Illinois State University

ISU ReD: Research and eData

Theses and Dissertations

2023

Assessing Peacebuilding Processes through a Human Rights Lens: an Analysis of Peacebuilding Efforts in Kosovo

Carolyn Lee Hannon
Illinois State University, hannonc2017@gmail.com

Follow this and additional works at: https://ir.library.illinoisstate.edu/etd

ASSESSING PEACEBUILDING PROCESSES THROUGH A HUMAN RIGHTS LENS: AN

ANALYSIS OF PEACEBUILDING EFFORTS IN KOSOVO

CAROLYN HANNON

179 Pages

This thesis critically examines the United Nations Interim Administration Mission in Kosovo (UNMIK) to determine the extent to which it reflects the specific dimensions of a human rights-based approach (HRBA). An HRBA emphasizes the centrality of human rights principles in the design, implementation, and evaluation of development and governance initiatives. Through a comprehensive analysis of the UNMIK's policies, practices, and outcomes, this research aims to assess whether the mission effectively incorporates the key elements of an HRBA.

This study employs an illustrative case study. By doing so, this research aims to provide an in-depth analysis of UNMIK's policies, practices, and outcomes, therefore shedding light on its adherence to the essential aspects of an HRBA. The illustrative case study focuses on specific components of the UNMIK's operations related to human rights, allowing for a comprehensive understanding of the mission's practices within a specific context.

The findings suggest that while the UNMIK has made significant efforts to integrate human rights considerations into its policies and practices, there are notable gaps and challenges. The mission demonstrates certain strengths in each of the six principles of an HRBA. Ultimately, however, there are significant areas where the mission falls short in fully reflecting each dimension of an HRBA.

This study underscores the importance of strengthening the capacity of the UNMIK and other peacebuilding missions to fully incorporate the dimensions of an HRBA, particularly in post-conflict and transitional settings. Additionally, the implications of this research extend beyond the specific case of the UNMIK, providing insights for the broader development of an HRBA within international peacebuilding operations.

ASSESSING PEACEBUILDING PROCESSES THROUGH A HUMAN RIGHTS LENS: AN

ANALYSIS OF PEACEBUILDING EFFORTS IN KOSOVO

CAROLYN HANNON

A Thesis Submitted in Partial
Fulfillment of the Requirements
for the Degree of

MASTER OF SCIENCE

Department of Politics and Government

ILLINOIS STATE UNIVERSITY

2023

ASSESSING PEACEBUILDING PROCESSES THROUGH A HUMAN RIGHTS LENS: AN

ANALYSIS OF PEACEBUILDING EFFORTS IN KOSOVO

CAROLYN HANNON

COMMITTEE MEMBERS:

Noha Shawki, Chair

Mike Hendricks

Yusuf Sarfati

CONTENTS

TABLES

INTRODUCTION

The state of Kosovo lies at the center of the Balkans region, bordering Serbia, North Macedonia, Albania, and Montenegro (Kastle). Kosovo stands as an indication of the complexities of human history, cultural diversity, and political struggles. The small yet significant region has been a focal point of contention and conflict for centuries, drawing the attention of international global powers and rising passions among its citizens. From its origins to its modern-day journey toward statehood, Kosovo's history is complex and intertwined with heritage, identity, and conflict that has seemingly never ended. While milestones have been achieved, the region consistently faces political, social, and economic challenges that cause its citizens to suffer from serious human rights violations such as restrictions on free expression, government corruption and impunity, as well as violence or threats of violence that target ethnic minorities and other marginalized groups (Kosovo Human Rights Report, 2021). Kosovo is a small country that has sought to secede from larger powers throughout its history. The conflict in the state has been ongoing for many decades due to the ethnic tensions between Serbia and Kosovo Albanians.

The post-World War II era witnessed an intense cycle of political transformations, including the formation of the Socialist Federal Republic of Yugoslavia, in which Kosovo became an autonomous province of the Socialist Republic of Serbia (Abrahams et al., 2001; Howard, 2013). However, the collapse of the Socialist Federal Republic of Yugoslavia exacerbated the conflict between the two states. With its collapse in 1992, Serbia gained substantial power with this breakdown and wanted Kosovo to remain under its control. However, with Yugoslavia's undoing, Kosovo fought for independence in the same sense as every other republic that was a part of the country before its failure. Serbia and Montenegro then formed the

new Federal Republic of Yugoslavia as a successor state to the old Yugoslavia. Kosovo remained a province within Serbia (The Breakup of Yugoslavia, 1990-1992). This situation led to tensions and conflicts between the ethnic Albanian majority in Kosovo, who sought autonomy and independence, and the Serbian government, which aimed to maintain control over the province. Over the next 30 years, both sides have consistently inflicted violence on each other and have failed to achieve comprehensive solutions to their conflict. This issue has been prevalent as Kosovo continues to experience leadership problems due to the remaining divisions between ethnic Serbs and Albanians in the region. As a result, corruption, high unemployment, halted development, and organized crime burden the country with no foreseeable durable resolutions.

The international community recognized these struggles and decided to undertake the challenge of creating peace in Kosovo. Three different peacebuilding missions were created to help Kosovo find solutions to its problems. Each mission was tasked with its responsibilities and goals: promoting peace and security, creating democratic governance, and establishing institutional preconditions for durable peace and reconciliation. In other words, each mission encompassed its objectives of encouraging development in Kosovo to create a peaceful society. Kosovo has received more development assistance than any other similar state in the world, though it remains one of Europe's poorest and least developed countries (Howard Research Brief, 2013; Stiftung, 2022). It has been decades since these global actors acquired control over the state, so it is a wonder why Kosovo remains a conflict-ridden society. International disagreements and the divided neotrusteeship[1] between the peacebuilding missions have

---

[1] Neotrusteeship: A combination of international and domestic governance structures, through which foreign powers assume responsibility for the domestic political authority and economy (Howard, Lise Morje (2013). Research Brief: Neotrusteeship in Post-conflict States - Lessons from Kosovo and East Timor).

amplified ethnic rivalries in the state. As a result, it is difficult to determine who is in charge and what they want to achieve.

Why have no long-term solutions been produced in a state with such substantial international assistance? Without comprehensive and durable solutions, the people of Kosovo do not fully enjoy their human rights. Human rights are fundamental to being a human; without full access to those rights, the ability to make the most of one's life is stripped away. No individual should suffer in life or be worse off because of where they were born, their beliefs, their sexuality, their race, etc. A human rights-based approach understands the importance of this and how having equal access to all human rights benefits the individual and society as a whole. Therefore, the missing piece of each peacebuilding mission in Kosovo may be that they fail to encompass the idea that full and unrestricted access to human rights plays a substantial role in achieving most, if not all, of their goals.

The goal of this thesis is not to solve the issue of competing sovereignty claims or to determine which side's claims are more justified. Instead, the purpose is to analyze whether Kosovo's United Nations peacebuilding effort reflects the specific dimensions of a human rights-based approach (HRBA). Furthermore, this thesis intends to illustrate the efficacy of an HRBA and how its employment can positively influence the international community's efforts to address a multitude of issues. Finally, this thesis contributes to the existing literature because constructing peacebuilding efforts through an HRBA lens will provide alternative approaches that can further advance goals concerning the development of a society. Therefore, I address the following questions: To what extent is Kosovo's United Nations peacebuilding effort grounded in a human rights-based approach? What would need to change for this effort to be more grounded in a human rights-based approach? This then indicates the changes the mission must

make to better reflect each dimension of an HRBA. My findings encompass an array of positive efforts made by the United Nations Interim Administration Mission in Kosovo (UNMIK) to promote and protect human rights in Kosovo. However, UNMIK lacks consistency in its commitment to promoting human rights. While the Mission succeeds in multiple objectives that relate to each principle of an HRBA, many of the actions and implementations by the Mission overshadow specific emphases of each principle. Due to the Mission's inability to comprehensively represent each principle, the Mission lacks a basis in a human rights-based approach. It, therefore, must change certain aspects of its strategy to successfully implement this theoretical framework.

In Chapter 1, I begin by providing background information on the history of peacebuilding and where the concept originated. I then discuss different aspects of peacebuilding and previous scholars' application of existing theories to the concept. Following this, I explain the human rights-based approach and what committing to this approach necessitates. Finally, I explore the application of an HRBA to peacebuilding and why doing so is essential for the development of a society. Chapter 2 then provides a discussion on my methodology and case selection. Next, it addresses the United Nations peacebuilding mission in Kosovo, followed by an in-depth history of Kosovo. In Chpater 3, I conduct a case study to analyze whether the United Nations peacebuilding mission in Kosovo represents the conditions of an HRBA and what it would need to change to do so. Finally, I conclude with a discussion of broader implications and possible directions for future research.

CHAPTER I: BACKGROUND & LITERATURE REVIEW

PEACEBUILDING BACKGROUND

Johan Galtung, a well-known researcher, developed and reasoned the notion of peacebuilding (Brovina, 2017). The term originated in the 1960s and 1970s. Later, it emerged as a concept after the Cold War in the publication of the Agenda for Peace by Boutros Boutros-Ghali, former UN Secretary-General, in 1992 (Brovina, 2017). The international community understands peacebuilding as all efforts to identify and support sustainable peace and the prevention of the recurrence of violence and conflict through the development of institutions that address the root causes and effects of conflict, which, in turn, enable the non-violent resolution of tensions and disputes (Boutros-Ghali, 1992; Chetail & Jutersonke, 2015; McCandless, 2021). It is essential to clarify that this analysis uses the concept of peacebuilding specifically, not peacemaking or peacekeeping. Unfortunately, though, the boundaries of each term have become increasingly unclear.

Peacemaking, peacekeeping, and peacebuilding are distinct but interconnected concepts and approaches for promoting and maintaining peace in conflict-affected areas. According to the United Nations, peacemaking typically incorporates measures that address conflicts in progress and involve diplomatic action that helps warring parties reach a negotiated agreement (United Nations Peacekeeping). Additionally, peacekeeping supports implementing a ceasefire or peace agreement, including disarmament, demobilization, and reintegration (United Nations Peacekeeping). In other words, peacemaking focuses on resolving conflicts through negotiations, and peacekeeping focuses on maintaining peace and security during and after conflicts.

Equally important, peacebuilding addresses the underlying causes of conflict and builds long-term peace and stability (United Nations Peacekeeping). Peacebuilding missions encompass

a broad range of activities to achieve their goal, and while they can make a substantial amount of progress, they can also experience severe setbacks. Therefore, the effectiveness of peacebuilding is contingent on multiple factors: the political decisions of its participants at all levels; the effective leadership of national governments; and specific resources such as human capital or donor financing (Cheng-Hopkins, 2010). The requirements for success addressed above show how complex peacebuilding missions can be.

On top of these factors, it is also imperative to understand that the priorities of peacebuilding missions are contextually different in each country. While each mission has the same primary goals, that of establishing security, creating confidence in political processes, implementing initial peace dividends, and increasing national capacity, each mission has its own specific priorities that relate to the development of a particular state (Cheng-Hopkins, 2010). With these factors considered, peacebuilding is a complex process that must be thoroughly considered.

Scholars have applied multiple approaches to the concept of peacebuilding, though none encompass objectives even close to the realm of an HRBA. For example, some scholars have applied Liberal Peace Theory to peacebuilding, also known as liberal peacebuilding. Liberal peacebuilding believes societies will achieve sustainable peace when their institutions reflect democracy, a free market economy, individual human rights, and the rule of law (Coning, 2018; Paris, 2010; McCandless, 2021). Societies that fall short of this development could be advanced through peacebuilding interventions to adopt and build these liberal norms and institutions (Coning, 2018). However, global economic integration and these liberal changes that international financial institutions often guide fail to address that "market forces favor groups and regions that are already rich" (Castillejo, 2014 Pg. 7). As a result, this approach does not

consider the specific needs of the state and its institutions, which in turn increases exclusion and cripples fragile local economies (Castillejo, 2014; McCandless, 2021).

Additionally, while democratic elections and economic reform can be a step towards peace, that is the extent to which most liberal peace missions go. This idea that elections and economic reform are enough to ensure durable peace is problematic as it fails to address the roots of conflict (Paris, 2010). For example, the UN administered postwar elections in Angola, a country in Central Africa. However, it failed to establish mechanisms that would handle disputes over the election results and sufficient institutions to uphold the results (Paris, 2010). While the UN's mission to enforce elections in Angola was meant to create peace and establish democratic principles, it failed to realize that many countries do not have the resources to uphold these structures. Therefore, peacebuilding missions that frame their interventions around institutions involving development and peace, such as democratic governance and market-oriented economic reforms, often fail to achieve their goals because they do not consider local traditions, norms, and expectations (McCandless, 2021). This is because, in societies that have no desire to conform to Western notions or cannot do so, this approach often leads to resistance and lack of ownership from local communities, undermining the effectiveness of peacebuilding efforts. This lack of desire and capacity will increase the community's risk of resorting to conflict once peacebuilding missions conclude.

The liberal approach to peacebuilding often focuses on formal political institutions and processes, which can reinforce existing power dynamics and marginalize certain groups or elites. According to some scholars, liberal peacebuilding efforts seek to colonize non-Western state institutions, spread dominant powers' values and norms, facilitate the continued exploitation of the global poor by the global rich, and imperial domination (Paris, 2010). Peacebuilding missions

must therefore take the extra step to address the root drivers of conflict if they hope to achieve durable peace; simply holding elections, for example, can unintentionally exacerbate conflict, as shown in Angola. Institutions developed by a peacebuilding mission that exclusively take a liberal approach struggle with cultural and contextual factors that impose liberal values without considering local traditions, norms, and expectations. This approach also promulgates power dynamics and elites prioritizing establishing democratic structures without adequately addressing the underlying social and economic inequalities contributing to conflict. As a result, this can lead to resistance, frustration, and exclusion in the community, further perpetuating grievances and instability.

Furthermore, Shinkyu Lee has taken a realist approach to peacebuilding. Lee turns to Hannah Arendt, a critic of liberal traditions, to explain why a realist approach to peacebuilding allows for a more balanced insight than other approaches. Hannah Arendt, a political philosopher, appreciates the attempt to establish typical institutions to implement peace, such as mechanisms that protect and make possible the identity of individuals and laws that protect the existence and necessity of politics (Lee, 2020). Though, she also upholds her belief in agonism, which is the understanding that there is an indefinite place for conflict in the political sphere. However, her agonist view promotes new opinions and insights in teaching others how to accept this idea positively (Arendt, 1990). For example, Arendt states that a community is made up of people who are different and unequal, though through equalizing[2] individuals become equal partners in a common world (Arendt, 1990). For Arendt, the basic purpose of politics is achieving freedom, and the only way to have free politics is to have mechanisms in place where diverse equals can gather and discuss their conflicting opinions (Lee, 2020). Arendt's conception

---

[2] Equalizing: Takes place in all exchanges that are based on money. For example, the farmer needs the physician and vice versa. (Arendt, 1990). Without needs, exchange (therefore equalizing) does not exist.

of equality is distinct from traditional notions that emphasize equal treatment or equal distribution of resources. Instead, she focuses on what she calls political equality, which, for her, refers to the equal right to participate in public life and political action (Arendt, 1958). The author argues "that such a distinctive realist orientation toward politics cultivates stable institutions that would never deplete the agonistic spirit of resistance, thereby eschewing two dangers to peace: a strong projection of comprehensive criteria onto peace processes, and skepticism about establishing common institutions for peace" (Lee, 2020 Pg. 77).

When Lee applies this approach to peacebuilding, he suggests that peacebuilding would empower warring parties to voice their conflicting opinions by acting agonistically in public, helping them situate their innovative voices with aspirations to establish and sustain institutions promoting debate and interactive discussion (Lee, 2020). Ensuring that spaces and mechanisms are in place to allow competing parties to voice their disagreements and discuss them is an integral part of developing peace. However, then what? What comes after the discussions? There need to be institutions that will implement and uphold the solutions that result from these talks. Additionally, mediators must be present to ensure that these meetings do not turn violent. This approach encapsulates a viable objective; however, looking at this from a long-term perspective, the discussions seem ill-conceived.

Moreover, other scholars have applied a structural approach to peacebuilding. Structural peacebuilding "is a social psychological process of transforming relatively permanent unequal relationships among collectivities in a social structure to new intergroup relations where all groups have more equitable control over politico-economic resources needed to satisfy basic needs" (Christie et al., 2001, Chapter 23, Pg. 8). In other words, this approach changes structures of violence into forms of peace. This approach typically engages Johan Galtung's work on

structural violence, in which he states that the absence of structural violence is structural peace (Christie et al., 2001; McCandless, 2021). Furthermore, the structural approach addresses uneven power relations in vertical structures and unequal development processes (Christie et al., 2001; McCandless, 2021). The twist to this approach, as applied to peacebuilding, is that it must create social strain, conflict, and disequilibrium to enforce the more equitable structures it seeks. When discussing social strain, conflict, and disequilibrium, Christie gives the example of hunger strikes. She relates this to the 1997 Philippine government decision to grant 144 hectares of land to landless farmers. The landowners refused to give up their land, and in response, the farmers went on a hunger strike where they demanded the land be given to them or they would die of hunger (Christie et al., 2001). Individuals develop social strain when they leave their structurally determined roles. In other words, as the farmers refused to submit to the landowners' demands, they created tension between themselves, the landowners, and other community members who submitted to the established hierarchical system and therefore threatened the authority of the vertical power structure in place. By creating a rift in the vertical structure where the landowner sits at the top and the farmers sit at the bottom, they institute a process where horizontal structures assume control. While increasing conflict to achieve peace contradicts contemporary conflict resolution strategies, it is essential for this approach (Rubin et al., 1994). Additionally, structural change takes time. In other words, the strain it creates cannot be resolved quickly. Resolving the created conflict through ill-timed forgiveness or reconciliation may seem beneficial. However, for this approach, it can cause the conflict-affected individuals to distance themselves from said conflict and fall back into acceptance of the unequal power structures (Rubin et al., 1994).

One can see how this approach can be problematic as creating more conflict is the opposite of what peacebuilding missions seek to do. Furthermore, the fundamental principle of peacebuilding is to create peace and do so in a way that is efficient and durable. However, a structural approach to peacebuilding emphasizes long-term structural reforms and institutional changes to address the root causes of conflict. In the immediate aftermath of a conflict, affected communities often focus on urgent needs such as security and their livelihoods. The structural approach neglecting these immediate needs in favor of long-term structural changes can lead to a disconnect between peacebuilding efforts and the priorities of the locally affected communities and therefore undermine the effectiveness of this approach.

Furthermore, peacebuilding missions that reflect a structural approach need to ensure that they produce solutions that are representative of the social strain and disequilibrium created to challenge the vertical power institutions in the first place. For example, in the case of the Filipino farmers, solutions must illustrate impartiality and resistance to compliance with the existing vertical structure (e.g., the landowner). They must also certify that these solutions are durable, which will keep the affected community from returning to vertical power structures once the mission concludes. Structural approaches enforce changes in governance, the economy, and social systems, which involve complex interdependencies and require substantial time, resources, and effort to implement effectively. Without the proper planning, capacity building, and engagement, the institutions can lead to unexpected consequences and exacerbate existing tensions and conflicts. Balancing the need for structural reforms with the practical realities and complexities of structural changes and the immediate needs after a conflict is necessary to ensure that the intended solutions endure.

Additionally, Cedric De Coning has applied an adaptive approach to peacebuilding. Peacebuilding efforts must have a foundation in vulnerable post-conflict areas, and the mission's design must be created individually. Propitiously, in 2015, the UN undertook its decennial review of its peacebuilding architecture and its peace operations (Coning, 2018). These reviews generated a new understanding of peacebuilding, specifically about sustaining peace. Coning uses complexity theory in her application of the adaptive approach to peacebuilding. Complexity theory "explains that a complex system is a particular type of holistic system that can adapt and demonstrates emergent properties, including self-organizing behavior" (Coning, 2018, Pg. 305). This type of system deals with the challenges resulting from changes in their environment by adjusting and developing with a continuous adaptation process (Clemens, 2002; Coning, 2018). It is also important to remember that interventions, solutions, initiatives, etc., are non-linear, meaning that what works today may not work tomorrow. Complexity theory recognizes this and seeks to explain the complex adaptation process by examining multiple characteristics (Clemens, 2002; Mitleton-Kelly, 2003). Rather than focusing on the specific liberal peace and structural objectives that prevent a return to violent conflict, this approach focuses on identifying and supporting the political and social capacities to sustain peace.

For example, peacebuilding missions that reflect this approach assume multiple initiatives with a similar goal and a clear plan about the theory of change that each will utilize so stakeholders can analyze the effects (Coning, 2018; Mitleton-Kelly, 2003). Following this, the interventions are analyzed based on feedback and effectiveness. The community and other key stakeholders will then determine which strategies to continue, which to stop, and, additionally, what changes to implement for those they choose to maintain (Coning, 2018). The challenges to this approach are clear. Most prominently, this approach requires a substantial amount of

resources to undertake multiple initiatives with the same goal. Peacebuilding missions are budgeted based on the mission's mandate and the overall allocated budget for UN peace operations (Peace-Keeping Budgets). Additionally, the Security Council must adopt a resolution determining the mission's mandate, size, and the tasks it is responsible for completing (Deploying Peacekeepers). These circumstances combined can hinder a mission's ability to take on multiple initiatives with the same goal. In conflict-affected societies, numerous issues almost always need to be solved, all of which take time, resources, and manpower. Therefore, it is implausible to assume that peacebuilding missions will consistently have enough resources to tackle numerous initiatives with the same goal and the labor force to do so.

THE NECESSITY OF PEACEBUILDING

The peacebuilding literature provides objectives that explain why peacebuilding missions are necessary to promote long-term peace. The literature establishes that peacebuilding efforts can be essential in states at war, and the involvement of external actors is often one of the only ways to find solutions in a conflict-affected society. It also explains that these external actors can implement specific strategies that are more effective at reducing hostilities and building peace. In particular, efforts to build peace, stability, and security must incorporate objectives surpassing military threats (Boutros-Ghali, 1992). For example, peacebuilding missions have the potential to create stalemates and incentives for conflicting parties to negotiate and maintain peace rather than using military threats (Adedokun, 2017).

Additionally, peacebuilding efforts work to ensure communication, participation, and transparency. This certifies that all actors understand the mission's objectives throughout all of its dimensions and have the opportunity to partake in decision-making processes (Adedokun, 2017; Coning, 2018). Furthermore, peacebuilding missions have the potential to enforce

demobilization, implement reintegration programs, and rebuild infrastructure (Brovina, 2017). The overarching goal is to resolve conflict and advance institutions, policies, and societies that can sustain peace.

Moreover, ever since peacebuilding emerged as a topic of discussion, distinguishing between positive and negative peace has become a common practice. Positive peace is not simply the absence of armed conflict and violence; it must also incorporate striving toward social, economic, and political justice through equal opportunity, equitable distribution of power and resources, and equal protection (Chetail & Jutersonke, 2015). Negative peace is positive peace is the absence of violence in addition to the absence of social injustice (Chetail & Jutersonke, 2015; Roberts, 2008). The absence of social injustice alludes to social security. Social security is protection from adversity and deficiency (Roberts, 2008). Though, taking it one step further, the absence of social injustice suggests social protection. Social protection is conceptualized as protection and promotion; protection refers to halting any reduction in extant living standards, and promotion refers to enhancing general living standards (Roberts, 2008). Peacebuilding is a complex process, and the multiple approaches scholars apply to peacebuilding fail to address the fundamental problems of war-prone societies. Peacebuilding initiatives that only focus on negative peace are unsuccessful because the simple absence of violence does not solve the underlying issues that conflict-affected communities face. An HRBA focuses on positive peace practices and addresses the shortcomings of the abovementioned approaches. As an HRBA narrows in on the root causes of many different societal issues, it increases the possibility that social, economic, and political injustices will improve. Applying an HRBA to peacebuilding is essential to analyze conflict-affected societies comprehensively as an HRBA seeks to achieve positive and negative peace.

THE HUMAN RIGHTS-BASED APPROACH

Human rights-based approaches can be applied to many fields in the international community. However, regardless of where this approach is employed, the comprehensive application of its principles is challenging. Therefore, it is essential to start broadly to unpack the array of requirements for a human-rights-based approach.

Human rights-based approaches have their origins in the discourse surrounding development: "a human rights-based approach aims to support better and more sustainable development outcomes by analyzing and addressing the inequalities, discriminatory practices and unjust power relations which are often at the heart of development problems" (OHCHR, *A Human Rights-Based Approach to Health* Pg.1). Development is an integral part of HRBAs because it acknowledges individuals as vital contributors to their development (Uvin, 2007). A discussion of the mainstream development approaches and how the HRBA is an alternative to these approaches is beyond the scope of this thesis. The following discussion is meant to explain the origins of the HRBA.

A History of Human Rights

Moving forward, it is essential to understand where the concept of human rights began to comprehend a human rights-based approach. The UN General Assembly adopted the Universal Declaration of Human Rights (UDHR) in 1948 to ensure that all people, regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status, will have full access to fundamental human rights (OHCHR, *What are Human Rights*). The rights specified in the Declaration are considered universal, inalienable, indivisible, and interdependent. This means everyone is equally entitled to their human rights, no outside force can take a right away, and the thorough enjoyment of one right cannot occur without complete access to all other

rights (OHCHR, *What are Human Rights*). The Declaration's 30 articles provide the fundamentals for all current and future human rights conventions, treaties, and other legal instruments.

Additionally, all states have ratified at least one of the nine core human rights treaties (OHCHR, *What are Human Rights*). Therefore, all committed states have obligations under international law to respect, protect and fulfill human rights. A state's responsibility to respect entails refraining from interfering with the enjoyment of rights; a state's obligation to protect requires it to protect individuals and groups against human rights abuses; and a state's commitment to fulfill requires it to take positive action to facilitate the enjoyment of fundamental human rights (OHCHR, *What are Human Rights*). An HRBA builds on the principles and norms that the UDHR and the subsequent treaties declare, forming the basis for all development cooperation (SIDA, 2022).

There are many different types of human rights-based approaches. The UN laid out a Common Understanding of an HRBA. Its goal is that all development cooperation programs, policies, and technical assistance should further the realization of human rights as outlined in the UDHR and other international human rights instruments. The process for an HRBA is how human rights standards and principles guide all development cooperation and programming in all sectors and phases of the programming process. Finally, an HRBA is successful when development cooperation contributes to developing duty-bearers' capacities to meet their obligations and/or when rights-holders can claim their rights (UNSDG, 2003).

An HRBA specifies the relationship between individuals and groups with valid claims and entitlements and state and non-state actors with obligations. Those with valid claims are known as rights-holders; for example, women, men, girls, boys, and non-binary persons living in

16

poverty and under oppression. All human beings are rights-holders under the UDHR and have a right not to be discriminated against or receive unequal treatment (SIDA, HRBA; UNSDG, 2003). Those with obligations to respect, protect, promote, and fulfill the human rights of the rights-holders are known as duty-bearers. Any state that has ratified a human rights treaty compels them to participate in the above obligation is considered a duty-bearer (SIDA, HRBA; UNSDG, 2003). Rights-holders should have the power and capacity to exercise their rights and formulate claims while holding duty-bearers accountable. The objectives of an HRBA incorporate both right-holders and duty-bearers. First, an HRBA empowers rights-holders to claim and exercise their human rights. Second, it strengthens duty-bearers' capacity with an obligation to respect, protect, and fulfill those human rights (HRBA Portal).

The Right to Development

Beginning in the 1970s, developing countries called for an international redistribution of resources, and by using their numerical majority in the UN, they attempted to negotiate "reforms in the global political economy of trade, finance, investment, aid, and information flows" (Uvin, 2007, Pg. 598). The concept of the right to development empowered their demand for reform. It granted them legal and ethical authority and provided a separate avenue from the typical developed countries' persistence on strictly political and civil human rights (Uvin, 2007). Developing countries in the UN recognized that the future of the political, economic, and social market surrounded human rights. Therefore, it was provident to strive toward policy goals under that umbrella (Uvin, 2007). After over a decade of fighting for reform, the UN General Assembly adopted the Declaration on the Right to Development in 1986. The Declaration clarified the right to development as "an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social,

cultural and political development, in which all human rights and fundamental freedoms can be fully realized" (United Nations, 1986, Pg. 4).

Both developed and developing worlds got what they desired out of the Declaration. First, developing countries got their right to development. The Declaration defines development in its preamble as "a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom" (United Nations, 1986, Pg. 1). Second, developed countries were able to certify that the Declaration could not be construed as a greater priority than political and civil rights and was a non-binding document that required no obligation to transfer resources (Uvin, 2007).

While this discussion addresses how the right to development became intertwined with human rights, simply stating that development inevitably assumes, implements, or equals human rights, or vice versa, does not comprehensively describe the importance of context in their relationship. Henry Shue, an American philosopher and professor, addresses this importance in his book Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy. In his book, he states the importance of clarifying the difference between service-based and rights-based approaches. This difference, he states, is having a 'social guarantee.' For example, simply having a right to something, such as food, is insufficient; slaves can also be well-fed (Shue, 1980). However, having a 'social guarantee' is about "the way the interactions between citizens, states, and corporations are structured, and how they affect the most marginal and weakest in society" (Uvin, 2007, Pg. 600). Taking this into account, human rights and development become inextricably linked. Amartya Sen, an economist and philosopher, recognized this and defined

development as the growth of capabilities or human freedoms and the capacity to lead the kind of life they have reason to value (Sen, 1999). Having a reason to value life is essential to the long development ladder. Development becomes irrelevant without genuine appreciativeness towards life in and of itself. This lack of a reason to value one's life often has roots in a lack of access to fundamental human rights, which is why applying an HRBA has become intertwined with the discourse surrounding successful development agendas.

Dimensions of a Human Rights-Based Approach

Table 1: Dimensions of a Human Rights-Based Approach

Planet Principles:	
Participation	**N**on-Discrimination and Equality
Link to Human Rights	**E**mpowerment and Capacity Development
Accountability	**T**ransparency

Many agencies have different acronyms to organize the major principles of an HRBA, and most of the principles relate to the Swedish International Development Cooperation Agency's acronym, PLANET. The first primary principle of an HRBA is participation. Do all relevant stakeholders engage actively, allowing rights holders to contribute meaningfully and influence outcomes? (SIDA, 2022). Individuals having a right to participate in decisions that affect their human rights satisfies a requirement for the principle of participation. Allowing members of a society to participate in decisions and developing policies and practices that affect them strengthens human dignity (Patel, 2019). Actors implementing an HRBA must know exactly which rights-holders to include as participants; looking to the notion of insiders and outsiders helps identify those who qualify as rights-holders (Kabau & Ali, 2015). Insiders are

those whose rights face an ongoing threat, and outsiders are those who involve themselves as parties in a conflict or as providers of humanitarian assistance (Kabau & Ali, 2015). Participation must be active, free, and meaningful, as well as allot attention to accessibility issues and reasonable accommodation, including information provided in an understandable language, preparatory sessions, and accessible meeting places (AHRC, HRBA; Kabau & Ali, 2015; Patel, 2019; SIDA, HRBA). Rights-holders should be involved in all levels of the process (i.e., designing, implementing, monitoring, and evaluating relief efforts, with access to appropriate and safe venues to hold meetings and information-sharing sessions) (Kabau & Ali, 2015; Patel, 2019; Szablewska & Kubacki, 2017).

Additionally, where the notion of the insider identifies the threatened individual, who must be involved in relief efforts, the outsider, or the humanitarian agency involved, provides specific criteria for establishing legitimate local participants in those relief efforts. The outsider must understand the variety of local groups involved and the strengths and limitations of those groups as much as possible (Kabau & Ali, 2015). Meaningful participation and inclusion are essential for the most vulnerable and marginalized individuals and groups (Szablewska & Kubacki, 2017). The active involvement of these members of society can facilitate a better understanding of vulnerability (Lewis & Maguire, 2016) and, therefore, more comprehensive solutions to often overlooked issues. Additionally, meaningful participation not only creates ownership of development for rights-holders and duty-bearers but also empowers rights-holders by creating a space that provides them with equal opportunities to voice their opinions and concerns and further designates those responsible for respecting, protecting, and fulfilling human rights (Patel, 2019; SIDA, HRBA; Szablewska & Kubacki, 2017).

Furthermore, duty-bearers are responsible for identifying barriers that limit rights-holders from exercising their rights (Doody, 2009). After these barriers are identified, they must be addressed to ensure effective participation on an equal basis. Finally, once participation is exhaustive, self-efficacy is a coinciding achievement. Duty-bearers must enable and enforce participatory efforts among rights-holders because if rights-holders cannot formulate, implement, and continue relief efforts independently, the community is highly likely to resort to its former methods and institutions (Kabau & Ali, 2015). As an HRBA maximizes communal participation, stakeholders gather the information necessary to establish representative processes, strengthening development and sustainability outcomes (International Human Rights Network; Szablewska & Kubacki, 2017).

According to SIDA, the second principle of an HRBA is a link to human rights obligations. How are relevant human rights standards and recommendations from international and regional human rights mechanisms identified and used to formulate objectives and advance processes and outcomes? (SIDA, 2022). HRBAs are grounded in and gain legitimacy from the intrinsic human rights and freedoms recognized in international law as legally enforceable entitlements (AHRC, HRBA; International Human Rights Network; Szablewska & Kubacki, 2017). In other words, states that have ratified a human rights treaty have a legal obligation to implement the principles of the treaty and therefore minimize threats of human rights violations (Lewis & Maguire, 2016; McGonigle Leyh, 2018). Aside from the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights is one of the two primary documents concerning rights that relate to a relationship between people and the government. This multilateral treaty commits states to respect individuals' civil and political rights, including

the right to life, freedom of religion, speech, self-determination, assembly, electoral rights, due process, and a fair trial (Haas, 2014, Keith, 2019).

The second core multilateral treaty is the International Covenant on Economic, Social and Cultural Rights. This treaty aims to grant economic, social, and cultural rights, including labor rights, health, education, and an adequate standard of living (Haas, 2014). States that adopt the treaties report back to human rights institutions, such as UN human rights instrument committees, special rapporteurs, working groups, and peer reviews, which monitor the realization of human rights standards to show they have remained committed to these standards (Haas, 2014; International Human Rights Network; Keith, 1999; SIDA, HRBA). Taking the two covenants together, almost three-quarters of the world's recognized states have legally endorsed a comprehensive set of human rights and have agreed to enforce the protection and access to these rights (Keith, 1999). Additionally, this principle requires the law to recognize human rights and freedoms as legally enforceable entitlements (AHRC, HRBA), which, in turn, imposes limits on states' power. Where a state can exert control over individuals, especially vulnerable members of society, having a link to human rights obligations lessens this power imbalance and further decreases stigma or bias towards marginalized individuals and groups (McGonigle Leyh, 2018). Human rights principles are imperative for a life of dignity for all human beings, and a state's legal obligation to implement human rights is the foundation for international development cooperation that fosters positive outcomes (SIDA, HRBA).

