, but criticised for its lack of effectiveness was ethnic reconciliation and minority integration. Many, particularly at grass roots level, felt this was an area where the International Community could make a positive contribution, but this had not been done well.

»Minority citizens are privileged and this frustrates the majority. In this sense, especially the EU is showing off rather than doing real justice and security improvement. EU care more about media coverage than concrete results from its activity.«

»By giving too much focus on minority integration, other sectors have been undermined and minorities have ended up being privileged, which creates general frustration in the society. As service providers we see that Serbs are a privileged community in Kosovo. Albanians and others do not receive the same attention like Serbs. These privileges stem from political reasons, mainly imposed by international presence. Rule of law and justice is not perceived as relating to individual rights. Rather, it relates to group rights and group positions within the society. This has been the policy of International Community where the concept of the rule of law has been guided by political, rather than by legal considerations.«

Turning to the strategies of peacebuilding and how locals and internationals work together, internationals point to an intensive every-day interaction with their peers from Kosovo institutions, and in many cases the fact that international experts are embedded in policy-making departments of the Kosovan administration. Yet rather than evidence of a co-constitution of goals and processes, this appeared to reflect an elite-centered approach, which sought to achieve solutions through negotiations, on the one hand, and on the other the international approach of creating allies among local counterparties who could be relied upon to engineer stability.

Thus while there are many shared goals between Kosovans and internationals, the reform process does not lend itself to a balanced participation, or just as importantly to an effective distribution of responsibilities. Internationals acknowledge that their supervisory and executive activities, as well as their role in monitoring creates limitations on Kosovo's sovereignty. Kosovan interviewees felt that a culture of dependency had arisen because the international community has taken the role of a decision maker rather than a supporter of processes: »The internationals decide too much, even when their involvement is not mandated«. One term used was that the international presence after 1999 was«overwhelming«. Yet, conversely in many policy spheres, many Kosovans interviewed felt that the internationals could have done more to use the powers conferred by their missions and to make the most of the space created by the intervention in order to combat local corruption and achieve social justice.

Some local interviewees felt that the international goal of short term stability had squeezed this »positive« space in which internationals could have operated, and had jeopardised Kosovo's ability to be an independently functioning state:

»[we]need to be allowed to fall in order to be able to walk properly. In certain areas we want them hands-off [approach] so Kosovars can go through the state-building process so not always for the sake of stability to have short-term interventions. We would like institutions to be allowed to fail in some regard. For example on the fight against organized crime and corruption, ...This would allow us to learn and practice democracy. Kosovo has a young democracy. We would not like to see political stability [concerns] prevailing over democracy. We need to go through processes ourselves although pushed sometimes from outside.«

»I think that for the initial phase, for the reconstruction, is good to have involvement from both sides [internationals and locals].Also a role for international representatives in countering the usual power structures that you have in a place after coming out of a conflict.«

There is also a sense among locals that they are now trapped by an intervention which has become bogged down:

»We cannot go forward, we cannot go back. We are in the middle.«

Various types of interaction and relationship were described in the course of the interviews, ranging from negotiation which often leaves locals feeling disadvantaged – because they had fewer bargaining counters – to a relationship which one local NGO described as »authoritative« to a genuinely co-operative and balanced dialogue: »What works with them [internationals] is talking and sort of advising each other on certain issues and sharing [knowledge]«.

Views differ within the groups interviewed about whether it is ends or means which matter most. One view expressed was that who initiates reforms matters less than the goal of the reform, and whether it was perceived as appropriate and beneficial. Ownership became a moot issue when »good« reforms were proposed, and indeed different groups internalised the change and collaborated to stake a claim in it, rather than either rejecting it, or on the other hand claiming authorship or leadership. An example of this was »Standards for Kosovo« which aimed for a parallel resolution of the country's status at the same time as achievement of certain governance standards. It was taken up by domestic political elites, and all groups worked to implement it, because it offered something which was deemed good for the country. In contrast an earlier strategy, »Standards Before Status« initiated by UNMIK met resistance because people felt that the status issue was a greater priority. Similarly, EULEX proposed police reforms which initially met resistance but were subsequently accepted by Kosovo police who are now working in implementing them.

Another view was the opposite – that there was too much emphasis on getting reforms done instead of ensuring democratic processes. Some Kosovan interviewees thought it mattered more that reform was in the hands of legitimate groups in society, in order for the changes to be accepted.

Most Kosovan interlocutors want to see more results-based processes governing the international strategy including joint planning of objectives, and policy implementation, particularly as frequent personnel changes among the internationals, create difficulties in successfully completing projects. A results-based approach including regular evaluation of progress would not only add more specificity to the international contribution, but it could be part of a progressive devolution of executive competencies from international agencies to local institutions. Earlier attempts at benchmarking by the international community illustrate the fragile balance to be achieved here: this policy was seen as imposing standards on locals, whereas a new form of benchmarking would aim to establish targets and expectations for both locals and internationals alike.

One way the lack of clarity regarding goals and means shows itself is through concern at the unspecified time frames for the international presence, and the fact that on key reforms it is often not obvious who is in charge and who is accountable for them. What matters to Kosovans is not so much when and whether the internationals would leave, but that a timetable would create a framework for their actions. Without a timeframe the impression of an unlimited and perpetual presence produces perceptions of colonisation, and a sense of stunted responsibility on the part of local decision makers. In the words of one local interlocutor from civil society:

»I think you should have a clear exit strategy from both sides, you should have a list of things that should be checked and a particular time-frame, an evaluation in six months or annual basis. This should be done by both sides, in order to have a checks and balance working in both sides.«

»We talk about the exit strategy of the international missions, but we don't talk about a checklist of what we ...want to see accomplished before missions leave. By the end of 2012 in order not to diminish the local judiciary, [EULEX] should develop an exit strategy [regarding] its executive powers and remain on the sidelines, mentoring, monitoring and advising. Capacity should remain with the locals. When you talk about building local capacities while you do the job for them, you make the process more difficult«.

»Talking about Exit Strategy is useful because people need some orientation. Also the missions need exit strategy because there is risk they continue only to serve themselves. Sometimes these missions can become counter-productive so there is need to talk about the exit strategy.«

The most pervasive impression from all the interviews was that external intervention had created uncertain objectives, competing methodologies and discrepancies in how policies were implemented, as well as grey areas of responsibility. Each group of actors within the peacebuilding process is experiencing its own internal tensions. For example, Kosovans felt that many international actors, especially those from the EU are still seeking to work out a role for themselves, and long chains of command and multiple layers of management from Brussels and national capitals make it difficult for everyone engaged in a particular project to discern motives, areas of responsibility and to have confidence in who is doing what.

Two key tensions were evident within the local groups interviewed: firstly, between local communities and NGOs – many Kosovans, particularly at municipal level, distrust NGOs and see them as perpetuating an elite mentality of priveleged access to decision making and funds. Rather than helping NGOs it is felt that there should be a power shift towards ordinary people and getting them engaged in Kosovo's future.

Secondly, there are tensions between the state, represented by the government officials we interviewed, and centralised functions, and the desire for more decentralisation of public services. It is not clear whether the presence of internationals has in fact impeded more localised services. There are tensions between the central government and municipal authorities around issues of providing public services, particularly against a backdrop where the legislation, for example on land use and construction, is untried or non-existent. Frustration at the lack of local capacity in this context was directed more at the central government and the relatively weak powers of municipal authorities than seen as an issue of ownership between foreign peacebuilders and locals. Many of the interviews revealed how locals invoked the international presence, either as an ally against an intransigent municipal or national body, or as an alibi to explain delays or poor performance.

Many interviews also revealed ambiguous attitudes to civil society, in the form of NGOs. Capacity building of these organisations in order to strengthen civil society has been a key plank of internationally led reforms in Kosovo, but other Kosovans felt this was an unsatisfactory mechanism to improve Kosovan politics and society.

»The circle of people consulted should widen. Not only the work of the civil society, but also of municipalities, community representatives, development or women groups, should be taken into account«

»I think that profit is their first priority. They do something for their community, but that is insufficient...and there is this morbid rivalry between them, in terms of who will do things first, etc. Why should I help them getting their projects when they target only about a dozen of people?«

»As a mayor, I have some influence on capital projects, but I do not have influence on public enterprises. There is a disbalance between citizen needs and competencies of municipal authorities. Authorities in Kosovo lack some basic things such as Kosovo area plan. Municipal authorities cannot do any planning because they do not have any control of public land. For example, Gracanica has no municipal land which is a prerequisite of effective municipal development planning.«

5. Conclusions and Policy Implications

International intervention in Kosovo poses a key problem of agency. This problem consists not just of the obvious aspect of differential capacity and power of international versus local actors, but more profoundly, how each group assumes and progressively constructs its own and the others' capacities.