The third principle of an HRBA is accountability. Who are the duty-bearers at different levels, and do they have sufficient capacity and interest to be accountable to rights-holders? Are there mechanisms for participation and complaints in place for rights holders, civil society, and other stakeholders to hold the duty bearers to account? (SIDA, 2022). Essentially, the duty-

bearers are responsible for providing mechanisms that allow individuals to know and understand their rights, monitor discrimination and enforce remedies, and identify and protect those most vulnerable and marginalized (Patel, 2019). A human rights-based approach implies obligations by states or other duty-bearers to respect, protect, and fulfill human rights (Sengupta, 2006). The responsibility to respect, protect, and fulfill a framework that ensures accountability further certifies that rights-holders have access to the mechanisms required to enjoy their rights unconditionally (Doody, 2009).

When addressing accountability, a more extensive assessment of duties concerning human rights creates a general proposition that for each right, there is a corresponding duty of the duty-bearer (Sengupta, 2006). These duties are the obligation to respect, protect, and fulfill. This framework was built along a spectrum that, between the three elements, duty-bearers can encapsulate the full range of responsibility that surrounds any and all human rights (Karp, 2019). First, the responsibility to respect calls attention to the commitment of those in authority, the duty-bearers, that they must do no harm and never deny the enjoyment of a right and punish agents for acts of commission and omission (International Human Rights Network; Karp, 2019; Sengupta, 2006; SIDA, HRBA). Second, the obligation to protect requires duty-bearers to prevent private actors from violating a right and react or punish them for prohibited acts (Karp, 2019; Sengupta, 2006). Finally, the obligation to fulfill implies increasing access to resources to enable people further to enjoy their rights (Karp, 2019; Sengupta, 2006). This framework also empowers duty-bearers to explain their methods and validates rights-holders to comprehend and claim redress on said methods where their rights are violated, therefore building trust (Patel, 2019). The principle of accountability is used as a monitoring tool to ensure that relevant stakeholders, at all levels of the process, are held responsible for their actions and inactions

(Doody, 2009). Holding states or other duty-bearers accountable to respect, protect, and achieve human rights is essential to fostering development, building inclusive and sustainable societies, and further legitimizing future peace interventions (AHRC, HRBA; SIDA, HRBA; Szablewska & Kubacki, 2017).

The fourth principle of an HRBA is nondiscrimination and equality. Are rights holders and the root causes of the non-realization of their human rights identified and considered, particularly those most subject to discrimination and marginalization? (SIDA, 2022). When applying an HRBA, all forms of discrimination in recognizing rights must be prohibited, prevented, and eliminated. Additionally, duty-bearers should prioritize those most marginalized or vulnerable in situations facing substantial obstacles to realizing their rights (AHRC, HRBA; Gasparri et al., 2021). Therefore, all policies and actions should be nondiscriminatory and focused on alleviating inequalities (Doody, 2009; Gasparri et al., 2021). An HRBA "puts people first and promotes human-centered development, recognizes the inherent dignity of every human being without distinction, recognizes and promotes equality between women and men, promotes equal opportunity and choices for all…" (Sengupta, 2006, pg. 5). Ensuring equality recognizes all vulnerable groups that face social inequalities, discrimination, and stigma, including but not limited to women, people of color, people with disabilities, and children (Patel, 2019).

Furthermore, international law prohibits discrimination and recognizes equality in dignity and rights as a fundamental principle (Gasparri et al., 2021; SIDA, HRBA). However, different cultures often have prejudices embedded in traditional structures and beliefs, so much so that duty-bearers, rights-holders, and other stakeholders fail to recognize it. For example, women and children are often discriminated against regarding their participation in decision-making processes (Gasparri et al., 2021). To address this and ensure nondiscrimination and equality,

duty-bearers must identify the underlying and structural discriminatory causes of the non-realization of human rights (SIDA, HRBA). HRBAs provide tools to identify unfair social structures that prolong social injustice and inequities (Deka, 2012). In addition, this also entails identifying what powers, or lack thereof, rights-holders have to change their situation. Therefore, once all limitations have been recognized and addressed, individuals and groups can exercise their rights better (Doody, 2009). Doing so plays a large part in the ability of development cooperation to empower rights-holders further to claim their rights.

The fifth principle of an HRBA is empowerment and capacity development. How does the intervention contribute to the empowerment of rights-holders to claim their rights and the capacity development of duty-bearers to uphold their responsibilities and other relevant stakeholders to contribute to positive outcomes? (SIDA, 2022). An HRBA is all about creating an environment where people can reach their full capacity to enjoy their human rights. Doing so allows them to "lead creative lives by assuring the dignity and worth of the human person and promoting social progress and better standards of life" (Sengupta, 2006, pg. 2). For example, development based on human rights allows the focus to shift from the fact that poor people have needs, to the fact that poor people have rights (International Human Rights Network). In other words, "the poor are no longer perceived as vulnerable citizens who merely need public goods and services to alleviate their suffering, but they are stakeholders who challenge the fundamentals of how resources and goods are allocated and distributed in society" (Deka, 2012, pg. 472). Essentially this principle's goal is to certify that the methods, policies, and programs created are established to grant power to individuals to make their own decisions (Doody, 2009). This also means that not only do all individuals have the right to claim and exercise their human rights and freedoms, but they also need the capacity, such as education and information, to

understand those rights and access to participate entirely in developing policies and practices that affect them and will improve their society (Broberg & Sano, 2017; AHRC, HRBA; Doody, 2009). The lack of power for rights-holders to claim their human rights and duty-bearers' lack of capacity to respect, protect, and fulfill those rights are barriers to allowing people to escape poverty and oppression. This requires the gaps in the equitable distribution of power and resources to be identified, in addition to the root causes of these gaps and the stakeholders' interest in contributing to change (International Human Rights Network; SIDA, HRBA; Szablewska & Kubacki, 2019). Empowerment is crucial for marginalized or vulnerable groups. Whether those are groups of women, children, people of color, etc., their ability to access their rights is essential for the development of society. Empowerment can be achieved in several ways, such as creating opportunities for meaningful engagement, ensuring that vulnerable groups are treated equally and without discrimination, holding states accountable for their human rights obligations and commitments, and strengthening transparency in policy and decision-making processes (Gasparri et al., 2021). An HRBA provides a framework for expanding freedoms for those oppressed and for duty-bearers to be proactive in facilitating the expansion of those freedoms (Broberg & Sano, 2017; Deka, 2012).

The final principle of an HRBA is transparency. What measures do duty-bearers implement to ensure all stakeholders can access relevant information and knowledge regarding the intervention? (SIDA, 2022). HRBAs are concerned with protecting vulnerable individuals and communities (Kabau & Ali, 2015). Transparency is about the right of rights-holders to access information simply and efficiently. This objective ensures the safety of rights-holders and increases their capacity to participate. To enact a holistic HRBA, rights-holders and duty-bearers must have similar understandings (International Human Rights Network). To have similar

accounts, information must be made available to all relevant stakeholders in a free, comprehensive, age-appropriate, accessible, equitable, context-specific, and timely manner (Kabau & Ali, 2015; Lewis & Maguire, 2016; SIDA, HRBA). The capacity and willingness of duty-bearers to share information are fundamental to an HRBA, as access to information is essential to decision-making and meaningful participation (SIDA, HRBA).

Additionally, the establishment of transparent feedback mechanisms is necessary to ensure inclusion. An effective complaints system that enables not only duty-bearers but also rights-holders to voice objections in an accessible and safe manner as well as certifying that the responsible actors carry out those objections transparently, is essential for engagement and participation (Kabau & Ali, 2015). Certifying that transparent mechanisms are in place educates the individuals of a society where and how power is operating in their state (Patel, 2019), further exposing the power imbalance between the elite and the masses. Enforcing this principle effectively accounts for the decisions made by all relevant stakeholders and whether their choices are implemented based on human rights standards (Doody, 2009). A lack of transparency threatens sustainable development because it can hinder participatory efforts due to a lack of awareness, the oppression of supplementary opinions, and power imbalance. Therefore, promoting transparency allows shared values and a shared understanding among society to progress, which is crucial for developing a cohesive community (Szablewska & Kubacki, 2019), and further allows for absolute access to human rights for all.

To ensure a holistic representation of an HRBA, the exhaustive fulfillment of all six principles is vital. As discussed above, these objectives are all connected to the institution of rights and the analogous commitment of states through international law. HRBAs must be participatory, legitimate, accountable, nondiscriminatory, empowering, and transparent to

succeed in developmental processes. This approach promotes effective development cooperation processes and sustainable development outcomes while challenging unequal power relations and social exclusion that keeps people in poverty and oppression and from realizing their human rights (SIDA, 2022). An HRBA "ought to respect the dignity and individual autonomy of all those whom it claims to help, including the poorest and the most excluded, including minorities and other vulnerable groups often discriminated against" (Uvin, 2007, pg. 603).

THEORETICAL FRAMEWORK: A HUMAN RIGHTS-BASED APPROACH APPLIED TO PEACEBUILDING

If peacebuilding missions can incorporate all of the objectives addressed above, what is the purpose of my analysis? Applying a human rights-based approach to peacebuilding is helpful because doing so allows for considering different priorities that peacebuilding practitioners often fail to consider. Multiple scholars have addressed the need to link human rights and peace processes, suggesting that the two are more related than previously construed. Overall, both human rights activists and peacebuilding practitioners have goals to end violence, loss of life, and other forms of suffering as efficiently as possible while also increasing the community's capacity to ensure they do not relapse into conflict, and all of their human rights are respected (Babbitt, 2011). However, their methods to achieve these goals are different. Human rights activists and peacebuilding practitioners, therefore, consistently feel the other's mechanisms, initiatives, and processes impede on their own and often disagree on an ideal strategy to achieve the same goal (Babbitt, 2011; Fuentes-Julio & Ibrahim, 2019; Parlevliet, 2017). For example, where promoters of human rights are concerned with accountability, the protection of marginalized individuals from abuse of power by elites, and addressing structural violence by focusing on social justice and equality, conflict resolution practitioners prioritize solving security

concerns and violence and reaching a peace agreement while expressing impartiality and no bias in their treatment of the differing parties (Fuentes-Julio & Ibrahim, 2019). In other words, human rights practitioners are often equated as being strictly focused on punishing human rights violators, and peacebuilding perspectives are perceived to seal deals strictly between elite members as they disregard everyone else (Parlevliet, 2017).

An additional reason for the separation between human rights and peacebuilding initiatives is what is known as the peace versus justice debate. Multiple scholars have addressed this debate and describe it as one side demanding accountability for human rights violations and the other advocating for amnesty provisions, as those who are to be held accountable are often the ones needed to negotiate and preserve a peace agreement (Fuentes-Julio & Ibrahim, 2019; Parlevliet, 2017). Failing to see the benefits of a connection between the two perspectives diminishes the productivity of any initiative. While the strategies of each perspective are beneficial, they often only address specific issues and ignore or fail to see others (Parlevliet, 2017). Neither perspective intends to solve every social, political, or ethical problem. However, exploring one perspective's initiative through the lens of the other increases the number of recognized and solved issues.

Furthermore, while human rights and peacebuilding perspectives offer a multitude of strengths to achieve their goals, they also present weaknesses. Acknowledging these weaknesses and applying the strengths of the other perspective allow for the development of more deliberate, constructive, and long-lasting solutions. This thesis strictly analyzes the UN Administrative Mission in Kosovo through the lens of an HRBA. Therefore, it addresses how the initiative is representative of a human rights perspective and further explores the weaknesses of said initiative and how it can be more indicative of a human rights perspective. Applying an HRBA to

29

peacebuilding allows this mission to acknowledge responsibility for abusive actions, address structural violence by remaining focused on social justice and equality, increase its concern regarding power imbalances while protecting weak individuals and groups from abuse of power by elites, bestow legitimacy by providing a common framework that considers the validity of competing claims, and enhance feelings of protection by all parties (Babbitt, 2011; Fuentes- Julio & Ibrahim, 2019; Parlevliet, 2017).

As stated above, without the application of an HRBA, peacebuilding missions can often fail and worsen situations. For example, animosity by one group concerning the amount of aid granted to another group, who had exploited or abused them, can further exacerbate the tensions between the two groups (Woodrow & Chigas, 2009). Of course, peacebuilding missions can result in positive change; however, applying an HRBA to peacebuilding increases conflict sensitivity, increasing the possibility that peacebuilding missions are successful, durable, and sustainable. To clarify, conflict sensitivity is the ability of an organization to understand the context in which it operates, understand the interaction between its intervention and the conflict context, and act upon the understanding of said interaction to avoid negative but maximize positive impacts (Barabant, 2010; Resource Pack, 2004; SIDA, 2015; Woodrow & Chigas, 2009).

Furthermore, conflict sensitivity gives the responsibility to interventions, such as peacebuilding efforts, to not harm. Even though peacebuilders think their missions are conflict sensitive, frequently, they are not (SIDA, 2015). To ensure that future peacebuilding efforts are conflict sensitive so they implement sustainable and durable peace, applying an HRBA to these efforts is necessary. This becomes needed because an HRBA, specifically the PLANET principles, paves the way to ensure peace and inclusion. There are multiple fundamental aspects

to consider when applying an HRBA. For example, an HRBA analysis helps expose the root causes of conflict that result from legislation, policies, and institutions (Molesworth, 2022). Furthermore, it "helps identify social exclusion, vulnerable groups and sources of their vulnerability and helps to shift power imbalance in social, economic and political spheres towards advancing equality and human dignity" (Molesworth et al., 2022, Pg. 16). Therefore, this approach and its principles work tirelessly to expose the root cause of structural violence by focusing on the process just as much as the outcome.

Where peacebuilding missions often rebuild infrastructure, societies, and policies, as well as enforce demobilization, reintegration, and peace education, they can also worsen divisions between the warring parties, increase the danger for citizens who participate in peace efforts, reinforce structural or overt violence, divert resources from productive peace efforts, increase cynicism, and disempower local people (Brabant, 2010). It is crucial to address that just because a peace effort is labeled peacebuilding does not necessarily mean it positively impacts conflict. Conflict sensitivity can increase the positive impacts of peacebuilding efforts. However, even with a commitment to conflict sensitivity, the key drivers of conflict may still not be adequately addressed (Brabrant, 2010). It is significant to understand that peacebuilding and conflict sensitivity are not interchangeable concepts while also knowing not to treat them unrelatedly. Conflict sensitivity is a fundamental principle of good and responsible practice that applies to all programs; peacebuilding is a type of program with particular aims (Brabrant, 2010; Woodrow, 2009).

Even if a peacebuilding mission is conflict sensitive, it can still fail to provide practical guidance relating to implementing and maintaining policies and infrastructure designed to further development and create peace (Woodrow, 2009). However, applying an HRBA ensures

participation. Participation warrants that rights-holders understand the mission and can sustain the effort after it has ended (Kabau & Ali, 2015). This is extremely important because if key actors (e.g., citizens of the state) are not extensively involved in the peace process, they do not have the opportunity to learn how the new system works, which, in turn, raises the risk of failure. Ensuring a hands-on approach to the creation and implementation of recent efforts increases the educational capacity of all relevant stakeholders, therefore, increasing the likelihood of successful and comprehensive policies and infrastructure that is designed in a way that maximizes economic and social sustainability (International Human Rights Network; Szablewska & Kubacki, 2017).

The approach also entails a human rights linkage, which binds states to certain treaties. These treaties have a team of experts monitoring implementation efforts to show that states are following their commitment to the standards addressed in the treaty (Haas, 2014; International Human Rights Network; Keith, 1999; SIDA, HRBA). This aspect of an HRBA is vital for peacebuilding missions because knowing exactly which declarations, covenants, treaties, etc., that a state has signed is essential to a mission knowing what they are up against and just how difficult the conflict situation is going to be when the duty-bearers of the mission are trying to protect and promote certain human rights. The presence of this principle is essential, as peacebuilding actors must be aware of the level of a territory's previously agreed-upon human rights standards, as this informs them of the level of power a state holds over the enforcement of human rights (McGonigle Leyh, 2018). In a state without a link to any human rights obligations, peacebuilding actors may have to work harder to certify that society members have access to human rights. In other words, if a mission enacted in a state does not have a signed human rights treaty, ensuring that human rights are universal, inalienable, indivisible, and independent is

substantially more difficult as peacebuilding actors may have to implement and/or protect more human rights than they would otherwise in a state that has ratified a human rights treaty.

Moreover, this approach also ensures accountability. This means that the enforcement of specific participation and complaint mechanisms holds the duty-bearers of the mission accountable (Patel, 2019; SIDA, 2022). This aspect of an HRBA is essential for peacebuilding efforts because it secures rights-holders' safety. A lack of accountability of duty-bearers creates distrust among all stakeholders, paving the way for resistance and opposition. It also increases the possibility of mistreatment, as with accountability comes the duty-bearers' responsibility to respect, protect, and fulfill (International Human Rights Network; Karp, 2019; Sengupta, 2006; SIDA, HRBA). The abuse of rights-holders by duty-bearers can escalate when duty-bearers want to push the enforcement of their policies and mechanisms through quickly without rights-holders' input or approval. Implementing or enforcing policies and infrastructure without agreement or consent by all stakeholders can result in pushback by those who do not agree or are not consulted. Therefore, certifying that duty-bearers are held accountable for their actions increases the likelihood of trust and lessens the possibility of abuse (Doody, 2009; Patel, 2019).

Additionally, an HRBA warrants nondiscrimination and equality. Essentially, it identifies and considers the root causes of the non-realization of human rights with a particular focus on the rights of those most subject to discrimination and marginalization (AHRC, HRBA; Gasparri et al., 2021; Sengupta, 2006; SIDA, HRBA). The application of this dimension is important for peacebuilding efforts because most, if not all, of the previous approaches that have been applied to peacebuilding missions fail to uncover the root causes of the conflict; if they do, they lack a focus on individuals and groups who are most likely to face discrimination and marginalization. An HRBA prioritizes these groups and educates all stakeholders on the importance and

essentiality of equality (SIDA, HRBA). This approach recognizes the benefits of equality, especially in the aspect of comprehensive inclusion. As the approach ensures equal access to human rights and non-discrimination in implementing those rights, it has discovered the benefits that marginalized groups bring to the table (Gasparri et al., 2021). It allows for discussing new ideas, concerns, and questions that may have been overlooked. This is important for peacebuilding missions if they want their policies and mechanisms to be inclusive of all society members.

Furthermore, an HRBA calls for empowerment and capacity development. This ensures that rights-holders not only have the ability to claim their rights but also have the confidence to do so (AHRC, HRBA; Doody, 2009). It puts the responsibility in the hands of the duty-bearers, ensuring that rights-holders receive sufficient guidance on the implementation and sustainability of policies and infrastructures (Deka, 2012). Additionally, these strategies must contribute to the capacity of rights-holders to demand access to their rights and empower them to physically take action. Strengthening the skills of individuals and providing them with resources to demand access to their rights is one thing, but granting them the authority to take action is another. Implementing this principle ensures successful development projects, warrants that rights holders can demand their rights, and increases rights-holders' capacity to do so (AHRC, HRBA; Doody, 2009).

Finally, an HRBA calls for transparency. This aspect enforces mechanisms that allow all stakeholders access to all relevant information and knowledge (SIDA, 2022). This also ensures external actors provide practical guidance to the rights-holders. This dimension ensures the safety of rights-holders and promotes participation and trust between all stakeholders (Kabau & Ali, 2015). Any sense of uncertainty or contempt in an armed conflict situation can further

distrust and hinder the success of peace efforts. Therefore, this aspect of an HRBA is important for peacebuilding missions because it emphasizes the need for transparent communication mechanisms, as communication plays a key role in keeping things peaceful between warring parties. It also ensures that stakeholders have accurate information to participate in decision-making processes meaningfully (Patel, 2019). Without this capacity, peacebuilding efforts lose out on potentially beneficial information, ideas, and objectives that would have made their effort more durable, sustainable, and effective.

As discussed at the beginning of this chapter, scholars have applied multiple approaches to peacebuilding. However, each of these approaches is flawed in its own way. The application of an HRBA to peacebuilding addresses each of the problems that are associated with the previous approaches. First, the Liberal Peace Theory states that peace is achieved once a society's institutions reflect democratic principles such as a free market economy, individual human rights, and the rule of law (Coning, 2018; Paris, 2010; McCandless, 2021). The main goal of this approach is to help societies achieve and adopt these mechanisms through peacebuilding interventions. However, one flaw of this approach is that it overlooks the fact that such mechanisms are promoted by international financial institutions that fail to address the specific needs of the state and the underlying causes of conflict, which in the future cripples the state's economy and increase exclusionary practices (Castillejo, 2014; McCandless, 2021). An HRBA addresses this issue through its practices and implementation using the PLANET Principles. The very first goal of an HRBA is to increase exhaustive participation. When all individuals of society participate, peacebuilding missions can comprehensively understand the needs of the state. Rather than exclusively gathering information from and addressing the needs of the elite,

an HRBA looks to the masses, which allows them to address concerns that arise at the grassroots level.

Additionally, as the Liberal Peace Theory seeks to impose democratic elections and economic reform as a step toward peace, they fail to address society's capacity to maintain these institutions (Paris, 2010). Implementing these mechanisms is a beneficial objective; however, if society does not understand how they operate, or if the members of society disapprove of them in the first place, they are bound to fail. An HRBA confronts this issue not only through broad participation but through transparency. The final principle of an HRBA is transparency, which requires all decisions on policy, infrastructure, the economy, etc., to be made available to everyone. Where complete participation of all members in society allows citizens to continue to maintain said institutions, transparency grants members of society the knowledge of the process, allowing them to express their thoughts and concerns.

Furthermore, some scholars have applied a realist approach to peacebuilding. Shinkyu Lee and Hannah Arendt argue that a realist approach increases the opportunity for a balanced insight regarding peace (Arendt, 1990; Lee, 2020). The idea here is to achieve freedom, mechanisms have to be in place that allow individuals to come together and discuss their thoughts, opinions, and concerns (Lee, 2020). These authors also suggest that it is impossible to escape inequality as society comprises fundamentally unequal people (Arendt, 1990). This is based on the idea that individuals possess different abilities, talents, and virtues and contribute to society differently. To be treated equally in this context, one must have similar skills, integrity, and contributions to society (Soudek, 1952). In other words, equality is achieved through the equal exchange of information, resources, and contributions in society. The idea that equality is only achievable through exchange is problematic. An HRBA addresses this issue through the

principle of nondiscrimination and equality. This principle recognizes that all policy and action should be focused on mitigating inequality across the board. While the realist approach does require mechanisms that allow members of society to gather to discuss and make decisions, an HRBA does this while also ensuring those mechanisms are inherently equal and free from discrimination.

Other scholars have taken a structural approach to peacebuilding. This approach addresses the uneven power relations embedded in vertical structures and unequal development processes (Christie et al., 2001; McCandless, 2021). However, to complete their goal, this approach requires the creation of further conflict. In other words, society members must create a rift in the vertical structure. They must cause conflict between the elite members of society and the masses, which then begins the process that allows horizontal structures to assume control (Christie et al., 2001). The issues that come along with this approach are twofold. First, creating more conflict to solve a prevailing problem is reckless and concerning. Second, as addressed earlier in the discussion of this approach, requiring a mission to draw out its presence long enough to ensure that it is not resolved with empty promises creates more issues. An HRBA tackles both of these problems. Rather than having members of society create further conflict to get what they desire, an HRBA looks to participation. Earlier in this chapter, I discussed the example of the farmers willing to die to keep their land and the landlord who brushed them aside. Applying an HRBA to this situation would have addressed the issue at the source, fostered communications between the farmers and the landlord, and ensured both sides were involved in the decision-making process. Furthermore, as an HRBA encourages participation, empty promises are less likely, and society can develop inclusive, effective, and durable solutions to

their problems. This process is not based on a timeline and certifies that all concerns are considered. Therefore, solutions that result are stable and well structured.

Finally, other scholars have taken an adaptive approach to peacebuilding. The adaptive approach to peacebuilding is built on a case-by-case basis and is well-equipped to deal with challenges resulting from changes in the environment (Clemens, 2022; Coning, 2018). The idea here is that missions reflecting this approach assume multiple initiatives, all with a similar goal and plan about the theory of change each will utilize so key stakeholders can analyze the different effects (Coning, 2018; Mitleton-Kelly, 2003). The issue associated with this approach all comes down to resources. As addressed in this chapter, peacebuilding missions do not always have the resources to take on multiple initiatives with the same goal. Further, various issues almost always need to be solved during a mission. Therefore, there most likely is insufficient money and/or manpower to enforce this approach. However, an HRBA addresses this issue through its principles of participation and empowerment. First off, an HRBA increases the capacity of society members to participate by empowering them. As this approach creates meaningful opportunities for engagement, it first equips individuals with the necessary knowledge and confidence to participate. Through increased education and hand on practice, their capacity to better understand their situation and how to fix it, and the fortitude to act. Therefore, as an HRBA empowers society, it fosters exhaustive participation throughout its peace processes, further allowing for an increase in a mission's ability to tackle more issues simultaneously.

CHAPTER II: METHODOLOGY

CASE SELECTION

To appreciate the argument I have presented above, it is essential to focus on a case where the theoretical framework is observable. Therefore, this thesis will utilize an illustrative case study of a UN peacebuilding mission in Kosovo to show how an HRBA can potentially enhance its outcomes. Utilizing an illustrative case study to analyze the UN mission in Kosovo reveals a process that shows how an HRBA may influence peacebuilding missions. I present and then explore the mission's actions through an HRBA lens. Applying an HRBA framework to the case study illustrates how the mission's outcomes might improve and provide an alternate avenue for greater potential success in future peacebuilding missions. For this research, analysis is most effective through the use of a case study method. Case study research allows for discovering the causal mechanisms of the solution or avoidance of a crisis (Crasnow, 2012). Additionally, qualitative case study analysis is essential for this type of research because it allows for complex theories to be explored holistically (Baxter & Jack, 2008). In this sense, case study research is helpful because it allows for all the intricacies that form an HRBA to be considered comprehensively in peacebuilding efforts.

Quantitative research methods would be unsuccessful for this type of research because they disconnect the phenomena and the larger context at hand. In quantitative research, researchers typically base their study on numerical measurements of specific aspects of phenomena, while qualitative researchers are concerned with a comprehensive account of an event (King et al., 1994). Qualitative case study research can explain established phenomena more thoroughly while considering many different variables (Bennett, 2012). This is essential for this type of research due to the necessity to emphasize the interconnection between human rights,

present a historical analysis of peacebuilding efforts, and express the urgent need to apply an HRBA to those efforts to create the potential for a higher chance of success. While there have been multiple definitions of a case study, this thesis will use the definition imparted by John Gerring, the American Political Science Association's Organized Section on Qualitative and Multi-Method Research President. He defines a case study as an "in-depth study of a single unit (a relatively bounded phenomenon) where the scholar's aim is to elucidate features of a larger class of similar phenomena" (Gerring, 2004, Pg. 341). This research will utilize a peacebuilding mission within Kosovo, as the "single unit" in Gerring's definition, to first address the extent to which the mission is grounded in an HRBA and further explain how with the application of an HRBA, this mission can improve its outcomes.

Furthermore, I utilize an illustrative case study analysis to account for the complexities of the UN's peacebuilding effort. This type of study is generally used to describe a phenomenon and helps uncover what and why something is happening and who is involved (Chopard & Przybylski, 2021; Hayes et al., 2015). Additionally, illustrative case studies provide a clear and common ground of understanding between the researcher and the target audience as it aims to explain all the details that relate to the subject matter (Chopard & Przybylski, 2021; Hayes et al., 2015; Paulus, 2021). In other words, it allows for research to be written in a way that is clear and understandable by the target audience and not only in a manner suitable for experts in the field. Moreover, this type of research is meant to be based on one or two cases. If it is applied to a vast number of cases or there is too much diversity between them, the results will be inaccurate (Hayes et al., 2015).

To highlight the illustrative case study method and its suitability for this case, exploring other case studies is helpful. There are multiple types of case studies, though here I will briefly

address exploratory case studies, critical instance case studies, cumulative case studies, and

program effects case studies. First, exploratory case studies help gather an initial understanding

of a phenomenon of interest (Chopard & Przybylski, 2021; Hayes et al., 2015; Paulus, 2021). In

other words, it allows researchers to understand what happens in a certain situation. Oftentimes,

this study precedes larger-scale investigations and helps identify possible research questions and

methods that will benefit an extensive investigation (Chopard & Przybylski, 2021; Hayes et al.,

2015; Paulus, 2021). This type of study is not meant to be longitudinal (Hayes et al., 2015), and

the fact that my research question was already developed before my case selection makes this

case study method unfavorable for this thesis.

Furthermore, critical instance case studies essentially examine cause-and-effect

relationships (Chopard & Przybylski, 2021; Hayes et al., 2015; Paulus, 2021). By focusing on a

single event, these types of case studies can investigate a situation thoroughly and ensure that no

factor is overlooked (Chopard & Przybylski, 2021; Hayes et al., 2015; Paulus, 2021).

Additionally, critical instance case studies can be applied to provide answers to questions about

highly generalized contentions. Still, they should not be used to give generalizations as the

evidence gathered from a single event is not promised to be present in another instance (Chopard

& Przybylski, 2021; Hayes et al., 2015). This case study is not helpful for this thesis because I

am not looking to analyze a cause-and-effect relationship between an HRBA and peacebuilding.

I will not be addressing the effectiveness HRBA has on peacebuilding efforts. I am simply

seeking to analyze the extent to which a UN peacebuilding mission is representative of an

HRBA.

Moreover, cumulative case studies are one of the more common types of studies in

qualitative research (Paulus, 2021). Cumulative case studies are useful when attempting to

collect data from multiple sources collected multiple times at once (Hayes et al., 2015; Paulus, 2021). Essentially this means a researcher gathers large amounts of data from research that has already been conducted without spending a substantial amount of time doing so. This method is beneficial for generalizations as it finds patterns, similarities, and discrepancies between multiple data sources (Hayes et al., 2015; Paulus, 2021). This type of research is impractical for this study because no study similar to mine, to the best of my knowledge, has been conducted in the case I am addressing. Furthermore, I do not seek to generalize about an HRBA's applicability. I only look to a single peacebuilding mission's representation of an HRBA.

Finally, program effects case studies seek to address a specific program's impacts and explain why the program fails or succeeds (Chopard & Przybylski, 2021; Hayes et al., 2015). They typically involve "prior reports or data collections and surveys conducted with people involved in the studied situation either just before or just after the case study" (Hayes et al., 2015, pg. 16). In other words, these types of case studies typically focus on short-term or immediate impact assessment. Therefore, this method is disadvantageous to this study because peacebuilding missions are typically long-term endeavors with complex outcomes that may unfold over years or even decades. The long-term impacts of such an approach can require continuous monitoring and evaluation, which may be challenging for a method that focuses on immediate impact assessment. Using an illustrative case study can provide a longer-term analysis of the application of an HRBA because it allows for examining the changes, challenges, and impacts that occur over time. Therefore, an illustrative case study analysis is the most viable option for this research because it allows me to delve deeply into the complexities, dynamics, and variations involved in applying an HRBA to peacebuilding.

I explore the intricacies of the peacebuilding mission in Kosovo and the challenges the mission still faces while emphasizing the importance of taking a new approach to mitigating these challenges potentially. Case study research allows the researcher to "answer how and why type questions, while taking into consideration how a phenomenon is influenced by the context within which it is situated" (Baxter & Jack, 2008, Pg. 556). In other words, using case studies enables the researcher to find answers to "how" questions, such as "how has this peacebuilding intervention positively or negatively impacted the citizens of Kosovo through the lens of an HRBA?" It also permits responses to "why" questions, such as "Why has this specific aspect of a peacebuilding mission failed to achieve its goal from an HRBA perspective?" This considers how peacebuilding efforts, in this case, are designed and controlled to fit their implementation in a specific state. The foundation of this research is that the quality of international interventions is paramount, and UN peacebuilding efforts in Kosovo need to produce more quality outcomes. Utilizing an illustrative case study for this research can explain why a specified phenomenon, in this case, a UN Peacebuilding mission, is struggling to or succeeding in meeting the goals and requirements of an HRBA.

International Relations studies and research are very familiar with the case study method, especially when analyzing multiple cases. Much of the case study research involves exploring a relationship between different variables across many instances. However, one can also use the illustrative case study method to evaluate a single case to help explicate a theory. When a researcher chooses to address a single case, the goal is no longer to test a theory to see its success. Rather, the research works to refine, illuminate, or generate a theory by focusing on particular elements of a case in which said theory is operating in distinctive ways (Shivley, 2017). Accordingly, I intend to illustrate my theory, rather than test or generate one, by

analyzing a peacebuilding mission through an HRBA lens to demonstrate this framework's logic and potential utility.

The Case of Kosovo

This thesis examines an international organization with a peacebuilding mission in Kosovo as its case study. Rather than randomly selecting a case, I chose the context of Kosovo because it constitutes the relationship of interest. As I seek to study the application of an HRBA to a peacebuilding mission, it makes sense to analyze a case where an organization committed to protecting human rights is responsible for a peacebuilding mission. Because the UN peacebuilding mission in Kosovo has struggled to meet its goals, the state of Kosovo continues to suffer from political and social turmoil, and citizens of Kosovo lack access to their human rights. As such, Kosovo is a useful case to study.

Studying Kosovo as a case for peacebuilding research and and applying an HRBA framework offers unique and valuable insights. For instance, the post-conflict dynamics, international involvement, ethnic and national identity issues, status dispute and political challenges, and hybrid governance and institutions make Kosovo a compelling case for this research. Kosovo experienced a complex, enduring, and violent conflict in the late 1990s, leading to significant destruction, displacement, and loss of life. Studying the UN's peacebuilding effort in Kosovo provides an opportunity to study the challenges and strategies involved in transitioning from conflict to peace, including post-conflict reconstruction, reconciliation, and state-building. Additionally, the peacebuilding process in Kosovo involved extensive international intervention, including the UNMIK, the NATO-led Kosovo Force (KFOR), the European Union Rule of Law Mission in Kosovo (EULEX), and the Organization

for Security and Cooperation in Europe Kosovo Verification Mission (OSCE). The diversity of international actors, roles, and interactions presents ample material for analysis.

Furthermore, the conflict in Kosovo had strong ethnic dimensions, primarily between the Albanian majority and the Serbian minority. The peacebuilding process in Kosovo addresses issues related to identity, self-determination, minority rights, and interethnic relations. This provides valuable insights into the complexities of managing diversity and fostering inclusive societies. Moreover, the unresolved status of Kosovo, with Serbia and a few other countries not recognizing its independence, presents ongoing political challenges. Studying Kosovo allows for examining how this status dispute impacts the peacebuilding process, negotiations, and the likelihood of long-term stability. Finally, due to its unresolved status and the presence of multiple international actors, Kosovo has unique governance arrangements. It operates under a hybrid system of governance with a blend of local and international institutions. This provides an interesting case for studying the dynamics and implementations of such arrangements in peacebuilding contexts.

The state of Kosovo further constitutes the relationship of interest when looking at each PLANET principle individually. Throughout the state's history, various societal groups have been unwilling or unable to participate, whether politically or socially. The country is extremely politically, socially, and religiously divided, and each side has inflicted violence on the other. Additionally, the state's hybrid system of governance presents challenges and hinders participation in several ways. Kosovo's governance systems involve a significant level of international involvement and oversight, limiting local autonomy and reducing motivation to participate. Furthermore, the presence of multiple actors and institutions in Kosovo's governance system can create ambiguity and confusion regarding responsibilities, decision-making process,

and accountability; this hinders meaningful participation because it becomes difficult for citizens and local actors to understand how their inputs will be considered and influence policy and decision outcomes. Unfortunately, these challenges have kept the two sides from working together peacefully (Howard, 2013), further hindering citizens' capacity and willingness to participate in all levels of society.

Additionally, due to Kosovo's lack of membership in the UN, its responsibility to international human rights standards is a grey area for many citizens. However, Kosovo's constitutional framework addresses specific human rights treaties that their institutions must ensure (The Secretary-General, S/2008/354). Therefore, their link to human rights is very much applicable in this case. Through the constitutional framework, Kosovo has shown its commitment to international human rights standards, although its ability to implement them has faced challenges. The main challenge is the ethnic and political divisions that control Kosovo's society. Differing perspectives and priorities hinder the effective implementation of human rights standards. Additionally, Kosovo faces economic challenges, including high unemployment rates, poverty, and limited access to quality healthcare and education, which can hinder its citizens' enjoyment of economic, social, and cultural rights.

Furthermore, as violence has held its grip over the state for decades, international involvement has been extensive. These interventions, however, present challenges to accountability. The participation of multiple international actors, each with its mandates, priorities, and accountability mechanisms, can create a complex web of governance structures, leading to confusion and difficulties in determining clear lines of accountability and responsibility for decision-making and implementation. It presents a lack of clarity in decisions, who can make them, and how accountability is ensured. Additionally, there is a possibility for

46

variations in accountability standards that depend on the specific organizational mandate and policies and can lead to inconsistencies and challenges in ensuring a collective and coherent approach to accountability. Finally, the power dynamics between the international actors and local institutions can create an imbalance that affects accountability. As global actors often possess more resources, experience, and power, local actors[3] face more difficulties holding international actors accountable.

Moreover, the conflict in the state has exacerbated social, political, and economic divisions across all aspects of its society. As a result, discrimination is an extreme issue that many of Kosovo's citizens face daily. Thousands of people are scared to leave their homes or cross the Ibar River because they consistently face threats to their lives due to their beliefs (The Secretary-General, S/2009/149). Discrimination also worsens issues of equality in the state, specifically gender equality. Much of the gender inequality can be traced back to cultural norms, and this discrepancy has caused various other issues. Women face political misogyny and physical abuse at home (The Secretary-General, S/2014/305). There is also a lack of equality in most of Kosovo's institutions (UN Kosovo Trust Building Forum, 2018). This is not only applicable to women but also to groups that represent minority communities.

Furthermore, the ongoing status dispute in Kosovo presents empowerment and capacity development challenges. The unresolved status of the state creates political uncertainty and instability, which hinders long-term planning and, therefore, the implementation of empowerment and capacity development initiatives. Additionally, the dispute can contribute to the emigration of skilled individuals from Kosovo. The uncertain political environment may

---

[3] Local actors in this case refers to individuals, groups, or organizations that operate within a specific region or locality, that are directly associated with and have a stake in the local community, society, and/or political system where they are based (Mierop, 2019).

push talented professionals to seek better options, which can lead to a loss of human capital and hinder capacity development efforts within the state. Moreover, the dispute has deep ethnic and national identity dimensions, which can contribute to societal divisions and fragmented institutions. These divisions can hamper cooperation, trust-building, and collaborative capacity development efforts among the communities and institutions within Kosovo.

Finally, Kosovo's hybrid governance system, in combination with extensive international involvement, presents challenges that hinder transparency efforts. Similar to accountability, complexities arise in decision-making structures with multiple actors in Kosovo's governance system. Overlapping responsibilities and unclear lines of decision-making authority can make tracing these processes and outcomes difficult, leading to reduced transparency. Additionally, the different actors may operate under carrying standards and practices of transparency. This variation can create inconsistencies, making it challenging to ensure that all actors adhere to the same standards of openness and disclosure. Finally, the extensive international involvement in Kosovo's government, alongside the hybrid system, fosters restricted access to information. Each actor may have an information channel and reporting mechanism not fully accessible to all local stakeholders. These multiple channels and mechanisms can also create language barriers, as communication and information sharing may be hindered due to linguistic differences. The relationship of interest between Kosovo and the PLANET principles is substantial, which is why Kosovo is an adequate and favorable case selection for this research.

Hence, applying an HRBA to the UNMIK peacebuilding mission reveals the potential efficacy and rationale behind this phenomenon. Focusing on how well the UNMIK represents each of the PLANET principles, followed by suggesting how the mission would need to change to better do so, sheds light on the inner workings of an HRBA. Doing so furthers the possibility

that future peacebuilding efforts can apply this theory to their missions, increasing the probability of their success.

This section broadly introduces the organization responsible for Kosovo's peacebuilding mission, which I further analyze in the next chapter. While Kosovo has multiple peacebuilding missions, I examine one mission extensively. The international organization that I meticulously explore is the United Nations Interim Administration Mission in Kosovo (UNMIK). The UNMIK was the first peacebuilding mission to set foot in Kosovo and is the officially mandated mission of the United Nations.

Moving forward, I will analyze The United Nations Interim Administration Mission in Kosovo in Chapter III using the PLANET principles necessary for an HRBA. First, this thesis will assess the mission's success or failure to meet each principle to determine whether it is grounded in an HRBA. The data will come from the International Governmental Organization's (IGO) official website and other scholarly sources that have analyzed the mission. More specifically, the United Nations Interim Administration Mission in Kosovo website contains news articles, statements, and press releases, as well as publications on the individual activities of the mission.

INTRODUCTION TO THE UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO

To begin, the United Nations Interim Administration Mission in Kosovo (UNMIK) was established on June 10th, 1999. By adopting Resolution 1244, the Security Council permitted the Secretary-General to remove authority from Serbia and implement an international civil presence in Kosovo that would provide an administration for the people of Kosovo under which they may experience substantial autonomy (Brovina, 2017; Lemay-Hebert, 2009; UNMIK Fact Sheet).

The Mission's primary goals are to promote security, stability, and respect for human rights in Kosovo. The creation of the UNMIK was to assist the UN Security Council in accomplishing its goals to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo as well as to promote regional stability. As specified in Resolution 1244, the mandate of the UNMIK was threefold. First, to establish a functioning interim civil administration; then to promote substantial autonomy and self-government; and finally, to facilitate a political process to determine Kosovo's future international status (Lemay-Hebert, 2009). The challenge was establishing, strengthening, and beginning cooperation with local institutions (Brovina, 2017; UNMIK Fact Sheet). Resolution 1244 specifically calls for an immediate and verifiable end to violence and repression in Kosovo, deployment of effective international civil and security presences, the safe and free return of all refugees and displaced persons, a comprehensive approach to the economic development and stabilization of the crisis, as well as the interim administration to establish and oversee the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for those who reside in Kosovo (Lemay-Hebert, 2009; UNMIK Fact Sheet).

The design structure of the UNMIK is meant to bring the leading partner organizations, the United Nations High Commissioner for Refugees (UNHCR), the OSCE, and the European Union (EU), under one roof, each of which would be responsible for one of the four pillars of the UNMIK (Everts, 2001). The first pillar is to address the immediate needs of displaced and returning persons; the second pillar is the sustainable delivery of public services, the provision of interim law enforcement services, and the establishment of an independent, multi-ethnic, and impartial judiciary; the third pillar is to strengthen the capacity of local and central institutions and civil society organizations as well as promoting democracy, good governance and respect for

human rights; finally, the fourth pillar is to rebuild the critical infrastructure and introduce modern economic, social systems (Everts, 2001). An interesting aspect of the design plan was the concentration of powers to the Special Representative of the Security General (SRSG), who, as the legal head of the state of Kosovo, was assigned to ensure the organization of the mission while also benefiting from practically unlimited powers (Lemay-Hebert, 2009). However, significant changes to the mission's objectives were enacted once Kosovo declared its independence in 2008. The EULEX took over most of the UNMIK powers, while the UNMIK narrowed in on promoting security, stability, and respect for human rights in the country (UNMIK Fact Sheet). While I am exclusively analyzing the UNMIK, it is beneficial to introduce the EULEX as its activities are closely coordinated with the UNMIK, which therefore provides a better understanding of the UNMIK.

Once Kosovo declared its independence, the UNMIK was supposed to be replaced by a European Union mission, according to Martti Ahtisaari's proposal. Ahtisaari was appointed in 2006 to lead the first discussions between Serbia and Kosovo to resolve the status dispute of Kosovo (Howard, 2013). After two years of direct discussions, Ahtisaari drafted a proposal that satisfied many of the requirements of both Serbia and Kosovo. However, he eventually determined that neither side would compromise. Due to both states' inability to cooperate, Ahtisaari submitted his original draft to the UN Security Council, which stated the EULEX's intention to replace the UNMIK (Howard, 2013). However, the EU instead implemented a mission parallel to a reduced UNMIK mission in February 2008 due to Security Council members, Russia and China, blocking its complete replacement (Howard, 2013; Verheij, 2010). As a result, the (EULEX) was executed to aid Kosovo authorities in the police, customs, and

judiciary sectors and has advanced the restoration of order and the rule of law (Brovina, 2017; Howard, 2013; Verheij, 2010).

As previously discussed, completing the following research will be done using an illustrative case study analysis, as peacebuilding methods can be highly complex. This method delves deep into discovering what is happening and why it is happening (Ridder, 2017). This thesis will delve into the complexities of the UNMIK peacebuilding mission and how it affects Kosovo in its own way. It will address what the mission has previously done and is currently doing regarding its success and failures to uphold peace in the country. The mission will be analyzed using the PLANET principles coinciding with an HRBA to determine its successes and failures and the extent to which it is grounded in an HRBA. The basis of this thesis is then to demonstrate the logic and potential utility of an HRBA as it is applied to peacebuilding efforts.

CONTEXT: HISTORY OF KOSOVO

The context chosen for this thesis is the country of Kosovo. Unfortunately, Kosovo has suffered from violence and human rights violations for decades. Without comprehensive knowledge of Kosovo's situation, it seems the brutality began in the few years preceding the civil war in Kosovo, which occurred between 1998 and 1999 as ethnic Albanians fought ethnic Serbs and the government of Yugoslavia[4]. However, the violence began in the preceding decades as Yugoslav police and other security forces committed systematic human rights abuses against Kosovo Albanians (Chigas, 2006). Specifically, the Organization for Security and Cooperation in Europe Kosovo Verification Mission (OSCE), established in 1998 to "observe compliance by the Yugoslav State of its international human rights obligations, reported: Arbitrary arrest and detention, and the violation of the right to a fair trial...torture and ill-treatment... rape and other

---

[4] Here the government of Yugoslavia refers to the Serbian part of the former Federal Republic of Yugoslavia, not to be confused with the Socialist Federal Republic of Yugoslavia.

forms of sexual violence… were applied as a means to intimidate the entire Kosovo Albanian society" (Chigas, 2006, Pg. 8).

Kosovo threatened Serbia's power and sovereignty within Yugoslavia in 1974. The leader of the Socialist Federal Republic of Yugoslavia, Josip Broz Tito, coordinated a new constitution that gave two regions in Serbia, Kosovo and Vojvodina, more autonomy. While this did not grant them the same status as the federal republics of Yugoslavia, it gave them representation in the federal presidency and access to their central banks, police, and government (Abrahams et al., 2001).

However, following Tito's death in 1980, tensions between Serbia and Kosovo Albanians began to increase. The 1974 constitution also shifted virtually all power from the federal government to the republics and provinces by establishing a collective presidency (Abrahams et al., 2001). This, in combination with the dissolution of socialism in Yugoslavia, caused the politicization of ethnic identities that resulted in an ethnic civil war between the republics and provinces of Yugoslavia. In the early 1990s, Slovenia, Croatia, Bosnia-Herzegovina, and Macedonia declared independence, and the Socialist Federal Republic of Yugoslavia ceased to exist. However, Serbia's president Slobodan Milosevic saw the dissolution as an advantage to increase Serbian power. Ethnic Serbs living in Kosovo accused ethnic Albanians of harassment, intimidation, and violence, driving thousands of ethnic Serbs out of Kosovo; in reality, the Serbs were leaving Kosovo due to the poor economy (Abrahams et al., 2001). Milosevic, whose actions were closely followed by Yugoslav mass media, bonded with and rallied the Kosovo Serbs protesting their alleged maltreatment (Abrahams et al., 2001). He used his newfound legitimacy to spread misinformation about the abuses occurring in Kosovo continuously and called for repealing Kosovo's autonomy. Following the footsteps of each of the republics,

Kosovo also called for independence. However, within weeks Milosevic, using mass rallies, forced the ethnic Albanian parliament in Kosovo to promote the new Serbian constitution that nullified their autonomy. As a result, Kosovo became a police state run by Belgrade (Abrahams et al., 2001).

The Federal Republic of Yugoslavia

Between 1990 and 1992, thousands of Kosovo Albanians were fired from their positions, arrested, and forced out of the region. By April 1992, Serbia and Montenegro formed the Federal Republic of Yugoslavia to replace the former and reinforce their power (Abrahams et al., 2001). In response, ethnic Albanians gathered and created a non-violent resistance movement to initiate parallel political structures for Albanians in Kosovo and internationalize their struggle by seeking international assistance for the secessionist movement (Howard, 2013). This peaceful strategy was effective and viewed with great regard until the Dayton peace talks in 1995. Unfortunately, the agreement completely ignored the problems Kosovo faced. Albanians took this avoidance as a sign that international recognition would only come to help with armed resistance (Howard, 2013). This began the Kosovo Liberation Army (KLA) in 1997. While the group began to flourish, kidnappings and assassinations of Serbs, along with political, economic, and social unrest in Albania, ensued (Chigas, 2006; Howard, 2013).

The Kosovo War

As Kosovo Albanians and Serbs continued to be displaced, by early 1998, Kosovo had erupted into an all-encompassing civil war. By March 24, 1999, 460,000 people had been displaced as the Serbian president conducted a militarized campaign of ethnic cleansing in Kosovo against Kosovo Albanians (Howard, 2013). As the year went on, by June, an estimated 10,000 people died, 863,000 Kosovo Albanian and other non-Serb minorities became refugees,

and 590,000 became internally displaced persons (Chigas, 2006). All international efforts to promote negotiations between the parties failed. As a result of the ethnic cleansing committed by Serbia, the leaders of NATO launched a militarized air campaign against Serbia conducive to halting Serbian aggression toward Albanians (Brovina, 2017; Howard, 2013).

In March 1999, NATO bombed tactical areas in Serbia and Kosovo over 78 days. By June, the Serbian President agreed to pull his troops out of Kosovo, the KLA agreed to disarm, and 800,000 refugees and internally displaced persons could return to their homes (Howard, 2013). Serbia's withdrawal conformed with a Military-Technical Agreement that concluded between the NATO-led Kosovo Force (KFOR) and the Federal Republic of Yugoslavia (The Security Council, S/1999/682). As a result, on June 10, 1999, the UN Security Council established the United Nations Interim Administration Mission in Kosovo (UNMIK) as an international civil presence. Additionally, a month later, in July 1999, the OSCE Mission in Kosovo replaced the OSCE Kosovo Verification Mission to monitor the work of different institutions and strengthen legislation and policies relating to human rights (OSCE Mission in Kosovo).

Pre-Independence in Kosovo

Between June 1999 and June 2000, around 600 murders, 284 kidnappings, and 1,689 incidents of arson took place in Kosovo (Chigas, 2006). While there were accounts of increased security and mobility of minorities by 2001, multiple minority communities continued to suffer harassment, intimidation, provocation, and restricted freedom of movement. Following this, in 2001, international actors struggled to agree on a final status for Kosovo regarding its sovereignty. Therefore, the announcement of the Standards Before Policy concluded that Kosovo

must achieve specific political and economic benchmarks before discussions of its final status would continue (Chigas, 2006; Howard, 2013).

In March of 2004, one of the most pronounced events occurred in Kosovo, in which 19 people died due to the outbreak of riots. The riots ensued as a response to multiple grievances between Kosovo and Serbia. On March 15th, a Kosovo Serb teenager was wounded severely after being shot during a drive-by shooting (Chigas, 2006). The Serbian community retaliated by blocking the highway, which cut off Pristina from the South of Kosovo. Serbs felt that international organizations were not considering the abuses they faced. In response to this, the pro-KLA party printed a slogan on the front page of its newspaper the following morning that allured applause from the crowd: "UNMIK watch your step, the KLA has gunpowder for you too!" (Chigas, 2006 Pg. 11). However, that evening, Kosovo's public television channel, released an interview with a 12-year-old boy from an Albanian village. The interview implied that Serb youths, with a dog, chased the boy and three of his friends into the river. The boy's friends were missing, and with the discovery of two of the bodies, the community assumed drowning as the cause of death (Chigas, 2006). Riots ensued throughout Kosovo, with the targets mainly being Serbs and UNMIK. In addition to the 19 deceased individuals, the riots inflicted injuries on over 900 people, and what followed was immense damage to churches, homes, and personal property (Brovina, 2017; Chigas, 2006).

After the riots died down, the UN's envoy to Kosovo, Kai Eide, elucidated in the UN investigation that as the economic situation remained stark and unemployment and poverty were rampant, the lack of respect for the rule of law as well as the mechanisms to enforce it played a substantial role in the ongoing violence and inequality. Additionally, he recommended to the United Nations Security Council (UNSC) that the UN surpass the Standards Before Status

approach and move toward a final status arrangement (Howard, 2013). As a result, the UN initiated an international effort to achieve this goal. They appointed Martti Ahtisaari in 2006 to run the first direct discussions between the Serb and Kosovar leaders. Ahtisaari enticed the leaders to speak regularly over two years and created a proposal for the independence of Kosovo that incorporated most of the requests from the two sides (Howard, 2013). Unfortunately, in March 2007, at the final meeting, both leaders refused to compromise, and Ahtisaari concluded that the parties would never reconcile their positions. He then submitted his proposal to the UNSC, which incorporated direct advice for the status outcome of Kosovo's independence (Howard, 2013; Weller, 2008).

Kosovo Declares Independence

Thereafter, Kosovo declared its independence on February 17th, 2008. However, the Serb minority in Kosovo declined to acknowledge this shift and implemented parallel administrative structures such as hospitals, schools, municipal administrations, security, and judicial structures (Brovina, 2017; Howard, 2013). The EU said these parallel structures hindered security efforts. Criminals manipulated the parallel structures to their advantage so they could commit more crimes; it also obstructed judges from finding witnesses and making accurate arrests (Howard, 2013). As a result, the EU set up a parallel mission to UNMIK.

The EULEX was created to aid Kosovo authorities in police, customs, and the judiciary. By December 2008, EULEX assumed executive neotrusteeship functions (Brovina, 2017; Howard, 2013; Allcock & Lampe, 2022). By November 2009, Kosovo held its first independent elections. Many individuals viewed this act as a test of Kosovo's commitment to democracy. According to international monitors, the elections remained peaceful and fair despite the lack of participation of Serbian individuals (Allcock & Lampe, 2022). Following this, the International

Court of Justice officially recognized Kosovo's independence in July 2010. This decision strengthened the Albanian government of Kosovo and the EULEX authorities and certified Kosovo's sovereignty within its declared borders (Allcock & Lampe, 2022). Still, tensions remained apparent with the Serb-dominated areas north of the Ibar River. With Serbia's support, the UN passed Resolution A/64/L.65/Rev.1 in September 2010, which called on the EU to mediate talks between Serbia and Kosovo in hopes of normalizing relations (UN General Assembly, 2008; Allcock & Lampe, 2022). Throughout 2011, as disruptions continued due to the creation of parallel institutions as an act of resistance to the Kosovar government, EU police and NATO troops attempted to keep the peace in the region (Allcock & Lampe, 2022). Even though violence still occurred, negotiations between Kosovo and Serbia continued. Despite the outrageous unemployment rate of 35.3% (Eurostat Statistics, 2023), organized crime, and corruption, in 2012, the European Commission decided that Kosovo had made adequate progress to begin negotiations for a Stabilization and Association Agreement, which is a crucial step toward accession to the EU (Allcock & Lampe, 2022).

A Lack of Negotiations and Agreement in Multiple Sectors

As of January 2013, Kosovo still hosted 400 UN Peacekeepers and over 3,000 EULEX police and judicial personnel. However, no domestic or international actors in Kosovo have been fortunate enough to accomplish their individual or collective goals (Howard, 2013). By April 2013, the competing parties reached a milestone agreement that recognized a level of autonomy for ethnic Serbs in northern Kosovo in exchange for provisional recognition of Kosovo's authority. However, Serbian negotiators refused to recognize Kosovo's independence (Allcock & Lampe, 2022). In August 2015, Kosovo and Serbia concluded negotiations that included energy and telecommunication issues as Kosovo received its international telephone prefix, and Serbs

within Kosovo received a measure of autonomy (Allcock & Lampe, 2022). However, this was not without extreme pushback among Kosovo Albanians. The EU-brokered deal would grant the Serb population in Kosovo greater local powers and allow Serbia to fund them (Teffer, 2015). Opposition party members protested this deal heavily as they set off tear-gas canisters on the floor of parliament (Allcock & Lampe, 2022; Teffer, 2015). As a result, Kosovo and Serbia postponed the deal to protect the public (Teffer, 2015).

Additionally, Kosovo signed a Stabilization and Association Agreement in late August 2015. However, the EU expressed that additional political and economic reforms are necessary before Kosovo can become a full member. Therefore, the country remained a potential candidate (Allcock & Lampe, 2022; Teffer, 2015). By 2016, thousands of Kosovo opposition supporters had called on the government to resign as they accused the government of violating the country's constitution with the EU-brokered deal. More than 15,000 individuals participated in the protests (*Aljazeera*, 2016). As the opposition party strongly disapproved of the current Kosovo government's signing of this agreement, it consistently called for holding new elections for over two years. Following a motion of no confidence in May 2017 in the Kosovo Assembly, the president of Kosovo called for early legislative elections. The Democratic Party of Kosovo[5] won the elections and sought to establish a government led by Ramush Haradinaj (Dimishkovski, 2017). Haradinaj was a former prime minister and the Kosovo Liberation Army (KLA) leader who fought for independence from Serbia in the 1990s (Dimishkovski, 2017). Haradinaj's coming into power caused unrest among Serb civilians as Serbian authorities accused him of

---

[5] The Democratic Party of Kosovo orginated as a social-democratic party resulting from the demilitarized Kosovo Liberation Army after the Kosovo War. However, since 2013 the party declares itself as a conservative party (DPedia).

torturing and killing Serbians when he was the commander of the NATO-backed KLA in 1998 and 1999 (Dimishkovski, 2017).

The Creation of New Deals and Institutions

In 2018, Serbia proposed a new deal with Kosovo to draw up new borders for the territories of Kosovo and Serbia. This new deal is known as the land swap. This swap called for a part of southern Serbia centered on the ethnic Albanian-dominated city of Presevo to be granted to Kosovo. In exchange, the Serb-dominated northern part of Kosovo, Mitrovica, would be transferred to Serbia (Serbia and Kosovo Presidents Cancel EU-Brokered Talks, 2018). However, Kosovo Prime Minister Haradinaj was completely against the proposal suggesting that this division would result in war. As a result, the next meeting to discuss the proposal was canceled (Serbia and Kosovo Presidents Cancel EU-Brokered Talks, 2018).

Additionally, in 2018, the parliament of Kosovo approved the formation of an army, maintaining its previous name, the Kosovo Security Force. However, it had a new mandate; to operate as a security force handling crisis response and civil protection operations (Kosovo Approves New Army Despite Serbia Opposition, 2018). As to be expected, ethnic Serb politicians boycotted the vote. Serbia worried that Kosovo decided to do this to ethnically cleanse Kosovo's Serbian-dominated northern population (Kosovo Approves New Army Despite Serbia Opposition, 2018). In their fight against this decision, Serbian officials sought an urgent session of the UNSC. However, the Security Council recognized the decision and called on Kosovo to ensure the transformation of its army would be transparent, inclusive, and in close cooperation with NATO (Kosovo and Serbia Trade Accusation over Kosovo's New Army, 2018).

Tensions grew as Kosovo police officers crossed the bridge into Mitrovica and partook in anti-corruption raids in May 2019. Kosovo authorities stated this act was carried out due to suspected smuggling and organized crime (Plesch, 2019). Many ethnic Serbs in Mitrovica felt that the raids demonstrated that Kosovo police have the power and authority to do whatever they want in order to intimidate them. The raids resulted in more than 20 arrests and multiple injuries (Plesch, 2019).

Elections and Updated Rules

A few months later, Kosovo's Prime Minister Haradinaj resigned after authorities asked him to come in for questioning based on crimes against ethnic Serbs during and after the country's 1998-1999 war (Gadzo, 2019). Following his resignation, President Thaci had to hold new elections, and by August, Kosovo's parliament voted to dissolve, with snap elections to be held on October 6th (Gadzo, 2019). Kosovo voters were tired of the current situation of corruption and poverty, and as a result, the leftist nationalist Vetevendosje, or Self Determination Movement Party, won the election (Fazliu, 2019). Albin Kurti became the prime minister with goals focused on improving social justice and the economy and halting corruption (Fazliu, 2019). However, in March 2020, Kurti lost a non-confidence vote as disputes on how to deal with the Coronavirus unfolded. This resulted in a political battle between Kurti and Kosovo's President Thaci concerning government Coronavirus policies and enacting a state of emergency granting Thaci more power (Walker, 2020). By June, Kosovo's parliament endorsed Avdullah Hoti as Kosovo's prime minister, though Kurti challenged Hoti's position of power as he argued that Hoti was elected illegally (*Aljazeera*, 2020). After review, the Constitutional Court of Kosovo agreed with Kurti's accusations as the June parliamentary confirmation of Hoti was passed by using a vote of an imprisoned legislator (*Aljazeera*, 2020). In December, the court stated that

Kosovo's president must set a date for a new election. However, in November, President Thaci resigned to protect the integrity of Kosovo's Presidency as he faced charges of war crimes and crimes against humanity. Parliament Speaker Vjosa Osmani was his temporary replacement (Kosovo President Resigns to Face War Crimes Charges, 2020). Elections were held in February 2021; Kurti's party came out on top by a landslide, and the official election of Osmani as the new president transpired in April. The Self-Determination Movement party now holds the top three posts: the president, the speaker, and the prime minister (Kosovo Parliament Elects Vjosa Osmani as New President, 2021).

Later in the year, tensions rose again between Kosovo and Serbia. Kosovo matched the Serbian rule to remove license plates on cars and forced those entering the country to buy temporary plates. Serbia had been doing this for years, and when Kosovo decided to implement the rule, Serbs protested by attacking two vehicle registration offices as well as by blocking the Kosovo-Serbia border because they do not recognize Kosovo as an independent country (Kosovo Gov't Offices Targeted as Tensions Soar with Serbia, 2021). This license plate dispute is still an ongoing issue. In July 2022, Serb protesters continued to block border crossings between the two countries, and an unknown gunman fired on the police guarding the area (Falk, 2022). In addition to the license plate requirements, Kosovo wished to require individuals with Serbian IDs, who enter Kosovo, to replace them with temporary documents for the duration of their stay in the country (Falk, 2022). According to Gezim Krasniqi, a lecturer at the University of Edinburgh, the Kosovo plan is parallel to the practices used by Serbia with Kosovo document holders since 2011 (Falk, 2022). However, the Kosovo government agreed to postpone the implementation of the new requirements due to the violence that erupted. With Kurti's ongoing threat of imposing the new rule, the international community got involved, and the EU attempted

to facilitate talks between the two parties. At the end of November 2022, the two sides, with the help of Joseph Borrell, the EU Foreign Policy Chief, finally reached a deal (Peter, 2022). Borell stated that Serbia would halt issuing license plates with Kosovo cities' designations, and Kosovo would not implement the re-registration license plate rule (Peter, 2022). However, 3,700 NATO peacekeeping troops remain in Kosovo to mitigate further tensions (Peter, 2022).

Additionally, the current ethnic composition of Kosovo's population remains unclear. The 2011 census population estimation shows that 92.9% of the population is Albanian, and only 1.5% is Serbian (Kosovo, The World Factbook). However, this remains unclear due to the exclusion of northern Kosovo in the census, which is inhabited mainly by Serbs, as well as Serbian minorities in southern Kosovo boycotting the census (Kosovo, The World Factbook). The next census will occur in 2023.

Considering the incessant challenges of peacebuilding in Kosovo, using an HRBA to evaluate peacebuilding efforts is essential to recognizing the increased capacity for development among these efforts. In other words, utilizing the PLANET principles in assessing the UN peacebuilding mission in Kosovo brings about recommendations for improving the outcomes of peacebuilding processes. By explicitly analyzing peacebuilding efforts using the PLANET principles, the mission's impacts can be understood holistically. Using an HRBA to understand peacebuilding efforts more comprehensively is beneficial to the development of conflict-ridden societies and further informs future peacebuilding efforts. Thus, this analysis demonstrates to other peacebuilding missions the importance of enacting this approach to increase the potential for better outcomes.

CHAPTER III: UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO

Kosovo's grave political, economic, and social situation was a significant concern for the international community. Global actors recognized the dire need for assistance to halt the abuses between the different parties and develop sustainable and just power systems. The UNSC took it upon itself to create and adopt a resolution allowing international actors to intervene and mitigate the challenges resulting from the conflict. This resolution is known as Resolution 1244, in which the Security Council authorized the deployment of the United Nations Interim Administration Mission in Kosovo (UNMIK). The Resolution was adopted on June 10, 1999, and established a framework for resolving the conflict in Kosovo (United Nations Security Council, 1999, S/RES/1244). The overarching goal the Resolution exhibits is the immediate and verifiable end of violence and repression in Kosovo (United Nations Security Council, 1999, S/RES/1244). However, UNMIK faced many years' worth of work, commitment, and compromise to achieve this goal. Since 1999, the UNMIK has accomplished many of the objectives expressed in the original resolution, although it has also been unsuccessful in some other areas. This chapter will address many of those accomplishments and the challenges UNMIK still faces. I will discuss the mission's progress in-depth after the first month of implementation, followed by an in-depth discussion of the first year, then progress will be addressed explicitly based on the major concerns and goals of the mission due to its longevity. This chapter will then show how the mission may look different when its actions are more grounded in a human rights-based approach.

THE UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO

TRHOUGHOUT THE YEARS

The Implementation of Resolution 1244 (1999)

The benchmark document, Resolution 1244, describes a set of responsibilities for the UNMIK once it deployed in Kosovo. The Resolution's mandate "was threefold: to establish a functioning interim civil administration; to promote the establishment of substantial autonomy and self-government; and, finally, to facilitate a political process to determine Kosovo's future international status" (Lemay-Hebert, 2009, Pg. 67). More specifically, however, UNMIK was faced with the tasks of demilitarizing the KLA, instituting a stable environment where refugees and displaced persons could return to their homes safely, certifying public safety and order, monitoring the border, overseeing demining processes, supervising the development of interim institutions for autonomous and democratic self-government (e.g., holding elections), promoting the reconstruction of critical infrastructure, establishing local police forces, protecting and promoting human rights, and certifying the protection and freedom of movement itself (United Nations Security Council, 1999, S/RES/1244). Furthermore, the Resolution requested the Secretary-General to report to the Security Council regularly on the status of the intervention concerning the Resolution. These reports are a crucial resource to understanding what exactly UNMIK is accomplishing and what challenges they still face and are therefore substantially utilized throughout this chapter.

Kofi Annan, the Secretary-General, submitted his first report to the Security Council on July 2, 1999, just one month after the establishment of UNMIK. In this report, he addresses the security, political, economic, and humanitarian situation and the state of Kosovo's administrative and public services infrastructure for the time-being. He then follows this by expressing the

actions and authority the UNMIK advance team assumed. Next, he outlines the structure of the

mission and its relationship to the other participating international organizations. Finally, the

report addresses the complex range of objectives to be completed by each organization and an

initial plan for each implementation phase.

To elucidate, none of the progress that was made in the first month would have been

possible without a dedicated staff. Therefore, one of the first tasks Annan had to accomplish was

to build a team that would be committed to each of the goals established in Resolution 1244. The

first position to fill was the Special Representative of the Secretary-General who, as the legal

head of state of Kosovo, held the responsibility of ensuring the coherence of the mission with

"virtually unlimited powers" (Lemay-Hebert, 2009, Pg. 67). Additional positions to fill were

Principal Deputy Special Representative, Special Representative for Interim Civil

Administration, Deputy Special Representative for Humanitarian Affairs, Special Representative

for Institution-Building, and Special Representative for Reconstruction (The Secretary-General,

S/1999/779). Annan successfully appointed all necessary staff members for each respective

position. With a full team, they assembled a report to convey to the Security Council for

evaluation.

During the first month of UNMIK's deployment, the situation in Kosovo was tense but

stabilizing (The Secretary-General, S/1999/779). Relating to security, the issues arose primarily

as a result of the lack of law and order institutions and agencies. Issues such as "high profile

killings and abductions, looting, arsons, and forced expropriation of apartments" (The Secretary-

General, S/1999/779 Pg. 2) were still major concerns of UNMIK. This lack of a legitimate police

force had become one of the larger priorities of the mission (The Secretary-General,

S/1999/779). Additionally, the humanitarian situation in the state needed much of the mission's

focus. Kosovo had a population of around 1.7 million people, where almost half searched for refuge in Albania, and approximately 500,000 persons may have been internally displaced (The Secretary-General, S/1999/779). Ensuring that refugees and internally displaced persons can return safely to their homes is one of the original goals of Resolution 1244. Therefore this aspect is also one of the mission's crucial priorities.