By asking questions about relationships and using a methodology which assumed a relational character to peacebuilding in Kosovo, it could be argued that we were preempting, indeed willing a conclusion which focused on relationship problems. However, this was only a starting point: what our conversations revealed was the texture and some of the finer details of how dynamic – and often confusing – these relationships were and how these details make it more difficult to pursue an ideal type of peacebuilding in which capacity and control would shift progressively and irrevocably towards Kosovans.

Local ownership is neither clear in a conceptual sense, nor in terms of process. The term itself has linguistic and historical/social meanings in Kosovo which may render it unsuitable as a theme or norm in peacebuilding. Internationals associate it with a more figurative sense of power and control. For Kosovans it has connotations of property rights, and worker ownership of former state owned enterprises, meanings which are rooted in a specific historical period of the end of Communism.

Both conceptual and process aspects of local ownership are impeded by the variable nature of the relationships between key groups of actors in the post-conflict environment. In answering the same sets of questions, the four target groups revealed not just different perspectives regarding the goals and processes of intervention, but also the complex interactions which take place in order to achieve them.

Multiple relationships are problematic because of the complexity and opacity they bring to both sides of the external-local interaction. Among the externals, some patron countries are particularly vociferous, others are content to take a back seat role at least on the ground, although their policy-makers in Brussels and national capitals may be less passive. Unclear and confusing mandates add to this complexity. So do frequent changes of personnel among internationals in Kosovo.

Although the international community is highly fragmented, international actors tend to be dominant because they have much to lose if Kosovo does not turn out to be a successful example of intervention. One consequence of the shared concern nature of the intervention means that the internationals feel they have to squeeze local political autonomy particularly when something goes wrong, in order to achieve »good« outcomes. Yet there is no consensus on when and how this squeezing should occur and on the balance between top down initiatives by internationals and the bottom up perspective of locals. They also tend to appropriate power through spillover into areas which are not covered by specific mandates. Examples of this are the Kosovan privatisation process and other areas of socio-economic policy.

Sensitivity to the risks of intervention and the potential for failure leads internationals to adopt a »bargaining, not arguing« approach to the relationship with local actors. Interaction is based on a negotiation and a carrot and stick approach. There is no process to co-determine what mutually acceptable outcomes might be, or the setting of agendas and priorities in common. Instead of an ongoing discursive relationship, internationals and locals engage in a series of bargains. The nature of the bargain the international side seeks to strike is not a normative goal of local ownership or a shift in power and responsibility to local actors, but a much less ambitious desire to create a »policy complicit« regime, in other words the cooperation of local actors in producing stability and a series of policy targets. This bargaining approach interferes with an ideal of local ownership because the power of local actors relative to internationals is nominally weak, and it is distributed unevenly between Kosovan elites and grass roots groups.

The bargaining strategy also tends to produce ad hoc and sometimes reactive initiatives by internationals as they seek to maintain short-term stability and order, at the expense of a coherent longer-term strategy.

Bargaining behaviour also leads to strange, unnatural and shifting alliances between groups of actors, which adds to the lack of clarity in the relationships between locals and internationals.

On the local side, Kosovo is still a fragile democracy that allows the political leadership to dictate the interests and needs to the people, rather than the other way around.

One obvious factor is the lack of strong local institutions capable of either functioning as effective transmission channels between grass roots society and executive power, or of engendering public confidence in how that power is being deployed.

The level of the general public's and civil society's influence over the government is simply too weak, and their voice too low, for internationals to successfully discern what is the essential »local interest« in Kosovo. Moreover the pluralism of actors and relationships produces unexpected coalitions and alliances. This makes it additionally hard to formulate a coherent set of expectations and division of labour in interactions with internationals. What happens instead is there is »second-order« interpretation of the local voice. This involves a) claims by the government and internationals as to what is the basis for defining and implementing local ownership, b) an aggregation of what different EU member states interests are in order to arrive at the international priorities for their intervention.