Furthermore, Kosovo's economy relies largely on agriculture. During the summer of 1999, much of the land laid fallow, a harsh reality for its citizens as much of their economic activity was restricted to trading scarce goods and services at inflated prices (The Secretary-General, S/1999/779). Additionally, much of the public infrastructure remained inoperative and inadequate. This issue was a direct result of the reintegration of Kosovo Albanian staff members. The lack of maintenance of infrastructures, alongside the lack of payment to the workers, caused telephone lines, schools, hospitals, and transport services to suffer (The Secretary-General, S/1999/779). These concerns simply scratch the surface of what UNMIK had to mitigate to end the violence and repression occurring in Kosovo.

The response of UNMIK to many of these issues, at the start, seems to be mostly effective. Specifically, to alleviate some of the challenges that the administration and staffing of public institutions faced, UNMIK created what is known as joint civilian commissions (JCCs). The JCCs intended to ease the transition towards integrating the public institutions between Kosovo Albanians and Kosovo Serbs and address the controversial issues arising from doing so (The Secretary-General, S/1999/779). These commissions had been instituted in the health, education, culture, governance, telecommunications, and power sectors. While the purpose of the JCCs was to have individuals from both Kosovo Albanian and Kosovo Serb communities participate in the councils, the intimidation factor and confidence levels among Serbian actors

had the potential to compromise the outcomes of the commissions (The Secretary-General, S/1999/779).

Furthermore, at the political level, UNMIK worked on establishing the Kosovo Transitional Council to promote cooperation between the mission itself and Kosovo civilians. As it was intended, the Kosovo Transitional Council's representative body was to be constituted in a similar manner as the JCCs, and to include major ethnic and political groups in Kosovo. The Council aimed to rebuild confidence levels, ensure community participation, act as a sounding board, and elicit support for suggested actions and decisions made by UNMIK (The Secretary-General, S/1999/779). The Council met for the first time on July 16, 1999, which was a crucial step in the right direction for the development of self-governance in the state (UNMIK/PR/12). This allowed all major parties to participate in decision-making processes relating to civil administration, institution building, reconstruction, and other essential services. During the first meeting, the topics of major concern related to security, creating a new Kosovo Police Service, the judiciary, and the media (UNMIK/PR/12). Bernard Kouchner, the Special Representative of the United Nations Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, assembled the meeting. Kouchner, in discussing the tasks of the Transitional Council, stated that he saw it as "the most important body to accomplish both the task of the UN involving the parties, as well as the task of the parties working together… in the Council we will discuss all important issues. There will be no voting; it will be the weight of argument that will count" (UNMIK/PR/12 Pg. 3). During the meeting, the group came to several conclusions about the progression of solutions to their concerns. UNMIK's Police Commissioner informed the participants of the development of the recruitment process to initiate a new Kosovo Police Service (UNMIK/PR/12). Additionally, the Council determined that groups, including

Albanians, Serbs, and UNMIK and KFOR members, would visit certain areas around the state to build confidence in cooperation among civilians. Finally, they discussed the need to rebuild the media regarding broadcasting, radio, and television (UNMIK/PR/12). While implementing the Council was a step in the right direction, the group's structure, specifically relating to representation, still had to be rectified.

As stated above, security was of the greater concern to UNMIK, and attacks towards minorities were a substantial problem in the state. The mission deployed over 1,100 UN civilian police to respond to the violence (The Secretary-General, S/1999/987). UNMIK divided its international police presence into civilian police, special units, and border police. The civilian police participated in training, advising, and monitoring activities and were meant to partake in regular police duties; the special units were responsible for public order, such as crowd control and security; border police were responsible for immigration laws and border regulations (The Secretary-General, S/1999/779). Specifically, the UNMIK civilian police had focused on Pristina, as one third of the crimes reported in Kosovo occurred in this region. The police force had established three police stations in areas of this region with the highest crime rates towards Serbian individuals that operated on a 24-hour basis. Equally important, UNMIK police had instituted a police detention facility in Pristina; doing so created the first and only detention facility in the state (The Secretary-General, S/1999/987). The mission focused on increasing the capacity and functionality of detention centers in Kosovo, as these facilities were high on the priority list due to the elevated crime rate. Moreover, leaders of the KLA had made official statements on tolerance and security for minorities. They also called for non-Albanians to remain in Kosovo while repeatedly guaranteeing their commitment to human rights, tolerance, and

diversity (The Secretary-General, S/1999/987). Although the KLA statements are important, they did not seem to decrease attacks on minorities.

Additionally, the UNMIK border police had 82 police officers deployed at the crossing between Albania and the former Yugoslav Republic of Macedonia (Secretary-General, S/1999/987). The officers who were designated for border police were responsible for vehicle checks, passports, and other documents. UNMIK focused on reducing human trafficking, drug smuggling, and further organized crime in Kosovo. However, the border police recognized that they needed to increase the number of officers deployed in this area to carry out their tasks and meet their goals successfully. The need for more police officers was not just necessary for border police; the numbers were insufficient across all police elements. According to the Secretary-General, "the ratio of police to inhabitants will remain well below the norm of that in other countries" (The Secretary-General, S/1999/987 Pg. 7). It was imperative that Member States recognized this discrepancy and made it a priority to deploy additional personnel.

On the judicial level, UNMIK understood the need to create a self-sufficient, unbiased, and multi-ethnic judiciary. They determined that establishing this system was the only way to address the security concerns that plagued the state (The Secretary-General, S/1999/987). Justice also needed to be brought on the criminals committing the most heinous crimes. Therefore, UNMIK established a Judicial Affairs Office whose areas of responsibility included the administration of courts, prosecution services and prisons; the development of legal policies, the review and drafting of legislation, and the assessment of the quality of justice in Kosovo (The Secretary-General, S/1999/987). By September 1999, UNMIK appointed 36 judges and 12 prosecutors on an interim basis. While most individuals appointed were Albanian, two of the seven appointed Serbian judges left the state in fear of reprisal (The Secretary-General,

S/1999/987). Furthermore, UNMIK implemented an Advisory Judicial Commission tasked with recommending individuals on a more permanent basis for these positions. In this sense, UNMIK's goal was to provide these individuals with continuous training in the law and international human rights standards (The Secretary-General, S/1999/779). Regarding legislation, legal experts from the Council of Europe reviewed criminal codes, criminal procedures, and the laws on internal affairs and public peace and order. The Council then produced a set of recommendations to implement Kosovo laws in accordance with international human rights standards, Resolution 1244, and UNMIK regulations (The Secretary-General, S/1999/987).

The UNMIK One Year Later (2000)

After the mission's first year, it substantially improved some of its goals, though many remained incomplete and unaccomplished. For example, the level of security in Kosovo remained bleak. Kosovo Serbs were mostly secluded in villages and the northern part of Mitrovica. The security situation in Mitrovica was so horrifying that some Serbs often had the KFOR troops buy groceries for them (Gjorgjievski, 2000). While around 50,000 Serbians lived in Mitrovica, Kosovo Albanians occupied the area south of the river—the only integrated town area comprised of heavily guarded apartment buildings (Gjorgjievski, 2000). As one can imagine, this caused a constant state of violent exchanges between the two parties. One extreme act of violence occurred in February 2000 when a distinctly labeled humanitarian shuttle bus, property of the Office of the UN High Commissioner for Refugees, that was transporting 49 Kosovo Serbs was hit by a grenade (Gjorgjievski, 2000; The Secretary-General, S/2000/177). As a result, two people died and three were injured. In the following days, heinous crimes were committed in Mitrovica in response to this attack. These crimes resulted in eight deaths, at least

20 injured citizens, the displacement of over 1,650 Kosovo Albanians from the northern part of Mitrovica, and the displacement of Kosovo Serbs from the southern part of Mitrovica (The Secretary-General, S/2000/177).

Additionally, grenade attacks and gunfire continued to occur in the succeeding weeks, injuring Kosovo Albanians, Serbs, and KFOR soldiers. Even a Kosovo Serb medical doctor, also a Serb National Council Gracanica member, who left his apartment for the first time in four months, was shot and killed (Gjorgjievski, 2000; The Secretary-General, S/2000/177). Furthermore, during the first three months of 2000, UNMIK police reported over 9,000 crimes, with over 400 serious offenses, such as murder, assault, rape, and kidnapping. In the later part of the year, three children were playing with a stolen pistol when it accidentally went off. The bullet hit one of the children in the back, and the boy was pronounced dead at the scene (Manuel & Slaten, 2000). Even at the beginning of the demilitarization process, NATO could only confiscate a portion of the KLA's weapons, especially considering the KLA often only relinquished their old or damaged ones (Gjorgjievski, 2000). The child's death is only one of the reasons KFOR and UNMIK police continued to search for and confiscate weapons from all ethnic groups.

Furthermore, the political situation in Kosovo was mediocre at best. For example, UNMIK established the Joint Interim Administrative Structure (JIAS) on December 15, 1999, to create a shared responsibility for administrative work among all political forces in Kosovo (The Secretary-General, S/2000/177). JIAS determined 20 departments in relation to health, social welfare, education, reconstruction, justice, etc., were required to manage the state. Each department was co-directed by an international and a local individual, with the international member responsible for ensuring that the policies of Resolution 1244 were implemented (The

Secretary-General, S/2000/177). At the start of the JIAS, most Kosovo Serb political forces rejected the implementation. However, the Serb National Council, named Gracanica, expressed interest in participation with a few conditions. UNMIK had to amplify security, expand its presence in areas populated by Serbs, and increase access to essential public services for the Kosovo-Serb population (The Secretary-General, S/2000/177). Due to Mitrovica's political divisions and security issues, Serbian representation in the JIAS remained inadequate. While the Serb National Council Gracanica joined JIAS as an observer, a decision met with extreme disapproval from other Serbian political forces, the scarce participation of minority communities was still very concerning. Of the 20 departments, only two local individuals who co-directed the department were Kosovo Serbs (The Secretary-General, S/2000/538). Other Serbian political actors had refused to participate in protests of ethnically motivated violent acts. They were worried about their pension benefits accumulated before the conflict or simply because they did not want to work with Kosovo Albanians (The Secretary-General, S/2000/538). Additionally, some Serbs did not even have the option to partake in the JIAS because of the unstable security conditions where they lived. This lack of Serb representation was problematic because the departments' decisions created through JIAS reflected many of the outstanding daily challenges the Serbian population in Kosovo faced.

In relation to the Kosovo Transitional Council (KTC), an element of the JIAS, it had fortunately increased its focus on missing persons, security, civil registration, education, the judicial system, etc. Additionally, the KTC had increased its membership to 36 individuals. However, only 4 were Kosovo Serbs (The Secretary-General, S/2000/538). In addition, to be represented in the KTC, the Kosovo Serbs had to participate in JIAS. Due to the Serb National Council Gracanica's participation in JIAS as an observer, they were granted those membership

seats. However, the other Serbian Political forces who refused to participate in JIAS for various reasons were left out of the KTC's essential conversations and decision-making processes.

Moving forward, the UNMIK struggled to protect minority communities and their human rights. This was at the forefront of the mission's agenda. However, "despite determined efforts on the part of KFOR and the UNMIK police to address the security needs of minority populations, they have continued to be subject to harassment, violence and intimidation" (The Secretary-General, S/2000/538 Pg. 7). Kosovo Serbs remained the most affected group, and arson attacks, aggravated assault, and murder were the most frequent crimes they faced daily. These attacks greatly restricted Kosovo Serbs' freedom of movement, affecting their capacity to access fundamental human rights. Education, healthcare, access to public utilities, and social welfare are just a few examples of the rights Kosovo Serbs had inadequate access to (The Secretary-General, S/2000/538). In response to this, UNMIK, with its partners, attempted to ensure minorities at least had access to food, health, education, and media. Specifically, UNMIK and KFOR had been developing projects such as telephone repairs, road repair, and education and health projects that they believed would improve long-term security for minority communities (The Secretary-General, S/2000/538). They also increased protection for the Serb National Council Gracanica members as their participation in JIAS was met with substantial resistance by all political parties. Additionally, while UNMIK was working towards establishing social services and structures that better included minority populations, many ethnic minorities were concerned with the comprehensiveness of the language being used in public documents. Therefore, UNMIK tried to incorporate all three official languages of the state, English, Albanian, and Serbian, in all public records (The Secretary-General, S/2000/538).

Furthermore, women and girls in Kosovo constantly faced violent attacks such as domestic violence and human trafficking. UNMIK struggled to investigate these crimes and bring justice to the victimized women and girls. For example, legal remedies were often insufficient and discriminatory towards women, and to take it one step further, sexual violence victims did not have adequate access to psychological treatment (The Secretary-General, S/2000/538). While UNMIK had established a safe house for these victims and attempted to draft regulations for their legal protection (The Secretary-General, S/2000/878), this continued to remain a severe problem.

A significant issue concerning the lack of justice was the ill-equipped criminal justice system. UNMIK attempted to create an impartial system representative of all ethnicities. However, of the 400 judges, prosecutors, and lay judges appointed, only 46 were non-ethnic Kosovo Albanians, and only 7 were Kosovo Serbs (The Secretary-General, S/2000/538). This underrepresentation hurt the court's ability to make decisions accurately and created an unwillingness of witnesses to testify, increased ethnic bias, and amplified intimidation among participating judicial personnel. Some Kosovo Serb detainees protested the system even further by partaking in a hunger strike. The Special Representative had to meet with them and ensure that a Kosovo Serb would chair their case to convince them to end their strike (The Secretary-General, S/2000/538). Additionally, the court system demonstrated a lack of comprehension of international human rights laws. This was of great concern because this lack of clarity reflects onto trial decisions, especially trials involving both minorities as victims and as defendants (The Secretary-General, S/2000/878). UNMIK recognized the need to place greater focus on training the judges they appointed and mitigating security threats to increase the participation of the

Kosovo Serb population in the justice system. However, there was a lack of specifics on how they planned to conduct this.

One of the major achievements of the UNMIK was holding municipal elections in the latter half of the year 2000. Voter turnout was substantial at 71%, although Kosovo Serbs boycotted the vote (The Secretary-General, S/2000/1196). UNMIK was exceptionally pleased with the decrease in violence on election day as it showed each political party's commitment to democracy. Three political parties received a majority of the votes. The Democratic League of Kosovo (LDK) received 58% of the votes, the Democratic Party of Kosovo (PDK) received 27% of the votes, and the Alliance for the Future of Kosovo (AAK) received 8% of the votes (The Secretary-General, S/2000/1196). UNMIK made noticeable efforts to include all Kosovo communities in the new municipalities. However, they struggled to include Kosovo Serbs because many of their leaders demanded separate municipal structures from the elected structures (The Secretary-General, S/2000/1196). Getting the Kosovo Serb population to fully participate in the elected assemblies was a challenge. However, UNMIK appointed three assemblies in northern Kosovo, where Kosovo Serbs were the majority members. There were 18 seats available in each assembly, two of which would be occupied by Kosovo Albanians. Kosovo Albanians, however, did not wish to acknowledge the appointees. As a result, four out of the six Albanian seats remained vacant (The Secretary-General, S/2000/1196). While the Kosovo Serb's decision to boycott the elections hurt adequate representation, Kouchner, the United Nations Secretary-General's Special Representative and UNMIK Head, told the Security Council that some "Kosovo Serbs are willing to participate in the elected municipal structures. UNMIK was making a concerted effort to ensure their continued representation, and Kosovo Albanian leaders have accepted such a process" (The Secretary-General, UNMIK/PR/373 Pg. 1). For example, the

Serb National Council of Mitrovica showed desires to improve their cooperation with UNMIK and the Serb National Assembly of Kosovo expressed their inclination to be included in political processes in Kosovo, both of which had been regularly uncooperative with the UNMIK (The Secretary-General, S/2000/1196).

Pre-Independence (2001-2007)

Over the next few years, UNMIK faced many of the same challenges as when it was first implemented. To promote democratic governance and respect for the rule of law in Kosovo, on May 15, 2001, UNMIK established the Constitutional Framework for Provisional Self-Government. This was necessary to pave the way for future elections and work towards the self-government goal in Resolution 1244. This framework intended to take over all legislative, executive, and judicial responsibilities (UNMIK, Regulation 2001/9). The Provisional Institutions of the Framework are the Assembly, the President, the Cabinet, and the Judicial System. The Assembly comprised 120 members elected by the people of Kosovo; the Assembly then elects the President. UNMIK suggested that recalling on UNSC Resolution 1244, the Framework with a "gradual transfer of responsibilities to Provisional Institutions of Self-Government, will through a parliamentary democracy, enhance democratic governance and respect for the rule of law in Kosovo" (UNMIK, Regulation 2001/9, Pg. 8).

The Framework allowed transferring certain legislative, executive, and judicial responsibilities to local institutions. However, UNMIK still possessed authority over law enforcement, minority community protection, and budgetary control (Stahn, 2021). Additionally, the SRSG reserved the right to intervene and modify any actions taken by the Provisional Institutions he declared violated Resolution 1244. The framework further established in the preamble and later chapters that implementing these Provisional Institutions in no way lessens

the ultimate authority of the SRSG to uphold the conditions of Resolution 1244 (Stahn, 2021). In addition to the requirement of each Provisional Institution to exercise its powers following Resolution 1244, they were also bound by the international human rights standards addressed in the framework. These standards "are self-imposed and binding through their incorporation in the legal framework, without requiring a treaty accession of Kosovo to the relevant legal instruments" (Stahn, 2021, Pg. 554). This was an important addition to the framework because protecting refugees and displaced persons remained a significant concern for the state.

By November 2001, Kosovo held its first elections for the Provisional Institutions. While there were acts of intimidation regarding the participation of Kosovo Serbs, the elections were generally free of violence. Voter turnout was around 64%, and the Democratic League of Kosovo took the majority of seats in the Assembly. However, no party took enough seats to govern alone, persuading each party to work collectively (The Secretary-General, S/2002/62). It is also important to note that minority parties had 35 out of the 120 seats, so they did hold a small amount of representation in the institution (The Secretary-General, S/2002/62). However, the safety of the minority Assembly members did remain a concern. To combat this, UNMIK assigned protection and escort officers to each Kosovo Serb member and had Kosovo Police Service officers guarding the Assembly building (The Secretary-General, S/2002/62). Additionally, the Assembly failed to reach a majority on the election of a president. This was worrying for future decisions the Assembly would have to make. The Assembly, along with the other Provisional Institutions of self-government, in accordance with the Constitutional Framework, had full responsibility over the sectors within their authority as the Special Representative only involved himself in upholding the conditions of Resolution 1244 and the Constitutional Framework (The Secretary-General, S/2002/62).

A substantial provision in Resolution 1244 facilitated political processes designed to determine Kosovo's future status (United Nations Security Council, 1999, S/RES/1244). To make progress towards this goal, UNMIK established a set of standards that outline the necessary functions that must be achieved for Kosovo's final status. The document was launched in December 2003 and covered eight sections: Functioning Democratic Institutions, Rule of Law, Freedom of Movement, Sustainable Returns and the Rights of Communities and their Members, Economy, Property Rights, Dialogue, and Kosovo Protection Corps. The sections put forth in the document "describe a multi-ethnic society where there is democracy, tolerance, freedom of movement and equal access to justice for all people in Kosovo, regardless of their ethnic background" (UNMIK, 2003, Pg. 3). After the Standards for Kosovo was established, UNMIK held meetings of five working groups that covered each of the eight sections. These working groups included UNMIK representatives and members of the Provisional Institutions, though there remained a lack of Kosovo Serb representative participation (The Secretary-General, S/2004/71). What needed to be accomplished at the start was the development of a plan for the implementation of the standards. Following this development, Kosovo's leaders and the communities' genuine commitment to implementing these standards was required. Kosovo leaders had to ensure they remained focused on issues that have practical effects (The Secretary-General, S/2004/71).

The most prominent event that set back UNMIK security efforts and the implementation of the Standards for Kosovo was the March 2004 riots. The riots were a result of crimes that occurred in the preceding days. The first was the shooting of a Kosovo Serb child on March 15, 2004 (The Secretary-General, S/2004/348). Kosovo Serbs retaliated by blocking the main road outside of Pristina. Following this, at least two Kosovo Albanian children drowned in a river,

which was thought to be at the fault of Kosovo Serb individuals. These occurrences, demonstrations protesting UNMIK Police, and biased media reporting were a direct cause of the riots. Both Kosovo Albanians and Serbs died in the riots. Almost 1,000 people were injured, including members of the Kosovo Police Service (KPS) and the KFOR (The Secretary-General, S/2004/348). Additionally, at least 730 houses belonging to minorities and 36 churches were destroyed, two of which were significant sites of universal significance listed by the United Nations Education, Scientific, and Cultural Organization (The Secretary-General, S/2004/348). Violence continued to ensue following the riots. Later that month, Kosovo Albanians shot and killed a UNMIK police officer and a Kosovo Albanian KPS officer after releasing gunfire on their UNMIK police vehicle. In response, UNMIK deployed an additional 2,000 troops, particularly in minority areas, to help with security (The Secretary-General, S/2004/348). They also established a curfew in some areas to ward off further violence and made over 260 arrests in connection with the violence (The Secretary-General, S/2004/348).

One of the larger problems UNMIK faced with this issue was the response of the Provisional Institutions. The Kosovo Albanian leaders did not condemn the violence and seemingly failed to comprehend the seriousness of the situation (The Secretary-General, S/2004/348). Some even supported the violence as they related it to their political ambitions, including Kosovo's independence. Thankfully, by April 2004, with the help of the Prime Minister, Kosovo Albanian Provisional Institution officials released a letter that condemned the violence and called for an understanding of the partnership between Kosovo Albanians and Serbs based on respect and the marginalization of extremists on both sides (The Secretary-General, S/2004/348). They also established a relief fund to restore damaged buildings during the violence, though relief for household and personal items was not considered (The Secretary-

General, S/2004/348). These events greatly damaged any progression of the Standards for Kosovo, and the ambivalence of the Provisional Institutions towards these events showed that Kosovo had a long road ahead before any standard could be achieved.

By 2005, Kosovo had undergone another relatively peaceful election. Fortunately, the Assembly elections were determined to be in accordance with all the Standard's requirements, and the Council of Europe concluded they were free and fair (The Secretary-General, S/2005/335). Though, accusations of violations of the rules were placed on the Assembly. Opposition parties stated that the Assembly impeded open debate, failed to address concerns and complaints made by the Opposition, and did not provide ample time and opportunity for all parties to participate in the discussions on legislation (The Secretary-General, S/2005/335). This hindered progress toward the Functioning Democratic Institutions Standard as the Assembly was intended to be a central forum for democratic debate.

Throughout 2005, UNMIK conducted a comprehensive review of the situation in Kosovo. After the review, the Security Council implemented a political process created to settle the future status of the state. The decision of the Security Council to establish this process was praised by many as the future status of Kosovo was the main political issue. The political leaders of Kosovo made noticeable progress in preparing for this process. However, the Special Representative Soren Jessen-Petersen, stressed that "it is essential to involve civil society, women's groups and, in particular, minority community representatives in this process to ensure that they have a say in designing the future of Kosovo" (The Secretary-General, S/2006/45, Pg. 2).

While the Kosovo Serb population was still largely absent from the Assembly and other Provisional Institutions, by 2006, a women's caucus had been implemented that included all

parties and minority communities (The Secretary-General, S/2006/45), women occupied 27% of jobs in central ministries and 26% of municipality jobs, though, their senior level representation remained inadequate (The Secretary-General, S/2006/45). Women needed to be included in decision-making processes at all levels to achieve certain aspects of the Standards for Kosovo. Moreover, the Assembly drafted and adopted laws that significantly affected women, specifically in relation to the family and inheritance, without consulting any women's groups (The Secretary-General, S/2006/45). This was insufficient for implementing inclusive and comprehensive legislation of women's rights and needs.

Furthermore, the safe rate of return of refugees and internally displaced persons remained low. The Office of the United Nations High Commissioner for Refugees stated that only 1,608 minorities (593 Serbs) returned to Kosovo in 2006, the lowest figures since 2001 (The Secretary-General, S/2007/134). This was a direct result of the uncertainty over the outcome of Kosovo's future status process, as it provided a significant disincentive to return to the state. Additionally, economic security, housing, and employment opportunities were minimal for returnees as actions of the Provisional Institutions to enable those wishing to return remained absent (The Secretary-General, S/2006/45).

While meetings between the leaders of Kosovo and Serbia began at the start of 2006, and regardless of the absence of agreement between the parties, the UN Special Envoy for the future status process for Kosovo, Martti Ahtisaari, presented the Comprehensive Proposal for the Kosovo Status Settlement to the Security Council in March 2007. In Ahtisaari's proposal, he recognized that any further talks between the parties would not help negotiations as neither party had plans to relinquish any of their conditions (The Secretary-General, S/2007/168). Therefore, he concluded that supervised independence was the only viable option for the state. Kosovo was

to be supervised by the international community until all principles addressed in the Settlement proposal had been implemented (The Secretary-General, S/2007/168). Additionally, his proposal called for a constitution that would ensure a multi-ethnic society, protect the rights of all communities equally, accord representation for non-Albanians in public institutions, and require a Kosovo non-Albanian legislative member majority to implement certain laws (UN News, 2007). By April, the Kosovo Assembly, in the absence of all Kosovo Serb members, approved a declaration supporting the proposal stating that as it was a fair solution that represented the will of the people of Kosovo, they would consider it legally binding if endorsed by the Security Council (The Secretary-General, S/2007/395). Though, rather than endorsing the proposal, Security Council members drafted a new resolution that supported, rather than approved, Ahtisaari's proposal. Russia, however, rejected the resolution stating that more negotiations needed to occur (Security Council Report, July 2007). The Security Council's delay in deciding on Kosovo's future status was taxing. The Secretary-General briefed the Security Council on the negative consequences that may result as Kosovo leaders suggested that, if necessary, they will declare independence unilaterally (Security Council Report, 2007). However, a "Troika[6]" comprising representatives of the European Union, the U.S., and the Russian Federation was established to further negotiations between the parties. The Troika held meetings from the start of August 2007 through the end of the year, though the meetings concluded without a consensus on the status of Kosovo (The Secretary-General, S/2008/354).

Kosovo Declares Independence (2008)

As a result of this failure, the Kosovo Assembly took it upon itself to declare its independence. On February 17, 2008, the Assembly called for a session during which they

---

[6] A Troika refers to a group of three individuals or entities working together or jointly leading a particular effort or initiative (Collins English Dictionary).

adopted a declaration of independence, declaring Kosovo an independent and sovereign state (The Secretary-General, S/2008/354). This action was no surprise with the Security Council's lack of decision on Kosovo's future status. The declaration was met with resistance from Serbia and some Security Council members. Serbia stated that the declaration constituted a forceful and unilateral secession of their partial territory. Kosovo Serbs who condemned the declaration expanded their boycott of Kosovo institutions and participated in protests (The Secretary-General, S/2008/354). While many Security Council Members decided to recognize Kosovo as an independent state, few did not. Russia, for example, stated that the Kosovo leaders' actions defied international law, norms, and principles and threatened the foundations of the international relations system (Security Council Press Release, 2008, SC/9252). In a Security Council meeting, the Russian Federation declared it would continue "to recognize the Republic of Serbia within its internationally recognized borders" (Security Council Press Release, 2008, SC/9252, para. 27).

Post-Independence and Reconfiguration of the UNMIK (2008-2022)

UNMIK faced challenges regarding its authority following Kosovo's Declaration of Independence. The Kosovo Assembly adopted the Constitution of the Republic of Kosovo in April 2008 (The Secretary-General, S/2008/354). While the constitution did not contemplate any substantial role for UNMIK or make any reference to Resolution 1244, Kosovo leaders continued to embrace the UN's presence. They also stated they remained committed to implementing the Comprehensive Proposal for the Kosovo Status Settlement that Martti Ahtisaari created. In light of these changes, the Secretary-General recognized that UNMIK would no longer be able to effectively carry out its tasks (The Secretary-General, S/2008/354). Therefore, the Secretary-General decided to reconfigure the mission to remain relevant and

constructive. Restructuring the provisions in police, courts, customs, transportation and infrastructure, boundaries, and the protection of religious facilities was the first step in this process. To remain in line with Resolution 1244, the Secretary-General focused on shifting UNMIK toward a more diplomatic and political role centered on facilitating dialogue and external relations and advancing minority rights (Security Council Press Release, 2009, SC/9683). UNMIK relayed most of its powers to the new EULEX at the end of 2008. While the Serbian Government and most Kosovo Serbs have accepted the deployment of the new mission, many Kosovo Serb institutions in northern Kosovo were unwilling to cooperate with the EULEX. They insisted on exclusively dealing with or going through UNMIK (The Secretary-General, S/2009/1300). This showed the importance of keeping the UNMIK active and relevant to maintain the peace and stability between Belgrade, Pristina, Mitrovica, and the rest of Kosovo.

The political, security, and returns sectors also faced changes after the shift in power relations between the UNMIK and EULEX. Politically, municipalities in northern Kosovo separated themselves from any Kosovo Albanian authority. Four municipal structures in northern Kosovo functioned based on the law on local self-governance of Serbia (The Secretary-General, S/2008/692). These municipalities had no interest in accepting any of the institutions established by Kosovo Albanian authorities. They held firm on their decision to only recognize UNMIK and the Kosovo Force (KFOR) as the only legitimate international presence. Specifically, in relation to the changes in the Kosovo Police, the municipalities refused to support them since they reported directly to the EULEX (The Secretary-General, S/2009/300). Therefore, UNMIK became the direct communication between the northern municipalities, EULEX, and the Kosovo Albanian authorities.

The security situation in the state also continued to face challenges. Violent acts coming from both sides were consistently arising. The murder of a Kosovo Serb by a Kosovo Albanian took place, and over 200 Kosovo Serbs retaliated by burning or damaging multiple Kosovo Albanian shops and vehicles (The Secretary-General, S/2009/149). Additionally, a grenade exploded outside of a café in northern Mitrovica, which Kosovo Serbs reacted by setting fire to Kosovo Albanian shops and homes (The Secretary-General, S/2009/149). Furthermore, many Kosovo Albanian individuals began to rebuild their homes in Mitrovica, which were destroyed in 1999. Kosovo Serbs in the area resisted and protested these actions. As construction began in April 2009, security concerns grew. The Kosovo Police, EULEX, and KFOR deployed troops to protect the construction sites from the protests. EULEX went as far as releasing tear gas on the Serb protestors, though as a response, the Kosovo Serbs retaliated with gunfire (The Secretary-General, S/2009/300). With the help of UNMIK and their stance on the right of all individuals to return to their properties, Kosovo Serbs and Albanians agreed to let both sides rebuild five homes in the area. However, the projects were observed closely by the Kosovo Police, EULEX, and KFOR (The Secretary-General, S/2009/300).

Concerning the return of IDPs and refugees, the numbers remained extremely low. The UNHCR estimated that only 137 individuals could return to Kosovo in the first half of 2009. Yet, over 3,000 people had communicated their desire to return to the state (The Secretary-General, S/2009/300). Furthermore, the reintegration of these individuals remained a serious issue. Lack of employment, unsustainable economic situations, and restricted access to public services and security were leading factors affecting reintegration, specifically among minority communities (The Secretary-General, S/2009/300). Returns projects had been implemented to assist families with housing reconstruction alongside 'go and see visits' and 'go and inform visits' to keep

internally displaced persons informed on return processes. UNMIK remained committed to the return of IDPs and refugees and closely monitored the returns projects and the visits.

Moreover, one of UNMIK's primary responsibilities after the reconfiguration was facilitating dialogue. UNMIK continued to motivate all parties to converse and negotiate on issues of mutual concern. Authorities in Belgrade had been much more willing to participate in the meetings to discuss practical solutions to the areas of concern. However, Kosovo authorities were unwilling to cooperate. Once UNMIK could convince Kosovo authorities to participate in the meetings, agreement on solutions became the prominent issue, specifically regarding justice, customs, and cultural heritage (The Secretary-General, S/2010/5). By 2012, nine meetings between Belgrade and Pristina were held. Over the years, they reached agreements on seven areas of concern, though difficulties in their implementation remained an issue. The areas of understanding related to Kosovo's regional representation and cooperation, freedom of movement to travel between territories, certification of diplomas, certifying civil registry books, the copying of cadastre records, integrated management of all crossing points, and the free movement of goods (The Secretary-General, S/2012/603).

The most prominent achievement of these meetings occurred in April 2013, with the signing of the First Agreement on Principles Governing the Normalization of Relations, later known as the Brussels Agreement. In normalizing relations between Serbia and Kosovo, the two-page agreement included 15 paragraphs relating to the establishment of Serb majority municipalities in Kosovo, the implementation of a singular police force in Kosovo, holding elections in the northern municipalities, a promise that neither side would interfere with the other side's progress, and the establishment of an implementation committee (The Government of the Republic of Serbia, 2013). The northern Kosovo Serb population was unsupportive of the

agreement. So much so they created their Provisional Assembly of the Autonomous Province of Kosovo and Metohija, consisting of local Serbian opposition representatives and ruling political parties (The Secretary-General, S/2013/631). The Provisional Assembly called for a boycott of the upcoming municipal elections, and several protests were held in defiance (The Secretary-General, S/2013/631). In November, the municipal elections were held, including in the four northern Kosovo municipalities. While most of the voting process was peaceful, in North Mitrovica, unidentifiable persons broke into and destroyed two polling centers, a grenade was found near another polling center, and two OSCE and EULEX vehicles were stoned (The Secretary-General S/2014/68). Regardless, these elections started a new chapter of cooperation between Belgrade and Pristina.

Furthermore, UNMIK is committed to monitoring the protection of human rights in Kosovo. To such an extent that UNMIK established its own human rights office in July 2016 to effectively carry out its mandate under Security Council Resolution 1244 to promote and protect human rights for all people in Kosovo (About UNMIK Human Rights Office, 2016). However, there were multiple factors relating to the challenges UNMIK faced with this goal that led to the creation of its own human rights office. Language rights, for example, were a concern as resources for language services, proofreading, and language standardization practices and mechanisms for controlling the quality of translations for new laws were inadequate (The Secretary-General, S/2014/305). Specifically, the Law on the Use of Languages in Kosovo, adopted in 2006, battled many obstacles. Not only was the implementation of the law faced financial and technical setbacks, but simple awareness of the law was also lacking (The Secretary-General, S/2015/303). In 2015, it was also noted that monolingualism was becoming an increasing trend among certain Kosovo institutions (The Secretary-General, S/2015/303). This

lack of inclusivity hindered participation and transparency among institutions struggling to trust one another.

The challenge of promoting women's and children's rights was also a significant factor. A study on domestic and gender-based violence in three Kosovo municipalities concluded that physical violence remained the most common type of violence experienced by 17.3% of women and 50.2% of children (The Secretary-General, S/2014/305). To bring more attention to this horrifying statistic, UNMIK paired itself with UN-Women to implement a framework that was inclusive of and acknowledged the disproportionate abuse towards women. The two organized an event called 'Open Day on Women, Peace and Security in Kosovo,' which overlapped with the International Day for the Elimination of Violence Against Women (The Secretary-General, S/2015/74). The event's discussions covered an array of concerns—for example, adopting the Kosovo action plan of implementing Security Council Resolution 1325. Security Council Resolution 1325 called for a gendered perspective that recognizes the importance of women and girls in peacebuilding processes and their full and active participation in every aspect (The Security Council, 2000, S/RES/1325). The event also spoke to survivors of sexual violence throughout the Kosovo conflict (The Secretary-General, S/2015/74). However, fully implementing the framework faces challenges relating to inadequate coordination, overlapping mandates, scarce funds, traditional gender roles, and insufficient accountability measures (The Secretary-General, S/2015/74). The following year, in 2016, the Prime Minister signed a regulation that legally acknowledged victims of sexual violence throughout the Kosovo conflict and compensated them in ways relating to pensions, free medical treatments, employment, education, etc. (The Secretary-General, S/2016/407). Furthermore, to increase awareness of the issues women continued to face, a documentary on women who were victims of sexual violence

during the conflict was shown during a Kosovo Assembly meeting (The Secretary-General, S/2016/407). Ensuring the discussion of these sensitive topics was essential in raising awareness and increasing participation among women in all decision-making processes.

UNMIK is also committed to promoting children's rights using the Security Council Resolution 2250 (2015) as a foundation. The resolution recognized the youth's critical role in promoting peace and security and focused on five pillars: participation, protection, prevention, partnerships and disengagement, and reintegration. The resolution primarily focused on youth needing more representation in the decision-making process at all levels and the need to implement mechanisms that empower youth to participate more actively in promoting peace (The Security Council, S/RES/2250 (2015)). UNMIK established the Kosovo Youth Assembly to increase youth participation, bring awareness to the issues they face, and foster youth opinions on what can better peacebuilding processes. The first meeting occurred in June 2017, with more than 140 high school and university students from every community (UNICEF et al., 2017; UNMIK, 2017). The meeting, occurring over two days, with an overarching theme of advancing youth, peace, and security, discussed issues relating to language barriers, sexual harassment, and the lack of participation in decision-making processes (UNICEF et al., 2017; UNMIK, 2017). They held a multitude of workshops that discussed the need for multiethnic youth groups to be able to voice their concerns. The main conclusion from the event was the need to address the substantial number of young people who leave Kosovo due to the lack of future opportunities and suggested that the institutions of Kosovo need to invest more time in education, youth cooperation, and the creation of youth spaces (UNMIK, 2017).

Additionally, 24 youth leaders created the Youth Task Force, which became the leading group of the Youth Assembly in Kosovo. UNMIK trained these individuals on youth, peace,

security, and advocacy, and they held extremely active roles during the event (UNICEF et al., 2017; UNMIK, 2017). One of the event's primary goals was to create a space that blurred ethnic lines so youth individuals could work together without prejudice or fear of discrimination. One of the volunteers for the event stated that the most crucial part that resulted from the event "is that young people from different communities came together to create a Kosovo Roadmap on Youth, Peace and Security, and expressed their strong will to work together with the UN, Kosovo institutions and international organizations on making it happen" (UNMIK, 2017, para. 24). Once the event concluded the Kosovo youth submitted 50 recommendations to the UN, international organizations, and Kosovo institutions (UNICEF et al. 2017; UNMIK, 2017). Including youth in decision-making processes at all levels is imperative because it increases their confidence, teaches them how to handle responsibility, and can also reveal solutions to problems that adults may not have the ability to devise.

An additional focus of UNMIK is the rule of law. By 2016, a multitude of issues remained of great concern for the UNMIK, including "the independence, accountability, impartiality and efficiency of judges and prosecutors; mistreatment of detainees, substandard physical conditions, drug abuse, corruption and favouritism in prisons; lengthy pretrial detention; and unresolved restitution claims (The Secretary-General, S/2016/407, Pg. 6). The mission, in response to these concerns, continued to technically cooperate with institutions in Belgrade and Pristina as well as assistance from other international organizations. UNMIK further facilitated a meeting including the United Nations Office on Drugs and Crime, the Financial Intelligence Unit of Kosovo, the Special Prosecution Office of Kosovo, the OSCE, and EULEX, among many others, to discuss the challenges the judiciary system faced (The Secretary-General, S/2016/407). Judges and prosecutors can misuse their power to benefit their political wills without proper

recruitment and training in human rights law. Additionally, the inability to effectively and efficiently investigate and prosecute crimes increased violent acts among all parties, something the institutions across Kosovo already struggled to mitigate.

One of the more significant concerns relating to corruption in the prisons was the death of Astrit Dehari, a member of the Self-Determination Opposition Party, at the end of 2016. Dehari had been imprisoned for 68 days due to his alleged connection with a grenade attack on the Kosovo Assembly building a few months prior. Members of the Self-determination opposition party insisted that Dehari had been murdered, so they held protests calling for an unbiased and transparent investigation of Dehari's treatment in prison and the reasoning behind his death (The Secretary-General, S/2017.95/Rev.1). While the original autopsy concluded that Dehari's cause of death was "self-inflicted mechanical asphyxia" (The Secretary-General, S/2017.95/Rev.1, Pg.3), Dehari's family were not convinced of this judgment, so they took matters into their own hands to fight the legality of the autopsy's findings. Fortunately, four officials who worked at the prison were suspended for negligence relating to their involvement with his death (The Secretary-General, S/2017.95/Rev.1). Though, simply suspending employees does not give Dehari's family the justice they deserve. This also created a sense that prison employees can get away with the egregious treatment of inmates who do not align with their political beliefs.

Furthermore, UNMIK continued to stress its commitment to supporting the needs of survivors of conflict-related sexual violence in Kosovo. One of their projects was creating an event in June 2018 that focused on these victims and what could be done to help them. UNMIK partnered with the Jahjaga Foundation to make this event possible. The Jahjaga Foundation was founded in March 2018 to promote democracy in Kosovo through social inclusiveness, support for marginalized groups, and creating conditions for peace in Kosovo (Jahjaga Foundation,

2018). The event brought together over 200 victims of conflict-related sexual violence and was

held over three days (UNMIK DSRSG Coleman Addresses Important Gathering of Survivors of

Conflict-Related Sexual Violence, 2018). Their focus was on these victims' social,

psychological, and economic needs. They discussed ways to strengthen support mechanisms,

raise public awareness, increase equal access to justice, and implement reintegration programs

that allow for the victim's participation in society (UNMIK DSRSG Coleman Addresses

Important Gathering of Survivors of Conflict-Related Sexual Violence, 2018). UNMIK funded

the entire event and provided a space for the victims to receive the support necessary without

fearing shame (The Secretary-General, S/2018/747).

Moreover, UNMIK brought all of its priorities under one roof with the organization of

the United Nations Kosovo Trust-Building Forum in 2018. The forum housed over 120

participants, over half of whom were women, from various areas such as civil society, academia,

women's and youth organizations, etc. (The Secretary-General, S/2018/747). The main goal of

the gathering was ways to build trust across multiple fields that discussed good governance and

access to services, access to justice, interreligious trust-building, economic empowerment and

environment, media and communications, education, human rights, the empowerment of women,

youth, and language rights (The Secretary-General, S/2018/747). UNMIK's Deputy Special

Representative to the Secretary-General, Christopher Coleman, spoke at the conference

addressing the reasoning behind the conflict between the different groups in Kosovo. Coleman

outlined four factors that continued to hinder trust-building efforts in the state: the past still holds

a firm grip on the decisions of the present, the political powers connected to geographic spaces,

the way that Kosovo's economy suppresses development, and how Kosovo's institutions are not

integration friendly due to corruption, lack of capacity, and unwillingness to cooperate (UN

Kosovo Trust Building Forum, 2018). One of the participants at the conference suggested that myths about the other side predominantly compel respondents, and being open about one's needs is essential to creating trust (UN Kosovo Trust Building Forum, 2018).

Furthermore, the Kosovo Language Commissioner and Kosovo journalists also spoke on the importance of language being comprehensive. Journalists said they must be cautious in reporting information because they don't always know what is going on, as there is a lack of collaboration between Serbian and Albanian journalists (UN Kosovo Trust Building Forum, 2018). The role of women and youth was also addressed at the forum. While the inclusion of women in peacebuilding processes remains very low, they discussed the importance of creating mechanisms for women to voice their opinions on political participation, property rights, and economic empowerment (UN Kosovo Trust Building Forum, 2018). Relating to youth, they recognized the struggle to build trust as many continue to be subjected to wartime stories (UN Kosovo Trust Building Forum, 2018). Though, activists remained optimistic about creating more positive memories for youth members. This forum was a massive step for the UNMIK in gaining insight from all sectors of Kosovo society on building and maintaining trust between the different communities.

Unfortunately, UNMIK's goal of building trust across all communities in Kosovo was hit with a significant setback in 2019 when the International Criminal Police Organization General Assembly decided against admitting Kosovo as a member. The Kosovo government retaliated by implementing a 100% import tax on goods coming in from Serbia, Bosnia, and Herzegovina, while also banning all goods labeled 'UNMIK Kosovo' (The Secretary-General, S/2019/102). Kosovo retaliated to Serbia, Bosnia, and Herzegovina as a "response to years of campaign by Belgrade to undermine Kosovo's efforts to join international organizations" (The Secretary-

General, S/2019/102, Pg. 1). While UNMIK had not seen any noticeable impact on access to goods for northern Kosovo civilians, there was a lack of access to media, such as newspapers, in the Serbian language (The Secretary-General, S/2019/102). This tax posed extreme threats to peace and security for all parties involved. Multiple international actors called on Kosovo to revoke the tax. However, the Prime Minister of Kosovo stated that the issue of trade, along with other matters relating to the European Union-facilitated dialogue, needed to be discussed with Belgrade, and the tax would only be revoked when Serbia recognized Kosovo (The Secretary-General, S/2019/102). Despite this setback, UNMIK remained committed to promoting trust. They implemented multiple trust-building activities in the region focused on language, human rights, youth empowerment, gender equality, and intercommunity dialogue. For example, they hired ten translators for the Basic Court of Mitrovica and developed projects that improve knowledge and understanding of human rights among youth individuals (The Secretary-General, S/2019/102).

The following year, UNMIK faced challenges due to the Covid-19 pandemic. During 2020, the mission remained active though it implemented telecommunication measures to reduce risk among its staff and the people of Kosovo (The Secretary-General, S/2020/964). They remained highly focused on supporting public health institutions and directing their support toward the most vulnerable populations. UNMIK distributed food, hygiene packages, protective equipment, and medical supplies to every community possible in Kosovo (The Secretary-General, S/2020/964). A major concern for UNMIK, however, was domestic violence. Violence against women was one of the most frequent human rights violations before the pandemic, and following the implementation of lockdowns, the frequency of this type of abuse increased by 22% (The Security and Gender Group Calls for Concrete Actions to Respond to the "Shadow

Pandemic" of Violence Against Women and Girls, 2020). In response to this statistic, UNMIK directed its attention to providing greater support for domestic violence shelters by providing linens, clothing, and equipment for online schooling for children living in the shelters (The Secretary-General, S/2020/964). These shelters are often one of the only resources that victims of domestic violence have, and maintaining them is essential to keeping women and their children safe. UNMIK also launched a television campaign to raise awareness of domestic violence that provided a number to call to report violence to police and a hotline that offers counseling services for victims in need (The Security and Gender Group Calls for Concrete Actions to Respond to the "Shadow Pandemic" of Violence Against Women and Girls, 2020). The uptick in domestic violence due to the pandemic was a primary concern, though, with lockdown restrictions, UNMIK faced limitations on how it could help.

While UNMIK focused on human rights and the rule of law, they had now to consider the pandemic's effects across all areas. By August 2021, the pandemic had spread across the region. The daily number of deaths recorded reached 36, the daily number of new cases increased to more than 2,500, and the daily number of active cases was more than 27,000 (The Secretary-General, S/2021/861). With the pandemic in mind, UNMIK held a virtual Global Open Day on Women, Peace, and Security in Kosovo, in which over 100 people joined over Zoom. The purpose of the meeting was to address the disproportionate effect the pandemic has had on women's health, education, employment, safety, and social protections (The Secretary-General, S/2021/861). The meeting recognized the challenges the pandemic had put on women and how it halted the progression toward equality in many ways. For example, the lack of translation services was exacerbated due to the pandemic, which caused an increase in the absence of integration of minority communities into Kosovo society (Towards an Inclusive Recovery,

2021). One of the key conclusions of the meeting was the necessity to include men and boys in the fight for gender equality by increasing access to psychosocial counseling services (Towards an Inclusive Recovery, 2021). Educating men and boys on the importance and benefits of equality in all spheres of society is essential to ensuring women are adequately included.

Over the years, UNMIK and its partners reached many milestones, and on September 21, 2022, the International Day of Peace, the mission looked back on its accomplishments. The Special Representative of the Secretary-General and Head of UNMIK, Caroline Ziadeh, spoke on the mission's implementation of over 250 programmatic activities and confidence-building projects all across Kosovo's communities in which they contributed over $12 million to the various trust-building initiatives (Stories of Hope and Trust, 2022). That of which have centered around justice, human rights, economic empowerment, youth, women, multilingualism, and so many more. While there is still work to be done to comprehensively implement equality, peace, integration, etc., in Kosovo, Ziadeh graciously thanked the members of UNMIK and their partners for working "tirelessly to bring Kosovo communities together – through shared solutions to shared problems, creating friendships that defy boundaries of ethnicity and conflict" (Stories of Hope and Trust, 2022, para. 1).

APPLYING A DIFFERENT APPROACH

Now that I have addressed the history of UNMIK, its accomplishments, and its challenges, I analyze the mission using a human-rights-based approach. I use the PLANET principles in this analysis to determine the extent to which UNMIK grounds itself in an HRBA. Following a brief discussion of each principle, I further analyze UNMIK's representation of each principle and what the mission would need to change to incorporate more of each principle. The principles and their obligations used throughout this thesis are constructed based on the

theoretical literature and therefore include, participation, link to a human rights obligation, accountability, non-discrimination and equality, empowerment and capacity development, and transparency, each of which I described in greater depth in Chapter 1.

Participation

Participation is one of the most essential components of an HRBA, which, in turn, becomes a fundamental aspect of good peacebuilding. This component circles back to the implementation of conflict sensitivity and the ways that incorporating a multitude of different perspectives relating to a conflict strengthens opportunities for peace and inclusion and reduces the chance that a mission will inadvertently contribute to the conflict (Barabant, 2010; Resource Pack, 2004; Woodrow & Chigas, 2009). When discussing and attempting to mitigate conflict, it is important to emphasize that human rights are universal so that competing groups are not advocating for their rights at the cost of others (OHCHR, *What are Human Rights*). Additionally, when striving to include competing parties in participatory processes, one must do so in a way that does not further the prevailing skepticism but creates and builds trust (Kabau & Ali, 2015). Often, this may be more practical by working with the parties separately, but still ensuring that communication opportunities between the two sides remain transparent and available.

Furthermore, it is imperative that when ensuring the participation of all parties, minorities are included. However, that does not mean that their inclusion should be construed as a way to follow a rule that minorities must be involved. Minority representation increases meaningful participation and strengthens the possibility of long-lasting peace (Szablewska & Kubacki, 2017). This goes for all demographics, as well. Individuals who represent particular groups within society, especially those who have been victims of conflict, must be empowered to participate in peacebuilding processes to create comprehensive solutions. How well does

UNMIK implement the standards for the aforementioned necessities for inclusive participation, and what would the mission need to change to promote participation better? I seek to answer these questions in subsequent paragraphs because durable peace is virtually unreachable without inclusive, participatory action.

Based on the theoretical literature, the overarching question that determines whether or not this principle has been applied is: do all stakeholders engage actively in a way that allows rights-holders to contribute meaningfully and influence processes and outcomes (AHRC, HRBA; Kabau & Ali, 2015; SIDA, 2022)? However, this question can be dissected into multiple sub-questions that affect UNMIK's application of inclusive participation. First, the overall contribution of UNMIK is to promote peace, security, stability, and respect for human rights. It is first necessary to address how the mission's beneficiaries are selected, the relationship between the people involved in the mission and other people living in the same area, and whether the mission will improve or worsen that relationship (SIDA, 2022). Considering that the UNSC created UNMIK by adopting Resolution 1244, it can be assumed that the beneficiaries were decided through this Resolution. On its head, it seems that the beneficiaries are Kosovo Albanians, as the Resolution demanded that Serbia end its repression in Kosovo and withdraw its military presence. However, the Resolution also called for demilitarizing the Kosovo Liberation Army and other armed Kosovo Albanian groups (United Nations Security Council, 1999, S/RES/1244). This was followed by the requirement of UNMIK to ensure the safe and free return of all refugees and displaced persons to their homes in Kosovo. Therefore, it can be concluded that the beneficiaries of the mission are both Kosovo Serbs and Albanians.

The relationship between the Kosovo Serbs and Albanians has been described throughout this thesis in depth. Since the NATO intervention in 1999, their relationship has remained tense,

with outbreaks of violence and political instability. With Kosovo Serbs often feeling marginalized and discriminated against by the Kosovo Albanians, Kosovo Albanians feel that Serbia threatens their rights and autonomy.

It is also essential to address other groups affected by UNMIK's contribution. There are an array of other minority groups living in Kosovo that are not among the primary beneficiaries of UNMIK. The groups comprise Bosniaks, Turks, Ashkalis, Egyptians, Gorans, and Romas. Their relationship with the Kosovo Serbs and Albanians is a concern. They were caught in the crossfire of violence, which forced them to face discrimination, a lack of respect, displacement, and political, economic, and social exclusion (Minority Rights Group International, 2018). How can the mission, UNMIK, make the relationship between Kosovo Serbs, Albanians, and other minority communities better? As the purpose of UNMIK was to stabilize the situation, promote peace, and support the political, social, and economic development of Kosovo (Brovina, 2017; Lemay-Hebert, 2009; UNMIK Fact Sheet), it seems clear that the mission would make the relationship between all parties listed above improve. However, due to a combination of historical, political, and socio-economic factors, this goal is far from being met, and tensions between all regional groups remain apparent and significant.

UNMIK faced many challenges in reconciling the relationship between Kosovo Serbs and Albanians. Regardless, throughout the first year of the UNMIK's implementation, the mission created multiple organizations that it thought would improve participation among every community in Kosovo and further improve the relationship between them. For example, the joint civilian commissions, the Kosovo Transitional Council, the Kosovo Police Service, the Joint Interim Administrative Structure, the new judicial system, and even so far as municipal elections. On the surface, these structures appear to improve the relationship between the different parties

involved. Though, as addressed earlier in this chapter, they often worsened the relationship. Each of the organizations suffered from insufficient representation due to intimidation, lack of confidence levels, and opposition among Serbian and other minority communities (Assembly of the Republic of Kosova, 2019; The Secretary-General, S/1999/799; The Secretary-General, S/1999/987; The Secretary-General, S/2000/177; The Secretary-General, S/2000/1196). The lack of representation of minority members leads to increased concerns about legitimacy, fairness, and inclusivity in decision-making processes, further hindering the relationships between all groups involved.

What about the institutions UNMIK created where there is adequate representation? In other words, in what areas have Kosovo Albanians, Serbs, and other minority members had the opportunity to participate in the actions of UNMIK, and did they have any say in how they were created? Before I answer this question, it is necessary to note one specific structure area of UNMIK: the concentration of power in the Special Representative of the Secretary-General (SRSG). The original framework of UNMIK vested all authority and power in the SRSG. This singular individual held unlimited decision-making power. The SRSG was an individual who "couldn't be challenged by the local population, whose actions were not always transparent, and who couldn't be removed from power by the community in whose interests he or she exercised ostensible authority" (Lemay-Hebert, 2009, Pg. 67). This aspect, from the get-go, threatens meaningful participation from all parties. If any stakeholder believes that the SRSG can and will veto their ideas or concerns, regardless of the reason, they will be hesitant to participate.

Despite this concentration of power, UNMIK has established areas that incorporate adequate representation designed with Kosovo Serb and Albanian influence. I draw notice to the use of the word representation here rather than participation. The Assembly of the Republic of

Kosovo was the most prominent institution aimed at improving participation that UNMIK implemented. The design and composition of the Kosovo Assembly were determined through negotiations and consultations among the various stakeholders involved in the Joint Working Group on the Legal Framework for Provisional Self-Government, which included representatives of both Kosovo Albanian and Serb communities (UNMIK, Regulation 2001/9; UNMIK Press Release, UNMIK/PR/566). As stated above, the Assembly, meant to allow for provisional, democratic self-government, holds 120 seats that the people of Kosovo directly elect. Fortunately, there are a number of reserved seats for minority members. Out of the 120 seats, twenty are assured for minority groups, ten of which areserved for Kosovo Serbs, four are reserved for representatives of the Romas, Ashkalis, and Egyptians, three are reserved for the Bosniaks, two for the Turks, and one for the Gorans (Assembly of the Republic of Kosova, 2019). Ensuring these minority seats remain reserved is essential to their participation in the Government of Kosovo. This rule allows minority parties to be included in political, economic, and social affairs, which fosters a better relationship between each party and reduces the likelihood of violence.

However, the risk of tokenism must be addressed (SIDA, 2022), which draws back to my specific use of the term representation rather than participation above. The level at which minority ideas and concerns are discussed during the Assembly meetings remains unsatisfactory. Having a seat at the table does not always mean their proposals are being considered. Bringing in representatives of minority communities just to say that they are being included is ineffective. To improve relations between the Kosovo Albanian, Kosovo Serb, and other minority populations, the UNMIK must ensure that the Assembly is actively taking their opinions into account and taking action on them when necessary. As discussed earlier in this chapter, ensuring this happens

is not always easy. There have been multiple occasions where the Assembly was accused of silencing minority opinions and not letting them speak in meetings (The Secretary-General, S/2005/335). However, UNMIK has consistently failed to increase Kosovo Serb and other minority participation in virtually every aspect, and where they are adequately represented, their concerns are often ignored. The Kosovo Assembly, the joint civilian commissions, the Kosovo Transitional Council, elections, police, prosecutors, judges, etc., all face the challenge of meeting the requirements of the principle of participation. While this is largely due to intimidation from the Kosovo Albanian population, it is the responsibility of UNMIK, as a duty-bearer, to mitigate this effect (Doody, 2009; Patel, 2019), and it has consistently failed to reach a solution that adequately involves all parties in all aspects.

A follow-up question is, are the mission's contributions designed by and for the benefit of groups on both sides of the conflict (SIDA, 2022)? UNMIK's many contributions aimed to benefit both Kosovo Serbs and Albanians in various ways, such as the Kosovo Police Force, the Provisional Institutions for Self-Government, elections, courts, working groups, etc. However, there were some instances where its contributions fell short and did not fully address the needs and concerns of both communities. First, I turn to UNMIK's creation of the Kosovo court system. The mission established an Advisory Judicial Commission, made up of five Kosovar legal experts and two international experts, tasked with recommending individuals for judge and prosecutor positions on a more permanent basis (The Secretary-General, S/1999/779). Most appointments to both judge and prosecutor positions are Kosovo Albanians. The lack of Kosovo Serb representation and language barriers in the court system makes it seem favorable toward Kosovo Albanians; of the 400 judicial actors appointed, only 7 are Kosovo Serbs (The Secretary-General, S/2000/538). While the Kosovo Serb population remains much less than the Kosovo

Albanian population, the Kosovo Serb representation is still nonreflective of their share. While Kosovo Serbs only represent around 6% of the population (U.S. Department of State), holding 7 seats in the judicial sector is insufficient. In order to adequately represent the Kosovo Serb population, they need to occupy at least 24 seats. This underrepresentation is not only hurting the legitimacy and ability of the court, but it is also increasing the unwillingness of the Kosovo Serb population to participate in testimonies, increases ethnic biases, and further enforces intimidation (The Secretary-General, S/2000/538).

The Kosovo Assembly is an excellent example of a system designed to benefit both groups yet seemingly favors Kosovo Albanians. First, as addressed above, the Assembly has reserved seats for the Kosovo Serb community. However, as Kosovo Albanians are the majority population, they hold a larger number of representatives in the Assembly. Additionally, when it comes to the elections of the Kosovo Assembly, Kosovo Albanian political parties dominate the system. This leads to a gain in a significant majority of seats, resulting in a power-sharing arrangement among the major Kosovo Albanian parties (The Secretary-General, S/2002/62). This, of course, leads to concerns that the political agenda and priorities of Kosovo Albanians are prioritized over the concerns and interests of the Kosovo Serb community. For example, in 2008, when the Kosovo Assembly declared independence, ten Kosovo Serb members boycotted the session as they viewed it as illegitimate and unfair (Security Council Press Release, SC/9252). With Kosovo Albanian majority in the Assembly, they could easily declare independence. This created concerns among the Kosovo Serb community regarding their rights and security, which expanded protests and their boycott of other institutions, including the police, judiciary, transportation, and municipal administrations (The Secretary-General, S/2008/354).

An additional component of the Kosovo Assembly that favors Kosovo Albanians is the lack of translation services. In 2006, UNMIK adopted the Law on the Use of Languages to ensure the equal use of Albanian and Serbian languages in Kosovo (OSCE, 2014). It further required all public institutions to certify the equal use or translation of both languages during meetings, on public documents, and on street names and road signs (OSCE, 2014). While the Assembly complies with the requirement of providing oral interpretation for Serb members, they fail to provide written translation. This naturally presents challenges for Serb members in fully understanding and participating in the Assembly, further increasing tensions regarding fairness and unequal treatment.

Moreover, exhaustive participation cannot be achieved without the inclusion of women. Therefore, how can women's meaningful participation be improved at all levels for peace, and how can the quality and longevity of peace be enhanced by avoiding gender blindness (SIDA, 2022)? The situation for women in Kosovo has been a long struggle. Women are often the victims of sexual violence, human trafficking, and domestic violence daily (The Secretary-General, S/2014/305). Therefore, their participation in decision-making efforts in all areas is imperative to their safety and human rights (The Security Council, 2000, S/RES/1325). UNMIK has implemented an array of foundations to help women remain safe. The mission has created safe houses for victims of sexual violence and trafficking; a woman's caucus that includes all parties; the Open Day on Women, Peace and Security in Kosovo event that focused on Security Council Resolution 1325 calling for the recognition of the importance of women in peacebuilding processes; and the Kosovo Trust-Building Forum that discussed the lack of women in peacebuilding processes and ways their participation can be increased. These foundations are milestones for UNMIK in advancing women's participation. However, their

representation is still lacking in the governmental institutions. While this is likely due to cultural norms and a lack of education for men and boys, UNMIK is responsible for adequate women inclusion in the systems they create.

Additionally, gender blindness in a conflict situation like Kosovo is extremely problematic. It ignores the inequalities and abuses women face and provides no resources to take back their rights. Women "account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons" (The Security Council, 2000, S/RES.1325, Pg. 1). Recognizing the impact that this has had on them and the fact that women bring an entirely new set of ideas and solutions to the table due to their experiences is essential for the creation of durable peace. The concept of gender blindness sounds inviting from the start, but it will only further the abuse in conflict situations that are especially directed towards women. UNMIK has recognized this and does a successful job of avoiding gender blindness through its implementation of multiple different avenues for women's participation.

As discussed above, UNMIK does better at some aspects of participation than others. What exactly would the mission need to change to better meet the requirements of the participation standard of an HRBA? While UNMIK has made it clear that all parties are free to participate in every sector it has created, the active and meaningful participation of minority parties remains low. Therefore, UNMIK ultimately fails to encompass the HRBA idea that participation must be active, free, and meaningful. To better embody this principle, UNMIK must first ensure that minority participation is active. In many of its institutions, the Serbian population does not participate, or they are inadequately represented due to intimidation, violence, and concerns for their security. As the active involvement of minority members facilitates more comprehensive solutions, the meaningful participation and inclusion of these

members are essential for the participation principle of an HRBA (Szablewska & Kubaci, 2017; Lewis & Maguire, 2016). Therefore, UNMIK needs to place more of a focus on certifying the active participation of minority communities. In order to meet this goal, the UNMIK should prioritize inclusive representation, outreach and consultation, resource allocation, monitoring and reporting, and collaboration and partnerships. Specifically, the UNMIK should actively seek individuals from minority communities to participate in key positions within the mission. Additionally, the mission should engage in regular outreach and consultation with minority communities to understand their concerns, needs, and aspirations. Moreover, the UNMIK should allocate resources specifically for projects and initiatives that address the needs and priorities of minority communities. Furthermore, the UNMIK should establish mechanisms to minotor the participation and representation of minority communities within its operations. Finally, the mission should actively collaborate with local organizations, civil society groups, and international actors that work with minority communites.

Additionally, UNMIK fails to ensure that participation is meaningful. This is especially concerning in the Kosovo Assembly. While minority communities have representation in this institution, they lack influence over the legislative agenda and decision-making processes. With Kosovo Albanian political parties holding the majority of seats in the Assembly, they have the numbers to not only strictly focus on their own priorities, but to completely strip the Kosovo Serb community from even voicing their concerns and interests at the meetings. While UNMIK has worked to dissuade Kosovo from forming political parties along ethnic lines through its promotion of multi-ethnic institutions, facilitating dialogue, and supporting decentralization these efforts have been unable to successfully reduce ethnically motivated political parties. One of the larger reasons this challenge has remained an issue is because the mission reinforces the

categorization of ethnicities in the territory (Lemay-Hebert). Specifically, the mission, along with the rest of the international community, labels Kosovo citizens as 'Kosovo Albanians' or 'Kosovo Serbs'. This cements ethnic identity and increases the divide between the two groups rather than works to build a collective nation that reinforces meaningful participation (Lemay-Hebert).

Furthermore, the principle of participation also ensures access to appropriate and safe venues to hold meetings and information-sharing sessions (Kabau & Ali, 2015; Patel, 2019; Szablewska & Kubacki, 2017). While UNMIK has created places to hold meetings, the safety of these places is not always secure (The Secretary-General, S/2002/62). There have been multiple occurrences of violence both outside and inside the structures set up for different institutions, with arson and grenade attacks being the most common (The Secretary-General, S/2017.95/Rev.1). The threat of violence, especially towards minority communities, significantly hinders on their ability to participate. UNMIK would need to take action toward ensuring the safety of individuals who participate in these institutions if it wishes to represent this principle better. Increasing security during meetings, protecting the transportation of participants after the sessions, and ensuring the discussions of each meeting are transparent and communicated to the public would be the first step towards this goal.

A further component of the participation principle is self-sufficiency. Duty-bearers must enable participatory efforts among rights-holders because if rights-holders cannot formulate, implement, and continue relief efforts independently, the community is highly likely to resort to its former methods and institutions (Kabau & Ali, 2015). Throughout the implementation of the multiple institutions in Kosovo, the communities have made notable progress toward self-sufficiency. However, as addressed above, the SRSG oversees every institution and holds the

ultimate authority and sanctioning powers (Friedrich, 2005; The Human Rights Advisory Panel, 2016). This threatens the potential for self-sufficiency because as the SRSG has the final say in legislative, executive, and judicial matters, it hinders participants' ability to develop the knowledge necessary to run its government. This also shows UNMIK's distrust of the local population to make the right decisions, which, while at the beginning was a legitimate concern, the prolonged lack of autonomy creates a loss of legitimacy for the administration (Friedrich, 2005; The Human Rights Advisory Panel, 2016).

Another essential aspect of the principle of participation is ensuring that information is accessible and provided in an understandable language (AHRC, HRBA; Kabau & Ali, 2015; Patel, 2019; SIDA, HRBA). Suppose UNMIK wants to increase the inclusion of locals in decision-making processes relating to the design of different efforts. In that case, they must ensure they can fully understand the discussion. While UNMIK has tried to mitigate language barriers by providing oral translators in the Kosovo Assembly, the Assembly still fails to address the language barriers regarding written documents. Suppose members cannot understand what is discussed because they do not speak or read the language. In that case, they are less likely to participate, and therefore, the meetings produce exclusive solutions that favor one side.

Link to Human Rights Obligations

To best reflect an HRBA, peacebuilding missions must be mindful of their link to human rights obligations. This means understanding and incorporating their commitment to specific international humanitarian laws and international human rights laws, especially when the mission is concerned with circumstances involving armed conflict. Knowing exactly which declarations, covenants, treaties, etc., a state has signed is essential to a mission's ability to understand the legal obligations that already apply in that region, hold the country accountable for its actions or

lack thereof in fulfilling its commitments, identify areas where improvements are needed and facilitate advocacy for human rights reforms that are absent, compare the human rights treaties the territory has signed with its actual human rights record, and further provide targeted support and avenues for progress in meeting its obligations. Therefore, how well does the UNMIK look to and enforce international humanitarian and human rights laws, and what must it change to represent them better? I seek to answer these questions in the following paragraphs because one of the primary goals of UNMIK is to build respect for human rights in Kosovo. Using international humanitarian law and human rights law as a foundation for this goal is an important step toward the equal protection and promotion of human rights for the citizens of Kosovo.

According to the theoretical literature, the overarching objective that determines the complete representation of this principle is the identification of relevant human rights standards and recommendations and how those standards and recommendations advance processes, goals, and outcomes (AHRC, HRBA; International Human Rights Network; SIDA, 2022; Szablewska & Kubacki, 2017). Again, this question can be divided into multiple sub-questions to analyze this principle's application better. The first step is investigating whether or not international human rights law is applicable in this context, and if it is, are violations of international human rights law monitored and documented in a way that future legal processes can use (Haas, 2014; International Human Rights Network; Keith, 1999; SIDA, HRBA)? When analyzing this principle, Kosovo is an interesting state to examine because it is not a member of the UN. Therefore, it does not need to implement any international instrument relating to human rights. However, UNMIK has prioritized strengthening respect for human rights in Kosovo. In UNMIK Regulation No. 1999/24, it assumed the responsibility to consolidate the fundamental human rights treaties into the legal framework of Kosovo. UNMIK stated that any and all "persons

undertaking public duties or holding public office in Kosovo shall observe intentionally recognized human rights standards" (UNMIK, UNMIK/REG/1999/24, para 1.3). With the integration of the Universal Declaration on Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on Elimination of All Forms of Discrimination Against Women, the Convention Against Torture and Other Cruel, Inhumane, or Degrading Treatment or Punishment, and the International Convention on the Rights of the Child in Public Institutions, the application of international human rights law is justified.