The quality/ poverty of actor interaction in Kosovo has other less obvious characteristics: firstly, internationals short-circuit the links between different levels of Kosovan society and go directly and sometimes only to civil society rather than involve the government or engage in a continuous loop involving all 3 target groups. This tends to increase the sense of distrust and distort communications into a form of »Chinese Whispers« .

Secondly, there is a phenomenon of the different groups using others to achieve what they want indirectly rather than directly. For example, internationals use civil society under a guise of »capacity building« rather than tackling government elites head on about issues such as corruption and transparency. Civil society organisations which are directly funded by internationals tend to be put forward as »straw men«, pitted artifically against the government to fulfill the specific interests and agendas of international donors.

Thirdly, there is a readiness by Kosovan elites and internationals to settle for a thin form of control, what might be termed »fake« ownership rather than address the challenge of distributing power and responsibility. An example of this would be letting government ministers front announcements of reforms which are really settled by internationals.

Turning to the effects these relationships produce, the research identified specific areas of tension which compromise a clear understanding of local ownership and impede its operationalisation.

1. expectations about the intervention differ between all groups, while at the same time there is no active management of expectations by internationals or any attempt to problematise differences in expectations. Thus while there is a common perception by Kosovans that internationals should be »here to help us«, grass roots groups may pay more attention to capacity building, rather than ownership. Autonomy and control are more important to government elites. The gap in perception between the locals and the internationals, can also be described as localism vs. regionalism: the international agencies rather see the bigger picture behind policies while the locals focus on their own immediate needs.

2. The level of dependency on internationals varies as do thresholds of tolerance of the lack of autonomy, across different issue areas and by different groups.

3. There is no discussion or agreement as to the ordering mechanism of the international intervention, for example whether goals and objectives should be assessed in terms of exit or benchmarked against a qualitative standard.

4. The temporal dimension of the international intervention is poorly articulated. On the one hand, there is no discussion or agreement about appropriate time frames for policy goals or achievements. Neither is the evolution of the intervention managed by both sides to take account of changes in the relationship, for example, shifts in the degree of dependency, or political pressure for disengagement on the international side, nor, more simply to account for changes to the underlying security situation in Kosovo.

More than active disagreement between international and local actors over the desired goals and processes of the intervention, the research found that the relationship between them is characterised by a series of ambiguities, which add to confusion about local ownership as either normative principle or process. An example of an ambiguity is the notion of local dependency. Dependency arises from different drivers: from the weak international position of Kosovo, from its weak institutional

capacity but also from the failure of internationals to actively push Kosovan autonomy. Dependency is seen as both a negative attribute inasmuch as it disempowers local actors, and undermines the status of different local constituencies in the eyes of other Kosovans. It can also damage self-confidence. At the same time, dependency was sometimes cited as a positive element, because it enabled Kosovans to blame internationals for shortcomings in policy or was a reason for insisting on continuing assistance of internationals.

Another example of ambiguity is the significance attached to the international exit. While this was seen as a desirable end of intervention it was also feared by Kosovans, who preferred to talk about the need to engage internationals more intensively in some areas in order to secure lasting gains to the peace process.

»Local ownership« presupposes a linear process by which the intervention naturally evolves into a situation where power and control shifts towards local actors. On the contrary, many Kosovans feel that they have ended up with a society which has not improved because the intervention was configured wrongly from the outset, and it is now difficult to put it back on track.

Rather than assuming exit and local ownership as mutually reinforcing and deterministic mechanisms – exit forces autonomy and more local responsibility as allowing internationals to exit – a more constructive route could be to base the international presence around a perpetually renewable contract, in which international actors recognise, reassess and continuously reconfigure their responsibility in Kosovo in conjunction with local actors. Discussion about responsibility and engagement should take place in 3 settings: between international actors, between local actors and between locals and internationals. It should also use more rigorously key reference points such as implementation of the constitution of Kosovo, or in the case of EULEX the devolution of specific powers. There should be »contracts« within programmes which clearly define a role for civil society and various interest groups to create a functioning system of checks and balances that would help to create sustainable results of the peacebuilding process. The objectives should be clear and concise with agreed timelines. Objectives should be short-term (three to five years mostly), rather than long term (more than five years). There should be no talk of »Exit Strategies« because it changes the focus from the implementation of the objectives. Responsibility is a more constructive idea to devolve power than local ownership.

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Imprint

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ISBN 978-3-86498-185-2