Since international human rights laws are applicable, their violations must be monitored and documented to represent this principle. One of the ways UNMIK made progress toward its goal of promoting and protecting human rights for the people of Kosovo was the establishment of its own human rights office, known as the UNMIK Human Rights Office. The Office focuses on supporting the implementation of human rights instruments, monitoring the human rights implications of the Covid-19 pandemic, promoting trust and fostering dialogue between diverse communities in Kosovo, supporting the work of the UN and European human rights mechanisms in Kosovo, supporting a victim-centered and human rights approach to transitional justice processes, and enhancing public participation and civic space (About UNMIK Human Rights Office).

UNMIK also created an additional institution in 2000 to ensure respect for human rights: the Ombudsperson Institution in Kosovo. The Ombudsperson is an independent human rights institution that monitors, documents, and investigates complaints regarding human rights

violations by the UNMIK (UNMIK, UNMIK/REG/2000/38). This institution was the single

organization in which the people of Kosovo could voice their human rights concerns with

UNMIK's policies and authority. This institution investigates complaints, conducts inquiries, and

appropriately addresses human rights violations (Nilsson, 2004; UNMIK,

UNMIK/REG/2000/38).

Therefore, in what ways do these institutions monitor and document human rights

violations? First, the UNMIK Human Rights Office partners with multiple civil society

organizations that publish annual reports on the human rights situation in Kosovo. The reports

address the challenges to the realization of human rights and also documents critical human

rights violations. They specifically look to international human rights law in their analysis of the

state, such as civil and political rights; economic, social, and cultural rights; and rights relating to

specific persons or groups (UNMIK Human Rights Office, 2020). The realization of certain

human rights is discussed first, and then human rights violations are addressed at the end of the

report. Over 20 Kosovo civil society organizations working in different areas of human rights

participate in consultations, email correspondence, and workshops to develop the information

(UNMIK Human Rights Office, 2020). Focusing on the documentation of human rights

violations, the report analyzes each violation independently. It explains why the violation is still

an issue and recommends ways to mitigate the matter. UNMIK was competent to produce this

report because it fills the "existing gap in joint reporting on human rights in Kosovo at the local

and international levels, in addition to enhancing cooperation and coordination between them"

(UNMIK Human Rights Office, 2020, Pg. 1).

When it comes to the Ombudsperson Institution in Kosovo, the institution employs

multiple methods to monitor and document human rights violations. The organization first

receives complaints from individuals who believe public authorities have violated their rights and further accepts and investigates said complaints (Nilsson, 2004; UNMIK, UNMIK/REG/2000/38). During the investigation of the accepted complaint, the Ombudsperson gathers information, interviews relevant parties, and examines relevant documents and evidence as they have complete access to UNMIK's files and documents. Additionally, the Ombudsperson has the authority to conduct visits and inspections of all relevant institutions and facilities where human rights violations may occur (Nilsson, 2004; UNMIK, UNMIK/REG/2000/38). Following this, the Ombudsperson collaborates with government entities, civil society organizations, and other stakeholders to gather information and exchange viewpoints that develop their understanding of the situation. Finally, the Ombudsperson issues reports and recommendations documenting the human rights violations based on their findings, which they share with relevant authorities, the public, and other key stakeholders (Nilsson, 2004; UNMIK, UNMIK/REG/2000/38).

A follow-up question to this aspect is, after human rights violations are monitored and documented, how do these institutions reduce levels of violence and change conflict behavior by exposing and/or sanctioning the worst abuses (SIDA, 2022)? While the civil society organizations' annual reports are one of the only ways the UNMIK Human Rights Office exposes human rights violations, the Office participates in various outreach activities to mitigate levels of violence and change behaviors. For example, they regularly engage with their local partners to contribute to human rights education; they initiated a trust-building project to strengthen multilingualism in Kosovo while also weakening language barriers by publishing a Serbian-Albanian and an Albanian-Serbian dictionary; and also placing particular focus on promoting the rights of individuals and groups in vulnerable situations (UNMIK Human Rights

Office Outreach). Taking part in each of these aspects contributes to an increase in access to human rights because it provides outlets for the people of Kosovo that they have never had. The lack of human rights education, extreme language barriers, and lack of specific attention to vulnerable populations are all leading causes of violence in Kosovo. Ensuring that people receive instruction on their human rights provides those individuals with the capacity to stand up for their rights and the rights of others. Tackling language barriers diminishes secrecy and ensures transparency, which builds trust. Finally, paying particular attention to vulnerable populations makes them feel heard and reminds them that they deserve rights. Doing so increases their capacity to express their interests and concerns peacefully.

While the Ombudsperson Institution in Kosovo submits public reports on human rights violations and makes recommendations to the authorities on ways they can redress the offenses, this is the extent of their authority; they do not have the power to impose sanctions or prosecute perpetrators (Nilsson, 2004; UNMIK, UNMIK/REG/2000/38). Though the Ombudsperson Institution promotes adherence to the rule of law by identifying instances where human rights laws and regulations are violated (Nilsson, 2004), it contributes to ensuring a more just and lawful society, which in turn betters conflict behavior in society. Additionally, the simple fact of having an outlet for the community members of Kosovo to address their concerns regarding violating their human rights reduces the risk of resistance and protests against UNMIK.

Furthermore, SIDA specifically states that countering impunity and supporting truth-telling is part of a peacebuilding mission's contributions that pave the way for reconciliation (SIDA, 2022). Therefore, how do these institutions deal with impunity and, in turn, reflect honesty in their contributions? The UNMIK Human Rights Office's ability to counter impunity and further support truth-telling is relatively successful and tactical. As the office monitors,

documents, and investigates human rights violations (About UNMIK Human Rights Office), it ensures that the truth about these abuses is preserved, raising awareness about impunity as doing so advocates for accountability. Additionally, the office collaborates with other actors involved in transitional justice processes, such as the International Criminal Court and other UN entities. It provides legal assistance and support to victims of human rights abuses, including those who seek justice for crimes committed with impunity (UNMIK Human Rights Office Transitional Justice). In doing so, the office promotes dialogue and cooperation to ensure that truth-telling efforts are coordinated, comprehensive, and effective while guiding and accessing mechanisms to pursue accountability, thereby lessening impunity.

Moreover, the office provides substantial victim support, witness protection, public awareness, and education (UNMIK Human Rights Office Outreach; UNMIK Human Rights Office Transitional Justice). Their support for victims and witnesses who come forward to share their experiences and provide testimonies is essential to ensuring that those facing risks due to their truth-telling have a space to share their truths. Their work raising public awareness and education is also highly beneficial to promote a better understanding of past abuses, their impact on society, and how truth-telling plays a role in reconciliation and accountability.

When discussing the Ombudsperson Institution, the situation is not quite as promising. As discussed above, when UNMIK originally created this institution, its purpose was to receive and investigate complaints from individuals relating to human rights violations or the abuse of authority by UNMIK (The Human Rights Advisory Panel, 2016; Nilsson, 2004; UNMIK, UNMIK/REG/2000/38). Though, they suffered from a lack of enforcement of power. Their recommendations and findings are not legally binding, and it does not have the authority to take action to enforce those recommendations (Nilsson, 2004). Furthermore, UNMIK often failed to

respond to the institution's suggestions, and even when they did respond, most of the replies were insufficient. They failed to address every aspect of the problems and concerns discussed in the reports (Nilsson, 2004).

Additionally, by 2006 the UNMIK announced a new regulation on the institution that stated the organization could no longer investigate complaints against the UNMIK and is restricted to complaints against local authorities or other bodies of Kosovo's Provisional Institutions of Self-Government (Lemey-Hebert, 2009; UNMIK Press Release, UNMIK/PR/1719). The inability of the institution to enforce its recommendations, and the new regulation, substantially hindered its capacity to counter impunity. Their lack to counter impunity further diminished its ability to promote truth-telling. Without accountability and a sense of safety, individuals whose rights have been violated are less likely to come forward in fear of repercussions.

Furthermore, according to SIDA, a pivotal aspect of applying this principle is ensuring that all contributions are impartial. It condemns international human rights law violations regardless of the perpetrator (SIDA, 2022). Therefore, in what ways does the UNMIK Human Rights Office ensure that its contributions are impartial? One of the UNMIK Human Rights Office's contributions is its commitment to and support for clarifying the fate of missing persons who remain unaccounted for since the civil war in Kosovo. They specifically support the Working Group on Persons Unaccounted for in Relation to the Events in Kosovo, chaired by the International Committee of the Red Cross (ICRC). Essentially, the Group prioritizes solving the issue of missing persons while supporting the families in their search for answers to questions about the fate and whereabouts of their missing family members (ICRC Kosovo). The Group ensures impartiality because it reminds both sides of the conflict of their obligation to provide

answers to the families and provides a space for both sides to cooperate (ICRC Kosovo). UNMIK succeeds in this principle aspect because the Group does not favor one side of the conflict. They simply are committed to returning all missing persons to their families, or at least finding answers for the families regarding what happened to them. The group condemns both sides for their involvement that caused the thousands of individuals to go missing in the first place and for their lack of cooperation in finding them, which directly violates international human rights law.

The Ombudsperson Institution in Kosovo ensures impartiality by employing a diverse staff that represents different ethnic groups in Kosovo, including Kosovo Serbs and Albanians. These individuals have "high moral character, impartiality and integrity, who possess a demonstrated commitment to human rights and the rights of minorities" (UNMIK UNMIK/REG/2000/38, pg. 4). Additionally, the institution's activities are guided by national and international legal frameworks such as the Constitution of Kosovo, the Law on the Ombudsperson, and relevant international human rights standards (Nilsson, 2004; UNMIK, UNMIK/REG/2000/38). In doing so, the organization prioritizes allegations relating to severe, systematic, and discriminatory violations while promoting reconciliation between ethnic groups (UNMIK, UNMIK/REG/2000/38). While the institution can no longer address concerns regarding the authority or abuse committed by UNMIK, they remain impartial to all ethnic groups in the community.

Finally, to circle back to the main question relating to whether International Human Rights Law is used to advance a peacebuilding mission's efforts, as stated above, UNMIK, in its Regulation No. 1999/24, says that any person who takes on public duties or holds public office in Kosovo must abide by the prominent human rights standards and treaties (UNMIK,

UNMIK/REG/1999/24). Therefore, on its surface, this requirement advances UNMIK's goal to build respect for human rights because any public representative must consider human rights standards in their actions and when making decisions. However, when the institutions created by UNMIK are looked at more profoundly, they show that many public representatives who serve on these institutions lack comprehension of International Human Rights Law (The Secretary-General, S/2000/878). This is problematic because their lack of understanding will reflect on the actions made by each institution. This is especially threatening for minority communities because International Human Rights Law sets out specific standards for minority rights. They also do not have as many public representatives in the institutions, so their rights would likely be the first to be ignored or disregarded.

When analyzing this principle in its entirety, UNMIK is more successful in representing some aspects than others. In the areas where they fall short, what would the mission need to alter to represent a link to human rights obligations better? For starters, UNMIK must find a more comprehensive solution to countering impunity and promoting truth-telling in the Ombudsperson Institution in Kosovo. UNMIK's decision to strip the Ombudsperson of their ability to investigate cases against UNMIK was an act to prevent opposition (Lemay-Herbert, 2009). Doing so hurts the Ombudsperson Institution's capacity to comprehensively protect the human rights of the communities in Kosovo from an abuse of authority by UNMIK. The perpetrators in UNMIK who have previously committed, and continue to commit, human rights violations no longer face repercussions for their actions, which further provides no incentive for them to stop. This also poses a risk for the victims of the abuses relating to mental health and safety. If the institutions of UNMIK cannot counter impunity, this reduces the exposure of truth and

accountability. Simply exposing human rights violations is insufficient to ensure justice for and the safety of previous, current, and potential victims.

Additionally, UNMIK would need to reconstruct how it trains public representatives who serve on the institutions it created. They need to be better educated on what precisely international human rights law is and how they can better implement it into their actions. They also must understand the consequences of only being knowledgeable about specific human rights laws and not others. Educating these representatives on the importance of universal and interdependent human rights is the only way UNMIK will reach its goal of increasing respect for human rights in Kosovo. Suppose some rights are more accessible than others, especially if they are at the expense of others. In that case, the likelihood of violence will continue to run rampant, and no comprehensive solution to the conflict will procure.

Accountability

Accountability is an equally important element of an HRBA. Multiple actors are responsible for upholding international human rights law; depending on the type of conflict, those actors will change. States themselves, non-state actors, and third parties all hold this responsibility as duty-bearers. In the case of Kosovo, the situation is an intrastate conflict. Therefore, state and non-state actors are incorporated alongside UNMIK, which acts as a third party. Having multiple parties involved in a conflict can make it difficult to hold each of them accountable for rights violations. Often, the duty-bearer is the one who is committing these violations, so completely understanding the root of a violation, the level of authority of the duty-bearer committing the violation, and the punishment for said violation is critical to examine for security concerns. While it is crucial to keep peacebuilders, citizens, and other stakeholders safe when calling for parties to conform to international law, missions must also ensure that they do

not ease the way for a culture of impunity where no one is held accountable. Therefore, this principle is a critical component of implementing places for rights-holders to voice their concerns and mechanisms to hold duty-bearers accountable. That being the case, how does UNMIK, as a duty-bearer, enforce accountability not only on the other state and non-state actors involved but also on itself? Additionally, what would the mission need to change to reflect the responsibility of accountability better? I seek to answer these questions in the succeeding paragraphs because human rights violations will continue to occur without accountability, and the liability of duty-bearers remains nonexistent.

Based on the theoretical literature, to determine the principle of accountability is sufficiently applied, UNMIK must identify the duty-bearers on various levels and must ensure they have sufficient capacity and interest to be held accountable (Patel, 2019; Sengupta, 2006; SIDA, 2022). Similar to the principles addressed above, this question can be divided into multiple sub-questions to analyze the full application of accountability better. In this sense, the first question to explore asks, what capacities are put in place for rights-holders to demand accountability (Doody, 2009; Sengupta, 2006; SIDA, 2022)? UNMIK has established several mechanisms to ensure accountability within its operations. The Office of the Ombudsperson, the Human Rights Advisory Panel, and the UNMIK Complaints and Response Mechanism are a few examples.

The Human Rights Advisory Panel was established in March 2006 in response to concerns about human rights violations committed by UNMIK and the need for accountability. This was the first "independent individual complaints mechanism to investigate violations of international human rights law committed by, or attributable to, UN field operations" (Durocher, 2016, Pg. 400). UNMIK wrote each chapter on the abilities of the Advisory Panel. While the

Panel technically satisfies the requirement of providing a space for rights-holders to demand accountability, in reality, the Panel is very limited compared to the Ombudsperson's Office. The Panel does not have the authority to conduct investigations without a formal request; its findings and recommendations are strictly advisory and cannot address concerns before 2005 (Durocher, 2016).

Furthermore, the Panel will not involve itself until all other avenues to solve the issue have been exhausted, and the accusation must be filed with the Panel within six months of the violation (UNMIK, UNMIK/REG/2006/12). One can see how this is a problem because ensuring that every other option to solve the issue was taken can be a long and challenging process. The Panel can consistently deny hearing a case by forcing the victim to pursue all other options before coming to the Panel as a last resort. Unfortunately, the likelihood of a victim exhausting all other options within six months is improbable. Additionally, the Panel will not hear any case submitted anonymously (UNMIK, UNMIK/REG/2006/12). This is extremely disempowering because victims of human rights violations may not be encouraged to come forward if they believe they will face repercussions for their accusation. Therefore, being unable to submit a case anonymously diminishes the ability of the Panel to accurately monitor any UNMIK human rights violation or hold the perpetrators accountable as a result.

The UNMIK complaints and response mechanism is another mechanism intended to ensure accountability. This organization was set up to receive and address complaints about a broad range of human rights violations and issues that fall within the jurisdiction of local authorities in Kosovo, including governmental institutions and public officials. The complaints and response mechanism allows individuals or groups to submit complaints, including allegations of misconduct, human rights abuses, or other concerns (UNMIK, Conduct and

Discipline). UNMIK then responds to these complaints through appropriate investigative processes and takes necessary actions to address the issues raised. The mechanism additionally monitors compliance with and enforcing the UN standards of conduct (UNMIK, Conduct and Discipline). The organization conducts its work using a strategy that includes prevention, enforcement, and remedial action (UNMIK, Conduct and Discipline). The mechanisms are a step in the right direction toward providing an accessible and transparent platform for citizens to voice their grievances and seek remedies that further hold perpetrators accountable.

SIDA further suggests that peacebuilding intervention contributions that entrench a culture of impunity do not reflect the principle of accountability (SIDA, 2022). However, UNMIK created the Advisory Panel to essentially embrace impunity. The Panel only has jurisdiction over complaints after April 2005 (Durocher, 2016; UNMIK, UNMIK/REG/2006/12). Therefore, any violation before then the council cannot hear. This is problematic because most of UNMIK's authority occurred from 1999-2008. Once Kosovo declared independence in 2008, most of UNMIK's authority shifted to EULEX. So, for six out of the eight years, UNMIK held the majority of power in Kosovo; any human rights violation during this period is overlooked and, therefore, lacks justice and accountability.

According to the theoretical literature, to successfully implement the principle of accountability, the relationship between duty-bearers and rights-holders must strengthen the rights of rights-holders (Patel, 2019; Sengupta, 2006; SIDA, 2022). The complaints and response mechanisms of UNMIK and the Human Rights Advisory Panel fall at opposite ends of this spectrum. The complaints and response mechanism provides a direct and accessible resource for individuals to file complaints and seek redress. It offers eight resources on its website for individuals to report acts of misconduct by email, phone, or in person (UNMIK, Conduct and

Discipline). Furthermore, the complaints and response mechanism focuses on capacity building, enhancing its staff's ability to address citizens' complaints effectively. For example, the mechanism lists mandatory conduct and discipline online training sessions that range from ethics and integrity to workplace and sexual harassment, sexual exploitation and abuse, and fraud and corruption (UNMIK, Conduct and Discipline). By offering an accessible platform to report abuse and building institutional capacity, the complaints and response mechanism strengthen Kosovo's citizens' rights while fostering a culture of transparency and accountability.

On the other end of the spectrum, however, the Human Rights Advisory Panel struggles to strengthen rights-holders' rights. For example, if the Panel finds UNMIK committing human rights abuses, it is strictly limited to submitting recommendations. While the recommendations are published in English, Albanian, and Serbian, they are forwarded to the SRSG, who has the complete authority to decide whether to act on the conclusions of the Panel (UNMIK, UNMIK/REG/2006/12). This is an ineffective system because regardless of whether the Panel has found UNMIK guilty, UNMIK faces no repercussions if the SRSG chooses not to hold the perpetrators accountable. The Panel will also not deal with any matter similar to any other case they have examined (UNMIK, UNMIK/REG/2006/12). Therefore, if the Panel found that a right was violated by UNMIK, and the SRSG chose not to acknowledge it, if a similar violation happens again, the victim will not have their case heard. If anything, the Panel weakens the rights of rights-holders. It only increases the chances of violence because the public may feel that their concerns are being ignored, so the international community will continue to view UNMIK as a legitimate force.

Overall, UNMIK fails to implement the principle of accountability. They have systems that ostensibly incorporate the idea of accountability, though, in practice, some fail to do so. The

organization that ensures accountability for local authorities in Kosovo is successful in its goal;

however, the organization that intends to ensure accountability for UNMIK lacks in this area.

Therefore, UNMIK must rework the Human Rights Advisory Panel to be more representative of

the accountability principle. First, it is incredibly counterproductive that the UNMIK holds

authority over the Panel. Also, the Panel can only submit recommendations to the SRSG, which

shows its lack of capacity to hold UNMIK accountable. UNMIK needs to not only grant the

Panel more authority to enforce repercussions, but the Panel also needs to be permitted to

address complaints before 2005. The absence of these conditions hinders the Panel's ability to

foster genuine reports, ensure their findings are taken seriously, and enhance its legitimacy in the

eyes of an HRBA. All in all, UNMIK's authority to create the Panel was misplaced.

An outside institution should have determined the nature and focus of the Panel, its decision-

making and remedy abilities, and its independence. Doing so would have increased its capacity

to promote accountability and further contribute to protecting human rights in Kosovo.

Non-discrimination and Equality

Non-discrimination throughout peacebuilding missions is another central component of

an HRBA, especially considering the multitude of cases of conflict that occur based on ethnic or

religious divides. When there is conflict in a state caused by the idea that individuals can only be

a part of one group, such as one religion or one ethnicity, the capacity of the state to victimize

those who do not belong to the group in power becomes threatening and puts nonconformists at

risk. This idea is substantially related to an increase in violence. For example, much of the

conflict in Kosovo began with Yugoslavia's intentions to ethnically cleanse Albanians.

Therefore, a peacebuilding mission must ensure that no participant or individual is discriminated

against on either side of the conflict. In conflicts based on ethnic divides, a mission must dig

deep to find the root cause of said discrimination and sort out solutions that contribute to creating equality. How does UNMIK address the discrimination many Kosovo citizens face daily? Furthermore, does UNMIK reflect this principle in its inclusion of Kosovo citizens? Finally, what would UNMIK have to change to ensure non-discrimination and equality in its actions better? I seek to answer these questions in the subsequent paragraphs because individuals are less likely to become involved in decision-making processes that are discriminatory. Without equality, their voices will take a back seat to the more powerful actors. This would, in turn, create peace solutions that are non-inclusive, non-comprehensive, and short-lived.

SIDA determines the main question when analyzing the implementation of the principle of non-discrimination: are rights-holders and the root causes of their lack of human rights identified and taken into account, particularly those most subject to discrimination, marginalization, and vulnerability (SIDA, 2022)? Like the preceding principles, this question can be broken down into multiple sub-questions to analyze UNMIK's commitment to non-discrimination better. The theoretical literature addresses the necessity for a peacebuilding intervention, in the eyes of an HRBA, to identify the root causes of discrimination and examine how its contributions can help end it (Deka, 2012; SIDA, 2022). The international community and UNMIK generally express their familiarity with the root causes of discrimination in Kosovo. The conflict in Kosovo directly results from the Federal Republic of Yugoslavia's (Serbia and Montenegro) attempt to ethnically cleanse Kosovo Albanians. This is the extent to which UNMIK expresses its knowledge of the reasoning behind the conflict. However, considering the United Nations Security Council created the Mission, they are likely fully aware of the events leading up to the ethnic cleansing. What exactly is the reason Yugoslavia felt the need to commit this horrific act? While this is described in greater detail in Chapter 2, simply put, Kosovo was

the poorest region in Yugoslavia, and to help the province, Yugoslav Leader Josip Broz Tito, implemented a new constitution in 1974 that granted Kosovo more autonomy in the aspects of representation, their own banks, police, parliaments, and governments (Abrahams et al., 2001). Kosovo's newfound authority highly threatened Serbia, and it further began accusing Kosovo Albanians of harassment and forcing Serbians in Kosovo to leave the region. As this accusation gained popularity, Serbia took complete control over the territory of Kosovo. They further began to deprive Albanians in Kosovo of their fundamental rights, destroy Albanian education systems, constantly arrest them based on their ethnicity, fired hundreds of thousands of them from their jobs, and cleared large cities in the region within hours by forcing the Albanians onto trains that took them to the borders (Abrahams et al., 2001). The allegations of harassment towards Serbians in Kosovo caused them to retaliate on a level that was substantially worse than the proposed harassment committed by Albanians in Kosovo. Therefore, the root causes of conflict in Kosovo began with false and exaggerated allegations, created by nationalist leaders, that turned into a full-fledged war and cultural genocide.

Ensuring that UNMIK is aware of the root causes of the discrimination coming from both sides of the Kosovo conflict, it must then determine how it can help end said discrimination. With the help of NATO, UNMIK ended the violence and repression in Kosovo by calling for the removal of the Yugoslav and Serb military and police. UNMIK then determined that it could help end the discrimination faced by Kosovo Albanians by establishing autonomy and self-government, creating a stable environment for refugees and displaced persons to return to their homes, and promoting and protecting their human rights. However, they ran into a problem due to the time it took to implement the Mission fully. Essentially, during the months it took to establish their presence in Kosovo, the victims of discrimination became the perpetrators. In

other words, Kosovo Albanians began terrorizing and driving out over 200,000 non-Albanians within three months (Gjorgjievski, 2000). Unfortunately, UNMIK's goal to create peace in Kosovo by stopping the abuse towards Kosovo Albanians paved the way for Kosovo Albanians to flip the discrimination they faced onto Kosovo Serbs. An HRBA grants priority to the groups most marginalized or in vulnerable situations. While UNMIK successfully incorporated this aspect initially, it eventually had to turn its focus toward Kosovo Serbs due to its inability to restrain Kosovo Albanians from seeking revenge.

Furthermore, SIDA suggests that peacebuilding missions must address the social and economic discriminations faced across society (SIDA, 2022). Therefore, in what ways does UNMIK take action to prevent social and economic discrimination? UNMIK implemented several independent international structures for a new economic policy. One example of this is the implementation of the Central Fiscal Authority. This institution was responsible for the financial management of the Kosovo Budget and the municipalities that together make up the Kosovo Consolidated Budget (UNMIK Press Release, UNMIK/PR/84). The funds in the budget provided major public services relating to health, education, police and fire, water, etc., as well as supply payments to local employees that provide government services. Institutions like the Central Fiscal Authority are imperative in conflict situations like Kosovo. The fact that the institution is independent and is in no way connected to Serbia creates a space for Kosovo to build an autonomous economy. While many Kosovo Serbs may disagree with this disconnect from Serbia, the municipalities in Kosovo that Kosovo Serbs mainly populate are still included in the budget (UNMIK, UNMIK/REG/2000/67). Therefore, in UNMIK's establishment of the Central Fiscal Authority, it mitigates the possibility of economic discrimination.

UNMIK's ability to mitigate social discrimination has remained a difficult challenge, hampered by the constant security threats that minorities face. Throughout the decades that UNMIK has been active in Kosovo, the danger to Kosovo Serbs, especially in northern Mitrovica, has remained consistent. Most of the Kosovo Serb population is secluded in the northern part of Mitrovica, as Kosovo Albanians inhabit the south. As addressed above, this creates a constant state of violent exchanges in the area, and regardless of any UNMIK effort, such as increased police personnel, curfews, and confiscating locals' weapons, violent attacks, and retaliations persist in the region. Gunfire, arson, graffiti, and grenade attacks remain prevalent and are increasingly directed at Kosovo Serb-owned businesses, houses, and religious facilities, prompting Kosovo Serb retaliation. There have been periods where violence has lessened and remained stable in specific regions in Kosovo, though security threats have virtually remained consistent in the northern part of Mitrovica. Since the violence and seclusion Kosovo Serbs face is related to their political beliefs, religious affiliations, ethnicity, etc., UNMIK has therefore been unsuccessful in preventing social discrimination. This has shown to be the greatest challenge for UNMIK over the years as it has not been able to take sufficient measures to prevent or counter the extremely high levels of social discrimination and social violence in the area.

Additionally, to end discrimination, SIDA suggests the importance of addressing how the history of minorities and their involvement in armed conflicts specifically are portrayed in public school textbooks (SIDA, 2022). While the specifics of the Kosovo public school textbooks remain unclear, the UNMIK Department of Education and Science initiated a curriculum development process to reform and increase the quality and equity in the public school system. The document addresses what values should be taught in schools and discusses preschool,

primary, and secondary education goals. For example, in primary school, students should be educated on the history of Kosovo and the different communities that live there (Pupovci, 2012). As a result, students should be exposed to an array of issues relating to the diversity of humanity and learn to embrace these differences positively (Pupovci, 2012). While the framework was never officially approved, UNMIK brought attention to the need to reform the school system in a way that honestly discusses Kosovo's past and includes minorities.

More recently, in 2018, the Assembly of the Republic of Kosovo passed a law stating that Kosovo will now participate in the ERASMUS+ Program of the Union for Education, Training, Youth, and Sport (Assembly of the Republic of Kosovo, 2018). The ERASMUS+ program is an initiative of the European Union that aims to support social inclusion, young people's participation in democratic life, and enhance knowledge, skills, and attitudes while fostering the understanding of others (European Commission, 2021). Participation in this program has benefited a multitude of students from Kosovo. One student who had the opportunity to participate in the program suggested the ERASMUS+ program taught them "new culture and languages of others and discovering new habits in a different society assisted me in re-educating myself, changing attitudes and opinions" (European Union, 2018, para 1). Another student suggested that during her time with ERASMUS+, she and students from other countries "spent every night together chatting about our traditions and habits, making comparisons between cultures and taking conclusions about our own countries" (European Union, 2018 para 8).

Overall, UNMIK succeeds in some non-discrimination requirements and faces challenges in others. Specifically, what would UNMIK need to change to exhibit the principle of non-discrimination better? The overarching challenge of UNMIK that keeps it from exhaustively representing this principle is the violence caused by discrimination from both sides of the

conflict. UNMIK needs to change its approach to this aspect. As stated above, they are implementing curfews, increasing police personnel, and confiscating weapons to decrease violent attacks associated with discrimination. However, if they tackle the reasoning behind the discrimination first, they will be more likely to reduce violence.

For example, UNMIK's curriculum development framework would have been the best way to do this had it been approved. Though, the UNMIK is not solely responsible for Kosovo's failure to adopt the framework as relevant stakeholders in Kosovo are partially to blame. Regardless of the lack of approval for the framework, it still "served as a reference on what knowledge, skills, values, and attitudes should be incorporated into school programs and how this should be done" (Pupovci, 2012, Pg. 15). Additionally, while students in Kosovo can participate in the ERASMUS+, it is not a requirement, nor is it available for everyone. Individuals who wish to participate must submit an application that can be approved or denied (ERASMUS+ Programme Guide, 2023). Those who have had the opportunity to participate in the ERASMUS+ Program have further suggested that they view the Kosovo education system as substandard. One student suggests that the education system, specifically the schools' curriculum and teaching methods, is old (European Union, 2018). He further states that the educators lack training, and the schools lack laboratories and other modern tools that foster community among the students (European Union, 2018). Rather than shifting their focus to implementing measures on the streets, they need to revisit their efforts that directly relate to the source of the violence. Providing the proper training to educators and supplying more modern tools further allows the future leaders of Kosovo the education necessary to understand the realities of the conflict. Doing so also teaches them the skills to embrace their differences, which fosters a way to minimize and eventually eradicate discrimination.

Empowerment and Capacity Development

Moving forward, peacebuilding missions are incredibly familiar with empowerment and capacity development techniques, as these two aspects are a fundamental part of the peacebuilding process. However, when one applies an HRBA to these aspects, empowerment and capacity development outcomes change. Through an HRBA lens, the goal of these components now becomes the design and implementation of strategies, projects, infrastructure, etc., that further promote and protect human rights. Furthermore, this principle must identify parties that not only have the capability to assist in the implementation of these priorities but also that have a desire to participate. Ensuring that rights-holders want peace is an imperative aspect of success for empowerment and capacity development projects. Including individuals who want the conflict to continue can hurt meaningful progress because this gives these individuals the opportunity to sabotage the design and implementation of these projects.

Additionally, these strategies must contribute to the capacity of rights-holders to demand access to their rights but also empowers them to do so in a way that does not subject others to rights violations (AHRC, HRBA; Doody, 2009). Strengthening the skills of individuals and providing them with resources to demand access to their rights is one thing, but empowering them to take action is another. A peacebuilding mission must actively incorporate both aspects of this principle to ensure that all parties in the conflict have the opportunity and the confidence to regain their rights. Therefore, how well does UNMIK incorporate capacity development and the empowerment of the people of Kosovo? Is UNMIK more successful in one area than the other? Furthermore, what would UNMIK have to fix to better advance both aspects of this principle? I seek to answer these questions in the following paragraphs because if the mission succeeds at providing resources and skills for the citizens of Kosovo but fails to empower them to take

131

action, or vice versa, its work is incomplete. Therefore, there remains a lack of protection of all persons' rights.

SIDA encapsulates this principle by asking how an intervention contributes to the empowerment of rights-holders to claim their rights and the capacity development of duty-bearers to uphold their responsibilities to contribute to positive outcomes (SIDA, 2022). Similar to the above principles, this question can be broken down into sub-questions to encapsulate the principle of empowerment and capacity development. To begin, the theoretical literature suggests that an initiative should contribute to the enhanced empowerment and capacity of vulnerable populations specifically to enjoy and demand their rights (AHRC, HRBA; Broberg & Sano, 2017; Deka, 2012; Doody, 2009; SIDA, 2022). Therefore, in what ways does UNMIK empower and develop capacity among vulnerable populations to help them strengthen their access to their rights?

When we think of vulnerable people, we think of economically disadvantaged individuals, racial or ethnic minorities, migrants, or refugees. Unfortunately, in Kosovo, children and youth also fall under this umbrella as a vulnerable population. A study done in 2014, addressed earlier in this chapter, showed that over half of all children in Kosovo have experienced some physical violence in their lifetime (The Secretary-General, S/2014/305). So, what has UNMIK done to empower children and youth, and how has UNMIK strengthened their capacity development? One of the most prominent ways UNMIK has involved youth is by creating the Kosovo Youth Assembly in 2017. The first Assembly meeting entitled "Advancing Youth, Peace and Security" (UNICEF et al., 2017 pg. 3), discussed in greater depth earlier, was attended by over 140 youth individuals motivated by the chance to finally get involved (UNICEF et al., 2017; UNMIK, 2017). The implementation of the Assembly alone created a sense of

empowerment for the youth participants. To achieve this goal, the Assembly ensured inclusive participation by including a diverse range of young people from different backgrounds, regions, and communities in Kosovo and provided a platform for marginalized or underrepresented youth to have their perspectives and concerns addressed (UNICEF et al., 2017; UNMIK, 2017). It additionally sought to provide youth participants with meaningful decision-making power. This group allows participants to actively contribute to creating and implementing policies and initiatives that affect their lives, and enabling youth members to have this responsibility empowers them to shape their future (UNICEF et al., 2017; UNMIK, 2017).

Moreover, the Assembly facilitated networking opportunities for its youth participants. The Assembly encourages collaboration among young people from different backgrounds, which fosters the exchange of ideas and experiences. Through this collaboration, the first assembly meeting produced joint solutions and recommendations relating to the issues of Youth, Peace, and Security, which they later shared with the UN, international organizations, and Kosovo institutions (UNICEF et al., 2017). By connecting youth with like-minded individuals and organizations, the Assembly created a supportive network that empowered participants to work together and amplify their impact within Kosovo and internationally.

When looking at the ability of the Kosovo Youth Assembly to increase capacity development among its members, it is clear that they work hard to excel in this area. The Assembly offered a wide variety of training, workshops, discussion groups, and education programs that enhanced the skills and capacities of its youth participants. These meetings aimed to develop their leadership, communication, advocacy, and problem-solving skills (UNMIK, 2017). By providing these opportunities, the Assembly equips its members with the necessary tools to participate in decision-making and actively contribute to society. One specific capacity

development program created in the Assembly was the Youth Task Force. UNMIK chose 24 youth leaders to participate in this program. UNMIK developed these leaders' capacity by educating and training them on multiple topics related to the Assembly, such as youth, peace, security, and advocacy (UNICEF et al., 2017; UNMIK, 2017). An additional method the Assembly implemented to increase capacity development during the first meeting was to split the participants into four groups of roughly 30 members, each group led by a representative of the Youth Task Force. In these groups, the individuals discussed several questions relating to one of four pillars: participation, protection, prevention, and partnerships (UNICEF et al., 2017). During their discussion, they could brainstorm, practice interactive presentations, and mind-map (UNICEF et al., 2017). By doing this, the participants gained hands-on experience, built leadership and teamwork skills, and learned how to problem-solve by working together. Teaching youth individuals how to work with each other beyond ethnic lines is a substantial goal of the Assembly (UNICEF et al., 2017). This is important for the Assembly because the "lack of communication between different ethnic groups and the abundance of negative prejudices that are widespread" (UNICEF et al., 2017, pg. 15) prevents increased capacity to participate, decreasing the possibility of future peace. This suggests the necessity for non-formal education because students in Kosovo and students in Serbia have conflicting historical narratives of the conflict and therefore find it extremely difficult to find common ground (UNICEF et al., 2017). Ensuring that youth individuals accurately depict the situation and receive proper instruction on peace awareness and the benefits of diversity increases youth members' capacity to work with each other. It also permits them to understand the "why" behind the opinions of others.

Additionally, SIDA asks whether empowering key rights-holders and/or the capacity development of duty-bearers can advance peacebuilding outcomes (SIDA, 2022). Therefore,

does UNMIK adopt a particular focus on certain rights-holders and certain duty-bearers, and has this focus helped advance the Mission's goals? The answer to this question is complicated because some participating actors in the Kosovo conflict occupy both roles. Kosovo Albanians, for example, are both rights-holders and duty-bearers. They are rights-holders because they have valid claims and have been subjected to poverty and oppression. They are also duty-bearers because they have an obligation to respect, protect, and fulfill the human rights of the people who reside in Kosovo. At the beginning of the conflict, UNMIK placed a significant focus on Kosovo Albanians as rights-holders. However, as addressed above, they quickly had to shift their focus to protecting Kosovo Serbs from the violence inflicted on them. Over the years, UNMIK has not ignored or avoided any right-holder or duty-bearer; they have granted virtually equal focus to all parties. However, allotting more attention to specific groups may have produced better results. For example, while UNMIK granted Kosovo Serbs opportunities to participate in government institutions, they have consistently struggled to get them to participate. Had UNMIK increased its focus on Kosovo Serbs and lessened it toward Kosovo Albanian participation, its goal of creating unbiased and inclusive government infrastructures may have been easier to achieve.

Directing its attention towards specific duty-bearers, UNMIK placed a significant amount of their focus on the police system. In theory, ensuring that the police force in a conflict situation is well equipped and has the resources necessary for safety is essential. However, UNMIK's increased focus on achieving this goal helped slightly. One of the setbacks of UNMIK's emphasis on creating a police force was their hastiness. Developing a professional and competent police force requires substantial investment in capacity building and training programs. While the police force in Kosovo, under the jurisdiction of UNMIK, was required to attend mandatory

training programs and exercises, individuals who participated in some of the training expressed that the process was rushed and that some of the individuals chosen to participate did not have the necessary experience to handle their responsibilities and lacked the essential knowledge about low-level policing functions (Bennet et al., 2012). Additionally, UNMIK struggled with collaboration between its training techniques. During the training programs, multiple methods and backgrounds were taught between the classroom and the field. This variety often confused the participants switching from the school to the field and therefore limited the success of the training (Bennet et al., 2012).

A further setback, in this case, is a lack of trust and public confidence in the police force. Certain segments of the Kosovo Serb population felt their needs were ignored and their neighborhoods were unsafe (Bennet et al., 2012). As discussed multiple times earlier in this chapter, the security situation in Kosovo is often precarious. While in the more southern parts of the state, generally, there is security and stability, in northern regions like Mitrovica, violence runs rampant and is often uncontrollable. While establishing an effective police presence in Kosovo is one of the original initiatives of Resolution 1244 (United Nations Security Council, 1999, S/RES/1244) to address organized crime, a comprehensive approach involving not only the police but also other mechanisms and institutions such as education, mental health, and social inclusion efforts are necessary.

Furthermore, SIDA stresses the importance of having participants who want to move toward peace (SIDA, 2022). This is also a problematic statement to analyze because while both sides of the conflict want peace, their definitions of peace differ. For Serbia, and the Serbian population in Kosovo, peace means Serbia preserves its control over Kosovo, and the territory remains a province of Serbia. For Kosovo, and the Albanians in Kosovo, peace means self-

determination and independence. Conflicting definitions of peace, over multiple years, produced

virtually no agreements and encompassed little negotiation. Both sides realized that neither

would change their minds nor compromise. Even the UN Special Envoy for the future status

process for Kosovo, Martti Ahtisaari, recognized this issue; he determined that any further talks

would be unhelpful and drafted his proposal based on his thoughts gathered from the meetings

(The Secretary-General, S/2007/168). UNMIK acted as a mediator and a facilitator in the

dialogue processes between Kosovo and Serbia, worked to promote trust and cooperation

between the two territories, and monitored compliance with any agreement that was reached

(The Secretary-General, S/2007/168; UNMIK, Mandate). However, due to the drastic difference

between the peace and control envisioned by Serbia and Kosovo Serbs, and the peace and

sovereignty expected by Kosovo and Kosovo Albanians, efforts of UNMIK were not substantial

enough to address both parties' core issues and concerns.

Similar to most other principles addressed above, UNMIK is successful in some areas of

empowerment and capacity building and is less so in others. UNMIK does a considerable job

with youth individuals' empowerment and capacity development. Their work with the Kosovo

Youth Assembly helps young people feel included and engaged and allows typically hushed

voices to be heard, understood, and sought out. The Kosovo Youth Assembly continues to hold

meetings and teach the following generations how to be inclusive and confident. For example, in

2022, the Youth Assembly held its fourth meeting, focusing "on the use of technology and how it

impacts the involvement of youth in sustainable peace processes" (Youth, Peace and Security in

the Digital Era, 2022 para 2). However, to better represent this principle of an HRBA, the

mission would need to change the way it places significant emphasis on certain rights-holders vs.

duty-bearers. In other words, UNMIK needs to be more strategic with the placement of its focus

so that the mechanisms that transpire from this increased attention contribute to its priorities. For instance, since their extreme focus on the police had not produced significant changes for the Kosovo Serb population, the Mission needs to adopt a different approach, possibly including mental health, education, and further social inclusion initiatives.

As the principle of empowerment and capacity development states, without an environment where individuals can reach their full capacity to enjoy their human rights, they lead unimaginative lives as they lack dignity, worth, social progress, and a better standard of life (Sengupta, 2006). The Kosovo Serb population's inability to consistently feel safe in the territory creates a decreased expression of opinions, beliefs, and concerns, a lack of participation in peaceful protests, an insufficient claim to the right to life and security, and increased discrimination and marginalization. The lack of an environment for Kosovo Serbs to fully enjoy their human rights is an unfortunate reality that UNMIK has been unable to rectify completely.

Additionally, UNMIK would need to develop a plan that ensures all actors are on the same page regarding promoting peace. Of course, this is not something they would have been able to determine right away. Still, after a few meetings between the groups, its intentions should have shifted to accommodate the incompatibility between Kosovo and Serbia. The incompatible definitions of sovereignty between Albanians and Serbs led to a lack of progress in achieving peace and reconciliation between Serbia and Kosovo. UNMIK's inability to find common ground in this area hinders its ability to represent the principle of empowerment and capacity development. The lack of agreement between the two territories on this topic has lessened opportunities for meaningful engagement, increased inequality and discrimination, and furthered unaccountability practices, all of which are a necessity for this principle of an HRBA (Gasparri et al., 2021).

To make matters worse, Ahtisaari's job was to make recommendations for the future

status of Kosovo (Howard, 2013). However, his Comprehensive Proposal was a reckless move in

the eyes of empowerment and capacity development among Kosovo Serbs as it effectively

proposed the creation of an independent state without the consent of the Serbian Government.

With Ahtisaari's experience in the meetings between Kosovo and Serbia, he should have

foreseen that the Proposal would cause unrest and increasing violence between the two territories

and between Albanians and Serbians within Kosovo. This act undoubtedly empowered Kosovo

Albanians as the Proposal provided a step towards stability and self-determination; however, it

created fear and anger among Kosovo Serbs and Serbia (Howard, 2013).

Transparency

Finally, when taking action for any reason, an HRBA states that it must be transparent.

When making decisions based on the importance of transparency, this principle states that

stakeholders must be transparent about all discussions and decisions, whether that be discussions

and decisions relating to security, the political sector, the judicial sector, humanitarian assistance,

transportation, language, water, and food, etc. Therefore, communication plays a vital role in a

mission's ability to ensure transparency between conflicting parties. Some examples are

developing an unbiased media outlet, having a mediator present that keeps communication lines

open when parties do not wish to speak directly, and maintaining community support while

ensuring they are consistently informed of the actions taken by the mission. If there is a sense of

secrecy in an armed conflict situation, the chances of reaching comprehensive solutions are

substantially diminished. Negotiating between competing parties is complicated enough, and

without complete transparency regarding the other side's actions and what exactly the other

side's goals are, comprehensive solutions for peace will either be short-lived or completely

unattainable. Therefore, in what ways does UNMIK promote transparency? Does it succeed in doing so for some sectors but not others? How would the mission need to change in order for it to foster complete transparency? I seek to answer this final set of questions in the succeeding paragraphs because, without complete transparency, every mission goal runs the risk of insufficiency and failure.

According to the theoretical literature, to represent the principle of transparency, a mission must ensure there are measures put in place that allow all stakeholders access to relevant information and knowledge regarding the mission's actions (Kabau & Ali, 2015; Lewis & Maguire, 2016; Patel, 2019; SIDA, 2022). Though, like the previous five principles, multiple sub-questions can further analyze this statement. For starters, who has access to information, how is it used concerning the conflict, and is it used for propaganda reasons (SIDA, 2022)? Essentially, everyone has access to news articles, statements, press releases, and SRSG reports, the majority of which are published in multiple languages and on the UNMIK website. However, this is also contingent on one's access to the internet. To ensure internet access in Kosovo, UNMIK implemented an initiative, Dardanet Network Centre, that provides business and residential customers with internet access (UN News, 2001). The initiative also grants access to music, television, movies, and sports. This strategy could have gone one of two ways. First, it could increase transparency, local knowledge, and local capacity. Though on the other hand, it could increase violence because media outlets can take advantage of widespread internet access and use these outlets to promote misleading, inaccurate, or biased information.

While there are reports on UNMIK's actions through newspapers, radio, and television in Kosovo, there is always the chance of biased reporting. The media is essential in promoting transparency but can also encourage dishonesty and incite violence. A study conducted from

November 2020 to July 2022 found that while Kosovo has one of the highest internet usage rates in Europe, its media institutions inhibit a rigid political environment fueled by ethnic division (National Democratic Institute, 2022). The study concluded that Kosovo's media institutions could not mitigate cybersecurity threats, the Radio Television of Kosovo is consumed by political influence, and media outlets cannot offer news in multiple languages, so Kosovo Serbs get their information from Belgrade-sourced media. Kosovo Albanians get their news from Kosovo-based sources, causing distrust in the opposing news source (National Democratic Institute, 2022).

Therefore, how does UNMIK deal with the media to ensure they are not reporting false information, hate speech, or advocating for violence? UNMIK issued Regulation 2000/36 on Licensing and Regulation of the broadcast media in Kosovo, which appointed a Media Commissioner responsible for promoting ethical and technical standards and implementing and observing the Code of Conduct for Broadcast Media in Kosovo. The Code of Conduct addresses many requirements relating to privacy, impartiality, separation of fact and opinion, false materials, language, etc. It also states that any breach of the Conduct will result in various consequences ranging from a warning to sanctions to complete termination (UNMIK, UNMIK/REG/2000/36). The Independent Media Commission (IMC) has faced various challenges in ensuring that media content respects professional standards. For example, the Commission is subject to limited resources, political interference, and media ownership concentration. According to an Independent Media Commission official, "the IMC does not receive many complaints, and it is difficult for it to monitor all media due to a lack of human resources" (National Democratic Institute, 2022, pg. 14). There have been concerns about political interference in the work of the IMC specifically regarding the appointment of its

members. The Kosovo Assembly appoints seven members to the IMC, which causes individuals to believe that the IMC is prone to political influence. For example, in 2012, every board member lacked background and professional experience in media. Also, in 2014, four new members were appointed to the board, and the process favored the political affiliation of the Assembly (European Commission, 2014; The Civil Rights Defenders, 2018). The Commission's struggle to cover media ownership and concentration rules has become an issue of concern, in specific relation to the transparency of the organization. The IMC provides a database containing the owners' names and editor's information of Kosovo media outlets. However, this information is often outdated, inaccurate, and sometimes omitted (The Civil Rights Defenders, 2018; National Democratic Institute, 2022).

Additionally, the theoretical literature suggests that access to information is essential for justice, reconciliation, and peace; therefore, peacebuilding missions should provide opportunities to support peace through initiatives about information and documentation (Kabau & Ali, 2015; Lewis & Maguire, 2016; SIDA, HRBA; SIDA, 2022). One of the initiatives created by UNMIK to further information sharing is the Office of Community Support (OCS). The OCS "plays an important role in monitoring, reporting and promoting enhanced responses to issues and concerns pertaining to all communities in Kosovo" (About the Office of Community Support, 2020, para. 1). In doing so, the OCS facilitates trust-building programs and SRSG outreach visits. The OCS trust-building program has organized multiple conferences allowing local actors to address critical challenges their communities face, such as returnees, cooperation, and economic and environmental development (Trust-Building Between Communities, 2020). The SRSG outreach visits allow the OCS to engage with local communities to foster dialogue and

gather feedback. These visits provide the opportunity to discuss various issues and strengthen local authority cooperation (SRSG's Visits to Municipalities, 2020).

Furthermore, these visits serve as a basis for UNMIK to explain their policies and actions to the municipalities and receive feedback and other information necessary to implement the mission's efforts and plans (SRSG's Visits to Municipalities, 2020). Ensuring that the trust-building program and the SRSG visits continue is essential to transparency, as this keeps members and leaders of secluded municipalities included and informed. These opportunities allow municipal individuals to be involved with peace-promoting processes as the conferences and SRSG visits allow them to express their concerns and challenges and provide feedback.

Furthermore, arguably the most significant mechanism ensuring transparency in UNMIK's operations and activities is its reporting and documentation. As stated in Security Council Resolution 1244, the Secretary-General is required "to report to the Council at regular intervals on the implementation of this resolution" (United Nations Security Council, 1999, S/RES/1244 pg. 5). Therefore, UNMIK SRSG produces regular reports to the Security Council including progress and situation updates, which are then made publicly available on the UNMIK website. These reports provide information on the mission's activities, accomplishments, challenges, and plans (SG Reports). By sharing this information, UNMIK strives to promote transparency by informing key stakeholders and the public about its work.

Finally, in what ways would UNMIK need to change its actions to represent transparency as a whole better? UNMIK is successful in some aspects of this principle and struggles in others. Examples of their success in this area are the Office of Community Support, which allows local community members to connect with UNMIK staff members; and the consistent SG reports submitted to the UN's website, which provide information on the Mission's accomplishments

and challenges. The UNMIK website also provides various other resources relating to the Mission's actions, organizations, and efforts.

Furthermore, while most of Kosovo has access to the internet to view these resources courtesy of UNMIK, unfortunately, this abundance has not come without consequence. A substantial problem that has resulted from UNMIK's renovation of the internet and media sources is the production of biased, inaccurate, and intentionally misleading information. This increased internet and media access has hindered the Mission's ability to ensure safe and transparent information. To combat this, the UNMIK implemented the Independent Media Commissioner. However, as addressed above, the Commissioner has consistently struggled to ensure that media content respects professional standards. Therefore, while UNMIK does a sufficient job at establishing transparency in its actions and operations, the institutions it empowered lack in this area. To better incorporate the principle of transparency, UNMIK would need to increase the resources available to the IMC, rework the appointment process to reduce political interference, and ensure that the IMC regularly updates its ownership reports and provides accurate information.

CHAPTER IV: CONCLUSION

Since 1948, the United Nations has conducted more than 70 peace operations worldwide (Our History). At the beginning of the UN peace processes, the organization undertook missions in which its abilities to assist were limited. These missions consisted of unarmed military observers and lightly armed troops with monitoring, reporting, and confidence-building responsibilities with limited goals of ceasefires, stabilizing situations on the ground, and support for political efforts to resolve conflict (Our History). Over time, peace processes changed significantly. They moved from observational missions to complex multidimensional missions encompassing a capacity to implement comprehensive peace agreements and create foundations for institutions to ensure sustainable peace (Our History).

Peacebuilding missions play a crucial role in promoting stability, reconciliation, and sustainable peace in societies affected by conflict. Today, these missions involve a comprehensive approach that addresses the root causes of violence, facilitates political dialogue, supports economic development, and fosters social cohesion. In doing so, these missions contribute to transforming conflict-ridden societies into peaceful and resilient communities, providing hope for a better future and demonstrating the international community's commitment to upholding peace, human rights, and justice. While these missions continue to face numerous challenges and complexities, peacebuilding missions have shown their necessity in preventing the recurrence of violence and laying the foundations for long-term peace.

As demonstrated in Chapter I, peacebuilding efforts are necessary for states suffering from conflicts that impede long-term peace. International actors like the UN are often the only means conflict-affected societies have to achieve this goal. International actors are often essential to achieve peace because they can bring a sense of neutrality and impartiality to peacebuilding

efforts, create international legitimacy and support, and have experience in mediation, facilitation, and capacity development processes. Their involvement enhances the chances of successful conflict resolution, promotes sustainable peace, and contributes to conflict-affected societies' overall stability and well-being.

While multiple approaches have been applied to peacebuilding, I presented an explanation that shows how taking an HRBA to peacebuilding addresses the problems and flaws of previously used approaches. An HRBA ensures that all relevant stakeholders have the opportunity to participate in a meaningful way and can influence outcomes, international human rights standards are identified and used in the implementation of objectives and institutions, there are complaints mechanisms set up, and all key actors are held accountable for their actions or inactions, the root causes of discrimination and inequality are identified and addressed with a specific focus on those most marginalized or vulnerable, rights-holders are empowered to and have the capacity to claim their rights, and all stakeholders can access accurate information and knowledge in an accessible, comprehensive, and equitable manner (AHRC, HRBA; Broberg & Sano, 2017; Doody, 2009; Gasparri et al., 2021; Kabau & Ali, 2015; Lewis & Maguire, 2016; Patel, 2019; SIDA, HRBA; SIDA, 2022).

Throughout this thesis, I have presented a case study that analyzes the United Nations peacebuilding mission in Kosovo. I sought to apply an HRBA perspective to this mission to address UNMIK's commitment to promoting human rights. I have illustrated that, in the eyes of a human rights-based approach, the United Nations Interim Administration Mission in Kosovo falls short of comprehensively implementing each principle of an HRBA. This thesis's goal was not to diminish the work that the UNMIK has successfully carried out, but to analyze whether its actions, institutions, and objectives are grounded in an HRBA.

146

After analyzing each principle individually, it is clear that UNMIK is not consistently grounded in an HRBA. While it is extremely successful in some aspects of the approach, it often fails to represent a majority of the requirements of each principle. Simply incorporating a few elements of an HRBA in a peacebuilding mission is insufficient to produce the outcomes pursued through an HRBA. Especially considering the violence and oppression that still occurs in Kosovo, from an HRBA, UNMIK is largely unsuccessful in its attempt to create peace. While UNMIK's mission was established to promote human rights, its actions and decisions have often deviated from this core ideal.

One critical area where UNMIK's inconsistency is evident is in its handling of minority rights, and more specifically, minority participation. Although the mission has acknowledged the importance of protecting the rights of ethnic minorities in Kosovo, its implementation has been flawed due to unpredictability. There have been instances where UNMIK has failed to adequately address human rights abuses and discrimination faced by minority communities, undermining its commitment to an HRBA. Throughout Kosovo's institutions, meaningful participation of minority communities remains low due to inadequate representation, intimidation, violence, and concerns for their safety (Doody, 2009; Patel, 2019; The Secretary-General, S/2000/538). While the Mission recognizes the importance of involving these actors in decision-making and promoting participation, their voices have often been marginalized or ignored. UNMIK's inability to consistently ensure that minority communities have the opportunity to participate in the institutions of Kosovo erodes trust. It hinders progress in achieving sustainable peace and stability in the region. In its failure to analyze and address the discriminatory practices at play in some of Kosovo's institutions, UNMIK falls short of the requirements of the principle of participation.

An additional area in which the UNMIK lacks consistency is its implementation of human rights monitoring institutions. The Mission suggests it prioritizes strengthening respect for human rights in Kosovo (UNMIK, UNMIK/REG/1999/24). In doing so, it created the Ombudsperson Institution to monitor human rights violations committed by UNMIK and the UNMIK Human Rights Office to monitor human rights violations committed between the communities in Kosovo (About UNMIK Human Rights Office; UNMIK, UNMIK/REG/2000/38). While the UNMIK Human Rights Office is generally successful in its goals, the Ombudsperson Institution was stripped of many abilities. Therefore, It cannot protect Kosovo's citizens from human rights violations committed by UNMIK. The link to the human rights principle of an HRBA states that human rights must be recognized as legally enforceable entitlements to lessen the power imbalance (McGonigle Leyh, 2018). However, UNMIK's decision to dispossess the Ombudsperson Institution of its monitoring and enforcement powers reinforced and amplified the authority of UNMIK over the citizens of Kosovo. Therefore, UNMIK's ability to represent the principle of a link to human rights remains inconsistent.

Furthermore, some institutions created by UNMIK to ensure accountability lack compatibility with the principle from an HRBA perspective. While the complaints and response mechanism, designed to ensure accountability for local authorities in Kosovo, is a sufficient organization, the UNMIK Human Rights Advisory Panel, created to ensure accountability for UNMIK specifically, is non-representative of the principle of accountability. As UNMIK holds authority over the Panel, the Panel has virtually no enforcement power, and because the Panel can only address complaints before 2005, its ability to keep UNMIK accountable is minimal. The principle of accountability is used as a monitoring tool to ensure that relevant stakeholders, at all levels, are held responsible for their actions and inactions (Doody, 2009). UNMIK does not

succeed at ensuring stakeholders are held accountable at all levels of the process. It is successful with the accountability of local authorities, but it lacks in holding itself accountable. UNMIK's decision to limit the powers of the Human Rights Advisory Panel is a direct example of the mission's inability to represent the principle of accountability consistently.

Additionally, UNMIK's struggle to exhaustively represent an HRBA is visible in its response to cases of violence caused by discrimination. UNMIK's response to discrimination and violence is often objective when it should be subjective. The Mission implements curfews, an increase in police, and confiscating weapons to mitigate these issues. However, these actions do not address the underlying problems that result in discrimination and violence in Kosovo. The principle of non-discrimination and equality states that the root causes of the non-realization of human rights must be identified and considered, with a particular focus on those most subject to discrimination and marginalization (AHRC, HRBA; Gasparri et al., 2021; SIDA, 2022). Providing proper education, training, and resources to students and schools is one way to mitigate discrimination and violence, as this allows schools an increased ability to inform students about the truth of the past. UNMIK's lack of focus on remedies that address the root causes of discrimination and violence hinders its ability to be representative of the principle of non-discrimination and equality.

Moreover, UNMIK's inconsistency with an HRBA can also be seen in its engagement with the police force in Kosovo. UNMIK places an unreasonable focus on the police, which has not resulted in many significant changes. Individuals have stated that their experience with police training was rushed, lacked collaboration, and failed to recruit individuals who could handle the position (Bennet et al., 2012). These challenges, therefore, caused a lack of trust and public confidence in the police, and the Serbian population felt that their communities were unsafe

(Bennet et al., 2012). The principle of empowerment and capacity development states that people must be in an environment that allows them to reach their full capacity to enjoy their rights, as doing so allows them to lead imaginative lives with dignity, worth, and a better standard of life (Sengupta, 2006). UNMIK's lack of focus on other mechanisms that promote empowerment and capacity development, such as mental health, education, and civil society organizations, keeps the Mission from being grounded in the principle of empowerment and capacity development.

Finally, UNMIK's inconsistency with an HRBA is evident in its handling of the internet and media. While UNMIK's effort to ensure internet access across Kosovo was successful, this hurt the Mission's ability to ensure safe and transparent information sharing. The Mission created the Independent Media Commissioner to ensure that media content respects professional standards, but even this institution struggled to ensure accurate, updated, and transparent information in the media. The principle of transparency states that all stakeholders can access accurate information and knowledge in a free, comprehensive, equitable, and timely manner (Kabau & Ali, 2015; Lewis & Maguire, 2016; SIDA, HRBA; SIDA, 2022). However, UNMIK, and the institutions it created, have consistently struggled to achieve this as the IMC is plagued with political interference and is inattentive to its media ownership and concentration responsibilities (The Civil Rights Defenders, 2018; National Democratic Institute, 2022). Therefore, the IMC's lack of resources, the politically influenced appointment process, and inaccurate ownership reports reflect UNMIK's inability to ensure transparency across the institutions it creates.

Overall, UNMIK's inconsistency in representing each principle certifies that it lacks a grounding in an HRBA. The Mission must address these inconsistencies and recommit to a consistent and comprehensive approach to human rights. This requires strengthening minority

participation, lessening the imbalance of power between UNMIK and local stakeholders, ensuring accountability at all levels of the peace process, increasing its focus on underlying issues, and ensuring that the people of Kosovo have access to accurate information and knowledge. Through a consistent and unwavering commitment to human rights, UNMIK increases its capacity to contribute to lasting peace, justice, and respect for all in Kosovo.

The contribution of this thesis seeks to add to the understanding of human rights-based approaches to peacebuilding and conflict resolution. Illustrating the efficacy of an HRBA and how its employment can positively influence the international community's efforts to address many issues helps deepen the theoretical understanding of how an HRBA can promote justice, reconciliation, and social transformation in post-conflict settings. This thesis also sheds light on the role of international actors, particularly the UN, in promoting and implementing an HRBA. Its contribution examines how international actors may translate their commitment to human rights into practical strategies and action. It further explores the challenges, successes, and limitations of UNMIK's approach, providing insights into the role of international actors in advancing human rights in peacebuilding contexts.

Additionally, this thesis contributes to the literature because constructing peacebuilding efforts through an HRBA lens provides alternative approaches that can further advance goals concerning the development of society. In other words, this thesis identifies the best and worst practices from the UNMIK, which provides insights into the strategies, mechanisms, and interventions that have effectively promoted human rights and addressed human rights violations in Kosovo. These findings can inform future theoretical and practical approaches to integrating human rights into peacebuilding processes.

As I conclude this discussion, multiple avenues can be taken for future research that may expand on this thesis and an HRBA applied to peacebuilding in general. It has been stated that the process must begin with oneself to promote, implement, or follow an HRBA (Uvin, 2007). In other words, for the UN to successfully execute a peacebuilding mission that is representative of an HRBA, it has to effectuate this agenda in every one of its actions. Addressing whether the UN applies an HRBA to its operation is beyond the scope of this thesis. Though, the answer to this question may provide or allow for a more in-depth perspective on the reasons behind the UN's inability to successfully execute a peacebuilding mission that comprehensively meets the requirements of an HRBA.

A further avenue for future research is comparative analysis. Future studies should analyze the other international organizations' missions in Kosovo. Researchers should compare and contrast the strategies, challenges, and outcomes of UNMIK, EULEX, and OSCE to identify common trends, best practices, and lessons in integrating human rights into peacebuilding efforts. This study can also be done with a mission in a state that is socio-economically similar to Kosovo or suffered through a similar ethnically motivated conflict. Doing so provides insights into the transferability and adaptability of peacebuilding strategies implemented with an HRBA. These avenues for future research can deepen our understanding of the challenges, effectiveness, and implications of the UNMIK's and peacebuilding missions in general, commitment to an HRBA in peacebuilding, and contribute to the theoretical and practical discourse in the field.

REFERENCES

About the Office of Community Support (2020). *UNMIK*. https://unmik.unmissions.org/about-office-community-support

About UNMIK Human Rights Office. *UNMIK*. https://unmik.unmissions.org/about-unmik-human-rights-office-0

Abrahams, et al. (2001). Under Orders: War Crimes in Kosovo. *Human Rights Watch.* https://www.refworld.org/pdfid/3c2b204a0.pdf

Adedokun, Ayokunu (2017). Post-conflict Peacebuilding: A Critical Survey of the Literature and Avenues for Future Research. *Maastricht University Graduate School of Governance*.

Allcock & Lampe (2022). Self-Declared Independence. *Britannica*. https://www.britannica.com/place/Kosovo

Arendt, Hannah (1958). The Human Condition. *University of Chicago Press*.

Arendt, Hannah (1990). Philosophy and Politics. *Social Research*. Vol. 57, No. 1. https://www.jstor.org/stable/pdf/40970579.pdf?refreqid=excelsior%3A21cb4ac4432f38e2495a42eff17be225&ab_segments=&origin=&initiator=&acceptTC=1

Assembly of the Republic of Kosovo (2018). On Ratification of the Agreement Between the European Union and Kosova on Kosova's Participation in ERASMUS+, Program of the Union for Education, Training, Youth and Sport. *Republic of Kosova*. https://gzk.rks-gov.net/ActDetail.aspx?ActID=18013

Assembly of the Republic of Kosova (2019). Role and Competencies of the Assembly. *Republic of Kosova*. https://www.kuvendikosoves.org/eng/about-the-assembly/role-and-competencies-of-the-assembly/

The Australian Human Rights Commission. *Human Rights Based*

    Approaches, https://humanrights.gov.au/our-work/rights-and-freedoms/human-rights-

    based-approaches.

Babbitt, Eileen (2011). Conflict Resolution and Human Rights in Peacebuilding Exploring the

    Tensions. *UN Chronicle*.

    https://web.p.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=9a7caf73-85ee-

    4188-99cb-0061003850fd%40redis

Baxter, P. & Jack, S. (2008) Qualitative Case Study Methodology/Study Design and

    Implementation for Novice Researchers. *The Qualitative Report*, 13(4), 544-599.

    https://nsuworks.nova.edu/tqr/vol13/iss4/2/

Bennett, A. (2012). Case Study Methods: Design, Use, and Comparative Advantages.

    https://www.semanticscholar.org/paper/Case-Study-Methods-%3A-Design-%2C-Use-%2

    C-and-Comparative-Bennett/7d11098671a75e7b289fd65adab2eb236c5cf580

Bennet, Friedman, & Greene (2012). Building the Police Service in a Security Vacuum:

    International Efforts in Kosovo, 1999-2011. *Princeton University*.

    https://successfulsocieties.princeton.edu/sites/g/files/toruqf5601/files/Policy_Note_ID121

    .pdf

Boutros-Ghali (1992). An Agenda for Peace: Preventive Diplomacy, Peacemaking and

    Peace-keeping. *Office of conference Services Department of Administration and*

    Management. https://digitallibrary.un.org/record/145749?ln=en

Brabant, K. Van (2010). What is Peacebuilding? Do no Harm, Conflict-Sensitivity and

    Peacebuilding. *Interpeace*.

    https://www.interpeace.org/wp-content/uploads/2010/08/2010_IP_What_Is_Peacebuildin

    g_Do_No_Harm_Conflict_Sensitivity_And_Peacebuilding.pdf

The Breakup of Yugoslavia, 1990-1992. *Office of the Historian*.

    https://history.state.gov/milestones/1989-1992/breakup-

    yugoslavia#:~:text=The%20three%20countries%20joined%20the,not%20recognize%20it

    s%20successor%20claim.

Broberg and Sano (2017). Strengths and Weaknesses in a Human Rights-Based Approach to

    International development – an Analysis of a Rights-Based Approach to Development

    Assistance Based on Practical Experiences. The International Journal of Human Rights.

    https://www.tandfonline.com/doi/full/10.1080/13642987.2017.1408591

Brovina, Ngadhnjim (2017). Peacebuilding in Kosovo. *ILIRIA International Review*. DOI:

    10.21113/iir.v7i1.293.

    https://www.researchgate.net/publication/318037623_Peacebuilding_in_Kosovo

Castillejo, Clare (2014). Promoting Inclusion in Political Settlements: A Priority for International

    Actors? *Norwegian Peacebuilding Resource Centre Report.*

    https://www.files.ethz.ch/isn/179668/e064fd8c68d1be1dd3af802be5a97dd8.pdf

Cheng-Hopkins, Judy (2010). UN Peacebuilding: An Orientation. *United Nations Peacebuilding*

    Support Office.

    https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/peac

    ebuilding_orientation.pdf

Chetail & Jutersonke (2015). Peacebuilding: A Review of the Academic Literature. *Geneva*

    Peacebuilding Platform.

Chigas, Diana (2006). What Difference Has Peacebuilding Made? A Study of the Effectiveness

    of Peacebuilding in Preventing Violence: Lessons Learned from the March 2004 Riots in

    Kosovo. *CARE International & CDA-Collaborative Learning Projects.*

    http://www.gsdrc.org/go/display&type=Document&id=2959

Chopard and Przybylski (2021). Methods Brief: Case Studies. *Justice Research and Statistics*

    Association. https://www.jrsa.org/pubs/factsheets/jrsa-research-methods-brief-case-

    studies.pdf

Christie, D. J., Wagner, R. V., & Winter, D. A. (Eds.). (2001). Peace, Conflict, and Violence:

    Peace Psychology for the 21st Century. Englewood Cliffs, New Jersey: Prentice-Hall.

The Civil Rights Defenders (2018). Freedom of Expression, Media and Information in Kosovo

    an Assessment Based on Council of Europe Indicators for Media in a Democracy. *Civil*

    Rights Defenders.

    https://crd.org/wpcontent/uploads/2018/12/Freedom_of_Expression_Media_and_Informa

    tion_in_Kosovo_529396.pdf

Clemens, Walter (2002). Complexity Theory as a Tool for Understanding and Coping with

    Ethnic Conflict and Development Issues in Post-Soviet Eurasia. *International Journal of*

    Peace Studies.

    https://www.jstor.org/stable/pdf/41852883.pdf?refreqid=excelsior%3Ab74d3bec3f1630b

    3e45e52eef38f8658&ab_segments=&origin=&initiator=&acceptTC=1

Collins English Dictionary. Trokia Definition in American English. *Collins English Dictionary.*

    https://www.collinsdictionary.com/us/dictionary/english/troika

Crasnow (2012). The Role of Case Study Research in Political Science: Evidence for Causal

    Claims. *Philosophy of Science*, 79(5), 655–666. https://doi.org/10.1086/667869

Coning, Cedric De (2018). Adaptive Peacebuilding. *Oxford University Press on behalf of The Royal Institute of International Affairs*. 301–317; doi: 10.1093/ia/iix251

DBedia. About: Democratic Party of Kosovo.

https://dbpedia.org/page/Democratic_Party_of_Kosovo

Deka (2012). Local and Global Poverty: Insights Using a Rights-based Approach. Advances in Social Work, 13(2), 471–483. https://doi.org/10.18060/1967

Department of the Population Statistics (2008). The Demographic Changes of the Population of Kosovo for the Period 1948-2006. *Statistical Office of Kosovo*.

https://ask.rks-gov.net/media/1835/demographic-changes-of-the-kosovo-population-1948 -2006.pdf

Deploying Peacekeepers. *United Nations Peacekeeping*.

https://peacekeeping.un.org/en/deploying-peacekeepers

Dimishkovski, Aleksandar (2017). Ex-Rebel Leader is Poised to Win Kosovo Election. *The New York Times*.

https://www.nytimes.com/2017/06/11/world/europe/kosovo-prime-minister-ramush- haradinaj-rebel-leader.html

Doody, Christina (2009). Multi-Element Behaviour Support as a Model for the Delivery of a Human Rights Based Approach for Working with People with Intellectual Disabilities and Behaviours that Challenge. *British Journal of Learning Disabilities.*

https://web.p.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=cf389472-8c1f- 4405-8bf9-0a84343e1a8a%40redis

Durocher (2016). United Nations Mission to Kosovo: In Violation of the Right to Life? *Criminal Law Forum*, *27*(4), 393–415. https://doi.org/10.1007/s10609-016-9291-6

EULEX Kosovo: European Union Rule of Law Mission in Kosovo - Civilian Mission (2020),

    European Union External Action, European Union,

    https://www.eeas.europa.eu/eulex-kosovo/eulex-kosovo-european-union-rule-law-missio

    n-kosovo-civilian-mission_en?s=333#:~:text=Background-,As%20part%20of%20a%20w

    ider%20engagement%20of%20the%20EU%20in,the%20United%20Nations%20Interim

    %20Administration.

European Commission, Directorate-General for Education, Youth, Sport and Culture,

    (2021). Erasmus+ 2021-2027 – Enriching lives, opening minds through the EU

    programme for education, training, youth and sport, *Publications Office*.

    https://op.europa.eu/en/publication-detail/-/publication/ff1edfdf-8bca-11eb-b85c-

    01aa75ed71a1/language-en

European Commission (2023). ERASMUS+ Programme Guide. *European Commission.*

    https://erasmus-plus.ec.europa.eu/sites/default/files/2023-04/ErasmusplusProgramme-

    Guide2023-v3_en.pdf

European Union (2018). Erasmus Opens Many Doors to You. *European Union External Action*.

    https://www.eeas.europa.eu/node/48306_en#:~:text=Kosovo%20has%20been%20a%20p

    artner,branch%20office%20in%20North%20Mitrovica.

Eurostat Statistics (2023). Enlargement Countries – Labour Market Statistics. *Eurostat.*

    https://ec.europa.eu/eurostat/statisticsexplained/index.php?title=Enlargement_countries_-

    _labour_market_statistics#:~:text=Unemployment%20rates%20hit%20their%20high,in%

    20T%C3%BCrkiye%20(13.7%20%25).

Everts, Daan W. (2001). The OSCE Mission in Kosovo — Two Years into Institution Building.

    Helsinki Monitor, 12(4), 245–256. https://doi.org/10.1163/15718140120435279

Falk, Thomas O. (2022). What's Behind the Renewed Tensions Between Serbia and Kosovo?

    Aljazeera.

    https://www.aljazeera.com/news/2022/8/4/whats-behind-the-renewed-tensions-between-s

    erbia-and-kosovo

Fazliu, Eraldin (2019). New Chapter: What a Left-Wing Victory Means for Kosovo. *Aljazeera*.

    https://www.aljazeera.com/features/2019/10/8/new-chapter-what-a-left-wing-victory-mea

    ns-for-kosovo

Friedrich, Jurgen (2005). UNMIK in Kosovo: Struggling with Uncertainty. *Max Planck*

    Yearbook of United Nations Law.

    https://www.mpil.de/files/pdf2/mpunyb_friedrich_9_225_293.pdf

Fuentes-Julio and Ibrahim (2019) A Human Rights Approach to Conflict Resolution. *Ethics and*

    International Affairs.

    https://www.proquest.com/docview/2293760659?accountid=11578&forcedol=true&forc

    edol=true&pq-origsite=primo

Gadzo, Mersiha (2019). All You Need to Know About Kosovo's Snap Parliamentary Elections.

    Aljazeera.

    https://www.aljazeera.com/news/2019/10/3/all-you-need-to-know-about-kosovos-snap-pa

    rliamentary-elections

Gasparri, Giulia, et al. (2021). Children, Adolescents, and Youth Pioneering a Human Rights-

    Based Approach to Climate Change. *Health and Human Rights Journal.*

    https://web.s.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=d745dc68-7b35-

    4cb0-917b-4261ac4c3561%40redis

Gerring, J. (2004). What Is a Case Study and What Is It Good for? *The American Political Science Review,* 98(2), 341-354. https://www.jstor.org/stable/4145316?seq=1#metadata_info_tab_contents

Gjorgjievski (2000). A Year of Failure KFOR and UNMIK's Unsuccessful Missions in Kosovo. *Central Europe Review.* https://web.archive.org/web/20161104191726/http://www.cereview.org/00/23/gjeorgjievski23.html

The Government of the Republic of Serbia (2013). Brussels Agreement. *The Government of the Republic of Serbia.* https://www.srbija.gov.rs/cinjenice/en/120394

Haas (2014). International Human Rights: A Comprehensive Introduction. Routledge. https://doi.org/10.4324/9780203726860

Hayes, et al. (2015). The Case Study Cookbook. https://web.wpi.edu/Pubs/E-project/Available/E-project-121615-164731/unrestricted/USPTO_CookbookFinal.pdf

Lemay-Hebert (2009). State-Building from the Outside-In: UNMIK and its Paradox. *Journal of Public and International Affairs.* https://web.archive.org/web/20191116181145/https://jpia.princeton.edu/sites/jpia/files/2009-4.pdf

Howard, Lise Morje (2013). Research Brief: Neotrusteeship in Post-conflict States - Lessons from Kosovo and East Timor. *ReCom.* https://www.wider.unu.edu/publication/neotrusteeship-post-conflict-states-%E2%80%93-lessons-kosovo-and-east-timor#:~:text=Kosovo%20and%20East%20Timor%20share,economically%20depressed%20country%20in%20Europe

Howard, Lise Morje (2013). State-building Through Neotrusteeship. *World Institute for Development Economics Research.* https://www.wider.unu.edu/sites/default/files/WP2013-126.pdf

The Human Rights Advisory Panel (2016). The Human Rights Advisory Panel History and Legacy Kosovo, 2007-2016. *The Human Rights Advisory Panel.* https://unmik.unmissions.org/sites/default/files/hrap_final_report_final_version_30_june_2016.pdf

International Committee of the Red Cross. Kosovo. *ICRC.* https://www.icrc.org/en/where-we-work/europe-central-asia/kosovo

International Human Rights Network. *What Are Human Rights Based Approaches,* http://ihrnetwork.org/what-are-hr-based-approaches_189.htm.

The Jahjaga Foundation (2018). About the Jahjaga Foundation. *The Jahjaga Foundation.* http://www.jahjagafoundation.org/about

Kabau, & Ali, S. F. (2015). A human rights-based approach to the global regulation of humanitarian relief: the emerging obligation to incorporate local participation. Brooklyn Journal of International Law, 40(3), 791–.

Karp, David Jason (2019). What is the Responsibility to Respect Human Rights? Reconsidering the 'Respect, Protect, and Fulfill' Framework. *International Theory.* https://www.cambridge.org/core/services/aop-cambridge-core/content/view/1E2960DB95AE960B13CD8BD2B9ECF6D4/S1752971919000198a.pdf/what-is-the-responsibility-to-respect-human-rights-reconsidering-the-respect-protect-and-fulfill-framework.pdf

Kastle, Klaus. Map of Kosovo. *Nations Online Project.* https://www.nationsonline.org/oneworld/map/Kosovo-map.htm

Keith, Linda Camp (1999). The United Nations International Covenant on Civil and Political

    Rights: Does it Make a Difference in Human Rights Behavior? *Journal of Peace*

    Research.

    https://www.jstor.org/stable/pdf/451106.pdf?refreqid=excelsior%3A7a77f2137db6544c2

    6556d83ef551759&ab_segments=&origin=&initiator=

King, Keohane, and Verba (1994). *Designing Social Inquiry.* Princeton University Press.

Kosovo Gov't Offices Targeted as Tensions Soar with Serbia (2021). *Aljazeera*.

    https://www.aljazeera.com/news/2021/9/25/govt-offices-in-kosovo-targeted-as-tensions-s

    Oar-with-serbia

Kosovo 2021 Human Rights Report (2021). *United States Department of State*.

    https://www.state.gov/wp-content/uploads/2022/02/313615_KOSOVO-2021-HUMAN-R

    IGHTS-REPORT.pdf

Kosovo Parliament Elects Vjosa Osmani as New President (2021). *Aljazeera*.

    https://www.aljazeera.com/news/2021/4/4/kosovo-parliament-elects-vjosa-osmani-as-ne

    w-president

Kosovo President Resigns to Face War Crimes Charges (2020). *Aljazeera*.

    https://www.aljazeera.com/news/2020/11/5/kosovo-president-resigns-to-face-war-crimes-

    charges

Kosovo Protesters Demand Resignation of Government (2016) *Aljazeera*.

    https://www.aljazeera.com/news/2016/2/17/kosovo-protesters-demand-resignation-of-

    government

Kosovo and Serbia Trade Accusations Over Kosovo's New Army (2018).

    Aljazeera.https://www.aljazeera.com/news/2018/12/18/kosovo-and-serbia-trade-

    accusations-over-kosovos-new-army

Kosovo Set for Snap Vote as Court Rules Government Elected Illegally (2020). *Aljazeera*.

    https://www.aljazeera.com/news/2020/12/22/kosovo-set-for-early-election-after-

    constitutional-court-ruling

Kosovo. The World Factbook. *Central Intelligence Agency*.

    https://www.cia.gov/the-world-factbook/countries/kosovo/#introduction

Lee, Shinkyu (2020). Building Communities of Peace: Arendtian Realism and Peacebuilding.

    Polity, *53*(1), 75–100. https://doi.org/10.1086/711647

Lemay-Hébert, Nicolas (2009). State-Building from the Outside-in: UNMIK and its Paradox.

    Journal of Public and International Affairs.

Lewis, D. (1973). Causation. *The Journal of Philosophy,* 70(17), 556-567.

    https://www.jstor.org/stable/2025310?seq=1#metadata_info_tab_contents

Lewis and Maguire (2016). A Human Rights-Based Approach to Disaster Displacement in the

    Asia-Pacific. *Asian Journal of International Law*.

    https://www.cambridge.org/core/services/aop-cambridge-

    core/content/view/A9B7151762FD8527A5C37F81007C017C/S2044251315000168a.pdf

    /a-human-rights-based-approach-to-disaster-displacement-in-the-asia-pacific.pdf

Manuel & Slaten (2000). UNMIK-KFOR Press Briefing. *UNMIK*. [Press Release].

    https://unmik.unmissions.org/press-releases?page=93

McCandless, Erin (2021). Peacebuilding-Development Nexus. *The Palgrave Encyclopedia of*

    Peace and Conflict Studies, https://doi.org/10.1007/978-3-030-11795-5_145-1

McGonigle Leyh, Brianne (2018). Pragmatism Over Principles: The International Criminal Court and a Human Rights-Based Approach to Judicial Interpretation. *Fordham International Law Journal.*

https://heinonline.org/HOL/Page?lname=&public=false&collection=journals&handle=he in.journals/frdint41&men_hide=false&men_tab=toc&kind=&page=697

Mierop, Ed Schenkenberg Van (2019). Local Humanitarian Actors and the Principle of Impartiality. https://www.chaberlin.org/wp-content/uploads/2019/02/humhilfe-studie-unparteilichkeit_2018_Mierop_EN.pdf

Minority Rights Group International (2018). Kosovo (Unrecognized State). *Minority Rights Group International.* https://minorityrights.org/country/kosovo/

Mitleton-Kelly, Eve (2003). Ten Principles of Complexity and Enabling Infrastructures. *London: Elsevier.*

https://www.researchgate.net/publication/38959109_Ten_principles_of_complexity_and_ enabling_infrastructures

Molesworth, et al. (2022). Conflict Sensitivity, Peacebuilding and Sustaining Peace. *United Nations.*

https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/good practicenote.cs-pb-sp.220510.v6.final_.web-compressed.pdf

National Democratic Institute (2022). Information Integrity in Kosovo Assessment of the Political Economy of Disinformation. *National Democratic Institute.*

https://www.ndi.org/sites/default/files/Information%20Integrity%20in%20Kosovo%20-%20Assessment%20of%20the%20Political%20Economy%20of%20Disinformation.pdf

Nilsson, Jonas (2004). UNMIK and the Ombudsperson Institution in Kosovo: Human Rights

    Protection in a United Nations Surrogate State. *Netherlands Quarterly of Human Rights.*

    https://heinonline.org/HOL/Page?lname=&public=false&collection=journals&handle=he

    in.journals/nethqur37&men_hide=false&men_tab=toc&kind=&page=389

OHCHR. *HRBA to Health*

    https://www.ohchr.org/sites/default/files/Documents/Issues/ESCR/Health/HRBA_HealthI

    nformationSheet.pdf.

OHCHR. *What Are Human Rights?* https://www.ohchr.org/en/what-are-human-rights.

OSCE Mission in Kosovo. *OSCE*. https://www.osce.org/mission-in-kosovo.

OSCE (2014). Municipal Language Compliance in Kosovo. *OSCE*.

    https://www.osce.org/files/f/documents/5/9/120010.pdf

Paris, Roland (2010). Saving Liberal Peacebuilding. *Review of International Studies*.

    https://www.jstor.org/stable/pdf/40783202.pdf?refreqid=excelsior%3A42cb0c1d62fef728

    9c69d5a78c464457&ab_segments=&origin=&initiator=

Parlevliet (2017). Human Rights and Peacebuilding: Complementary and Contradictory,

    Complex and Contingent. *Journal of Human Rights Practice*.

    doi: 10.1093/jhuman/hux032

Patel, Nimisha (2019). A Human Rights-Based Approach to Applied Psychology. *Hogrefe*

    Publishing.

    https://web.s.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=29ebb2e6-82f8-

    4030-aa91-837573da4073%40redis

Paulus (2021). Different Types of Case Study. *PapersOwl.* https://papersowl.com/blog/types-of-

    case-study

Peace-Keeping Budgets. *United Nations*.

    https://www.un.org/en/ga/fifth/Presentations/67th%20session/peackeepingfinance.pdf

Peter, Laurence (2022). EU Defuses Tensions Over Kosovo Car Number Plates. *BBC News*.

    https://www.bbc.com/news/world-europe-63739053

Plesch, Valerie (2019). Kosovo Raids Spark Anger, Division in Mitrovica. *Aljazeera*.

    https://www.aljazeera.com/news/2019/5/31/kosovo-raids-spark-anger-division-in-mitrovi

    ca

Pupovci (2012). Kosovo. In C. L. Glenn & J. De Groof (Eds.), Balancing Freedom, Autonomy,

    and Accountability in Education. *Tilburg, NL: Wolf Legal Publishers*.

    https://jscholarship.library.jhu.edu/bitstream/handle/1774.2/63045/profile-kosovo-

    v4.pdf?sequence=1

Resource Pack (2004). Conflict Sensitive Approaches to Development, Humanitarian Assistance

    and Peacebuilding. *Nairobi, Africa Peace Forum, Various Agencies Collaborating*.

    https://www.international-alert.org/wp-content/uploads/2021/09/Training-Development-

    Humanitarian-Assistance-Peacebuilding-EN-2004.pdf

Ridder, Hans-Gerd (2017). The Theory Contribution of Case Study Research Designs. *Business*

    Research, 10(2), 281-305. https://doi.org/10.1007/s40685-017-0045-z

Roberts, David (2008). Post-Conflict Statebuilding and State Legitimacy: From Negative to

    Positive Peace? *Blackwell Publishing*.

    https://web.p.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=83b5ee7d-e0a2-

    4816-9c82-418c0ccfada3%40redis

Rubin, J.Z., Pruitt, D.G., & Kim, S.H. (1994). Social Conflict: Escalation, Stalemate and

    Settlement (2nd ed.). *New York: McGraw-Hill*.

The Secretary-General (1999). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/1999/779) *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-1999-779_1.pdf

The Secretary-General (1999). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/1999/987) *United Nations*.

https://unmik.unmissions.org/sites/default/files/s-1999-987.pdf

The Secretary-General (2000). Kouchner Briefs Security Council on Kosovo Election

Preparations. (UNMIK/PR/373). [Press Release]. *United Nations*.

https://unmik.unmissions.org/373-kouchner-briefs-security-council-kosovo-election-

preparations

The Secretary-General (2000). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/2000/177). *United Nations*.

https://unmik.unmissions.org/sites/default/files/s-2000-177.pdf

The Secretary-General (2000). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/2000/538). *United Nations.*

https://unmik.unmissions.org/sites/default/files/s-2000-538.pdf

The Secretary-General (2000). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/2000/878). *United Nations*.

https://unmik.unmissions.org/sites/default/files/s-2000-878.pdf

The Secretary-General (2002). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/2002/62). *United Nations*.

https://unmik.unmissions.org/sites/default/files/s-2002-62.pdf

The Secretary-General (2004). Report of the Secretary-General on the United Nations Interim

Administration Mission in Kosovo. (S/2004/348). *United Nations.*

https://unmik.unmissions.org/sites/default/files/s-2004-348.pdf

The Secretary-General (2005). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2005/335). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2005-335.pdf

The Secretary-General (2006). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2006/45). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2006-45.pdf

The Secretary-General (2007). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2007/134). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2007-134.pdf

The Secretary-General (2007). Report of the Special Envoy of the Secretary-General on

   Kosovo's Future Status. (S/2007/168). *United Nations*.

   https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-

   CF6E4FF96FF9%7D/Kosovo%20S2007%20168.pdf

The Secretary-General (2007). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2007/395). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2007-395.pdf

The Secretary-General (2008). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2008/354). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2008-354.pdf

The Secretary-General (2008). Report of the Secretary-General on the United Nations Interim

   Administration Mission in Kosovo. (S/2008/692). *United Nations*.

   https://unmik.unmissions.org/sites/default/files/s-2008-692_0.pdf

The Secretary-General (2009). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2009/149). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2009-149.pdf

The Secretary-General (2009). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2009/300). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2009-300.pdf

The Secretary-General (2010). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2010/5). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2010-5.pdf

The Secretary-General (2012). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2012/603). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2012-603.pdf

The Secretary-General (2013). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2013/631). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2013-631.pdf

The Secretary-General (2014). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2014/68). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2014-68.pdf

The Secretary-General (2014). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2014/305). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2014-305.pdf

The Secretary-General (2015). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2015/74). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2015-74.pdf

The Secretary-General (2015). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2015/303). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s_2015_303.pdf

The Secretary-General (2016). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2016/407). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2016-407_4.pdf

The Secretary-General (2018). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2018/747). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s-2018-747.pdf

The Secretary-General (2019). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2019/102). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s_2019_102.pdf

The Secretary-General (2020). Report of the Secretary-General on the United Nations Interim

    Administration Mission in Kosovo. (S/2020/964). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/s_2020_964_e.pdf

The Security Council (1999). Military-Technical Agreement Between the International Security

    Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the

    Republic of Serbia. (S/1999/682). *United Nations*.

    https://peacemaker.un.org/sites/peacemaker.un.org/files/990615_MilitaryTechnicalAgree

    mentKFORYugoslaviaSerbia.pdf

The Security Council (2000). Resolution 1325. (S/RES/1325). *United Nations*.

  https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?

  OpenElement

The Security Council (2008). Security Council Meets in Emergency Session Following Kosovo's

  Declaration of Independence, with Members Sharply Divided on Issue. (SC/9252). [Press

  Release]. *United Nations*. https://press.un.org/en/2008/sc9252.doc.htm

The Security Council Report (2007). Update Report No. 3: Kosovo. *Security Council Report*.

  https://www.securitycouncilreport.org/updatereport/lookup_c_glkwlemtisg_b_3006603.p

  hp

The Security Council (2008). Security Council Meets in Emergency Session Following Kosovo's

  Declaration of Independence, with Members Sharply Divided on Issue. (SC/9252). [Press

  Release]. https://press.un.org/en/2008/sc9252.doc.htm

The Security Council (2009). Reconfigured Kosovo Mission Different, 'But No Less Relevant or

  Vital', with Focus Shifting to Diplomatic, Political Role, Security Council Told.

  (SC/9683). [Press Release]. *United Nations*. https://press.un.org/en/2009/sc9683.doc.htm

The Security Council (2015). Resolution 2250 (2015). (S/RES/2250 (2015)). *United Nations*.

  https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/413/06/PDF/N1541306.pdf?

  Open Element

Sen, Amartya K. (1999). Development as Freedom. *New York, NY: Alfred A. Knopf*.

Sengupta, Negi, A., & Basu, M. (2006). Reflections on the Right to Development. In

  Reflections on the Right to Development. SAGE Publications India Pvt, Ltd.

  https://doi.org/10.4135/9788132102144

Serbia and Kosovo Presidents Cancel EU-Brokered Talks (2018). *Aljazeera*.

> https://www.aljazeera.com/news/2018/9/7/serbia-and-kosovo-presidents-cancel-eu-
>
> brokered-talks

SG Reports. *UNMIK*. https://unmik.unmissions.org/sg-reports

Shively, P. W. (2017). The Craft of Political Research. (10th ed). *Routledge*.

Shue, Henry (1980). Basic Rights. Subsistence, Affluence and US Foreign Policy. *New York,*

> *NY: Basic Books.*

SIDA. *Human Rights Based Approach*,

> https://www.sida.se/en/for-partners/methods-materials/human-rights-based-approach.

SIDA (2015). A Human Rights Based Approach to Peace Building. *SIDA*.

> https://cdn.sida.se/app/uploads/2021/05/06122535/human-rights-based-approach-peace-
>
> building.pdf

SIDA (2022). Human Rights Based Approach and Peacebuilding. *SIDA*.

> https://cdn.sida.se/app/uploads/2022/06/23165322/10205933_Sida_TN_HRBA_Peacebui
>
> lding_webb.pdf

Soudek, Josef (1952). Aristotle's Theory of Exchange: An Inquiry into the Origin of Economic

> Analysis. *American Philosophical Society*.
>
> https://www.jstor.org/stable/pdf/3143742.pdf?refreqid=excelsior%3A67215ca03e55b038
>
> 5fb1938bf9d3cca9&ab_segments=&origin=&initiator=

SRSG's Visits to Municipalities (2020). *UNMIK*.

> https://unmik.unmissions.org/srsg%E2%80%99s-visits-municipalities

Stahn, Carsten (2001). Constitution Without a State? Kosovo Under the United Nations

Constitutional Framework for Self-Government. *Leiden Journal of International Law*.

https://www.cambridge.org/core/services/aop-cambridge-

core/content/view/777D84F614135DC0A8C33F853B3E2182/S0922156501000279a.pdf/

constitution-without-a-state-kosovo-under-the-united-nations-constitutional-framework-

for-self-government.pdf

Stiftung, Bertelsmann (2022). BTI 2022 Country Report - Kosovo. *Gutersloh: Bertelsmann

Stiftung*.

https://bti-project.org/fileadmin/api/content/en/downloads/reports/country_report_2022_

RKS.pdf

Szablewska and Kubacki (2017). A Human Rights-Based Approach to the Social Good in Social

Marketing. *Springer Science and Business Media Dordrecht.*

https://web.s.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=e1e10615-4b27-

4168-9e73-195fd8045ff3%40redis

Teffer, Peter (2015). Kosovo Freezes EU-Brokered Deal with Serbia. *EUobserver*.

https://euobserver.com/eu-political/131061

Trust-Building Between Communities (2020). UNMIK. https://unmik.unmissions.org/trust-

building-between-communities

United Nations (1984). United Nations Declaration on the Right to Development. *United

Nations*.

https://www.ohchr.org/sites/default/files/Documents/Issues/Development/RTD_booklet_

en.pdf

United Nations Peacekeeping Terminology. *United Nations*.

https://peacekeeping.un.org/en/terminology

United Nations Interim Administration Mission in Kosovo. Conduct and Discipline. *UNMIK*.

    https://unmik.unmissions.org/conduct-and-discipline

United Nations Interim Administration Mission in Kosovo. Mandate. *UNMIK*.

    https://unmik.unmissions.org/mandate

United Nations Interim Administration Mission in Kosovo Fact Sheet. *United Nations*

    Peacekeeping, United Nations, https://peacekeeping.un.org/en/mission/unmik.

United Nations Interim Administration Mission in Kosovo (1999). Regulation No. 1999/24.

    (UNMIK/REG/1999/24). *United Nations*.

    https://unmik.unmissions.org/sites/default/files/regulations/02english/E1999regs/RE1999

    _24.htm#:~:text=1.4%20No%20person%20undertaking%20public,property%2C%20birt

    h%20or%20other%20status.

United Nations Interim Administration Mission in Kosovo (1999). UNMIK Convenes

    First Meeting of Kosovo Transitional Council. (UNMIK/PR/12).

    https://unmik.unmissions.org/12-unmik-convenes-first-meeting-kosovo-transitional-

    council

United Nations Interim Administration Mission in Kosovo (1999). UNMIK Establishes Kosovo

    Budget and Central Fiscal Authority. (UNMIK/PR/84). [Press Release].

    https://unmik.unmissions.org/084-unmik-establishes-kosovo-budget-and-central-fiscal-

    authority

United Nations Interim Administration Mission in Kosovo (2000). On the Approval of the

    Kosovo Consolidated Budget and Authorizing Expenditures for the Period 1 January to

    31 December 2001. (UNMIK/REG/2000/67). United Nations.

    https://unmik.unmissions.org/sites/default/files/regulations/02english/E2000regs/RE2000

    _67.htm

United Nations Interim Administration Mission in Kosovo (2000). On the Establishment of the

    Ombudsperson Institution in Kosovo. (UNMIK/REG/2000/38). *United Nations.*

    https://unmik.unmissions.org/sites/default/files/regulations/02english/E2000regs/RE2000

    _38.htm

United Nations Interim Administration Mission in Kosovo (2001). Chairman's Statement: Joint

    Working Group on the Legal Framework for Provisional Self-Government.

    (UNMIK/PR/556). [Press Release].

United Nations Interim Administration Mission in Kosovo (2001). Constitutional Framework for

    Provisional Self-Government in Kosovo. (Regulation 2001/9). *United Nations*.

    http://old.kuvendikosoves.org/common/docs/FrameworkPocket_ENG_Dec2002.pdf

United Nations Interim Administration Mission in Kosovo (2003). Standards for Kosovo. *United

    Nations*.

    https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-

    CF6E4FF96FF9%7D/Kos%20Standards.pdf

United Nations Interim Administration Mission in Kosovo (2006). Regulation No. 2006/12 on

    the Establishment of the Human Rights Advisory Panel. (UNMIK/REG/2006/12). *United

    Nations*.

    https://unmik.unmissions.org/sites/default/files/regulations/02english/E2006regs/RE2006

    _12.pdf

United Nations Interim Administration Mission in Kosovo (2008). Kosovo: Ombudsperson

    Institution Helps to Ensure Protection of Human Rights. (UNMIK/PR/1719). [Press

    Release]. https://reliefweb.int/report/serbia/kosovo-ombudsperson-institution-helps-

    ensure-protection-human-rights

United Nations Interim Administration Mission in Kosovo (2016). About UNMIK Human

    Rights Office. *United Nations.* https://unmik.unmissions.org/about-unmik-human-rights-

    office-0

United Nations Interim Administration Mission in Kosovo (2017). The Future in Their Hands:

    Young People Seek Change at First UN Youth Assembly in Kosovo. *United Nations*.

    https://unmik.unmissions.org/future-their-hands-young-people-seek-change-first-un-

    youth-assembly-kosovo

United Nations Interim Administration Mission in Kosovo (2018). UNMIK DSRSG Coleman

    Addresses Important Gathering of Survivors of Conflict-Related Sexual Violence. *United*

    Nations. https://unmik.unmissions.org/unmik-dsrsg-coleman-addresses-important-

    gathering-survivors-conflict-related-sexual-violence

United Nations Interim Administration Mission in Kosovo (2018). UN Kosovo Trust Building

    Forum: Understanding Trust-Building and Crossing the Boundaries of Distrust. *United*

    Nations. https://unmik.unmissions.org/un-kosovo-trust-building-forum-understanding-

    trust-building-and-crossing-boundaries-distrust

United Nations Interim Administration Mission in Kosovo (2020). The Security and Gender

    Group Calls for Concrete Actions to Respond to the "Shadow Pandemic" of Violence

    Against Women and Girls. *United Nations*. https://unmik.unmissions.org/security-and-

    gender-group-calls-concrete-actions-respond-%E2%80%9Cshadow-

    pandemic%E2%80%9D-violence-against-women

United Nations Interim Administration Mission in Kosovo (2021). Towards an Inclusive

    Recovery: United Nations Global Open Day in Kosovo Calls to Advance Women's

    Meaningful Decision-Making to Combat Covid-19 Impact. *United Nations*.

    https://unmik.unmissions.org/towards-inclusive-recovery-united-nations-global-open-

    day-kosovo-calls-advance-women%E2%80%99s-meaningful

United Nations Interim Administration Mission in Kosovo (2022). Stories of Hope and Trust: On International Day of Peace UNMIK Celebrates Kosovo's Local Champions of Change, Defying Divisiveness to Build Togetherness. *United Nations*. https://unmik.unmissions.org/stories-hope-and-trust-international-day-peace-unmik-celebrates-kosovo%E2%80%99s-local-champions-change

United Nations Interim Administration Mission in Kosovo (2022). Youth, Peace and Security in the digital Era: 4th UN Youth Assembly in Kosovo Inspires Innovation and Cooperation Among Young Changemakers Across the Western Balkans. *UNMIK*. https://unmik.unmissions.org/youth-peace-and-security-digital-era-4th-un-youth-assembly-kosovo-inspires-innovation-and-0

UNMIK Human Rights Office (2020). Civil Society Report on Human Rights in Kosovo in 2019. *United Nations*. https://unmik.unmissions.org/stronger-together-kosovo-civil-society-organisations-jointly-publish-their-first-annual-human-rights

UNMIK Human Rights Office. Outreach. *UNMIK*. https://unmik.unmissions.org/outreach

UNMIK Human Rights Office. Transitional Justice. *UNMIK*. https://unmik.unmissions.org/transitional-justice-0

United Nations General Assembly (2008). Request for an Advisory Opinion of the International Court of Justice on Whether the Unilateral Declaration of Independence of Kosovo is in Accordance with International Law (A/64/L.65/Rev.1).

UNICEF, UNMIK, UNDP, & UN Volunteers (2017). 1st UN Kosovo Youth Assembly "Advancing Youth, Peace and Security in Kosovo Together". UNMIK. https://unmik.unmissions.org/report-1st-un-kosovo-youth-assembly-consultation-youth-peace-and-security

UN News (2001). With UN Support, Kosovo Gains Wide Internet Access. *United Nations*. https://news.un.org/en/story/2001/12/23832

UN News (2007). Kosovo Status Talks Failed to Produce Agreement, Says Report to Security

Council. *United Nations*. https://news.un.org/en/story/2007/12/243502

United Nations Security Council (1999). Resolution 1244. (S/RES/1244) *United Nations*.

https://unmik.unmissions.org/sites/default/files/old_dnn/Res1244ENG.pdf

U.S. Department of State. Kosovo. *U.S. Department of State*. https://2009-

2017.state.gov/outofdate/bgn/kosovo/104221.htm

Uvin, Peter (2007). *From the Right to Development to the Rights-Based Approach: How Human

Rights Entered Development*, *17*(4-5), 597–606.

https://doi.org/10.1080/09614520701469617

Verheij, Abraham M. (2010), European Union peacebuilding in Kosovo - An Analysis of

Dealing with Peacebuilding Paradoxes and Engagement with Civil Society. *Radboud

University Nijmegen*.

https://5dok.net/document/lq514djy-european-peacebuilding-kosovo-analysis-dealing-pe

acebuilding-paradoxes-engagement.html

Walker, Shaun (2020). Kosovoans Look on Aghast as Government Falls While Coronavirus

Bites. *The Guardian*.

https://www.theguardian.com/world/2020/mar/26/kosovo-government-falls-in-vote-of-no

-confidence

Wallerstein, Immanuel (1984). The Development of the Concept of Development. *Wiley*.

https://www.jstor.org/stable/pdf/223344.pdf?refreqid=excelsior%3Aec17777d5e3cfbf3ba

a5a87328c9f354&ab_segments=&origin=&initiator=&acceptTC=1

Weller, Marc (2008). Kosovo's Final Status. Oxford University Press.

https://www.jstor.org/stable/pdf/25144990.pdf?refreqid=excelsior%3A082ea7e8e7ec5d9

829a816a4c60cf7f9&ab_segments=&origin=&initiator=

Woodrow, Peter & Chigas, Diana (2009). A Distinction with a Difference: Conflict Sensitivity

    and Peacebuilding. *CDA Collaborative Learning Projects*.

    https://www.cdacollaborative.org/wp-content/uploads/2016/02/A-Distinction-With-A-Dif

    ference-Conflict-Sensitivity-And-Peacebuilding.pdf