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**A CHANGING SOCIETY,  
A CHANGING CIVIL SOCIETY**  
**Kosovo's NGO Sector After the War**

Prishtina, June 2005  
2<sup>nd</sup> Edition





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## Executive Summary

Kosovo has an energetic and diverse civil society, reflected by the growth, diversity, and activities of its non-governmental (NGO) sector. Since the end of the 1999 conflict, Kosovo's NGO sector has witnessed tremendous growth and expansion. This growth, however, has been primarily driven by international donors, and the dwindling of foreign funds in support of NGO development have placed the sector at risk. NGOs also face the problem of inadequate institutionalization and professionalism. Furthermore, NGOs are primarily directed towards service-provision, while they have not developed strong constituencies and have sparingly vocalized civic concerns and interests in the political process. This, however, is not primarily the fault of NGOs; the lack of transparency by UNMIK, the dominance within politics of rigid party structures, and an unfavorable legal and institutional climate have arrested the political power of civil society.

This report suggests several possible steps for improving the relationship between NGOs, the political system, and the broader public. To the government, it recommends instituting legal reform, which will replace the outdated legal framework instituted in 1999 for one which allows for greater transparency and accountability, as well as firm protections against political interference. Furthermore, the government should earmark grants to NGOs for the purpose of providing services to the public, however, it warns against using NGOs to replace essential public services. The government can also encourage private funding of NGOs by giving tax incentives to businesses that fund NGOs.

To NGOs, the report suggests that they should begin to more fully articulate their identity as collective actors in a democratic society. This is the first step for improving the at times negative image that NGOs have among the wider public. Second, the report recommends that NGOs seriously consider ways of becoming self-sustainable through domestic fundraising. The relevance of local funding is critical not only for the financial sustainability of NGOs, but also serves to build standing constituencies and is a mechanism that will more fully solicit the interest of the public in the activities of NGOs.

NGOs also need to find ways of improving their professionalism, particularly through strengthening internal organization and democratic participation and openness within them. If NGOs are to usefully serve as counter-examples to the inefficient, authoritarian and corrupt practices they often criticize, they ought to be the model for better ways of group organization.

Another concerning trend that the report examines is the fragmentation of the NGO sector into cliques and the segmentation of the sector into groups that claim the "proper" representation of civil society. This has decreased the effectiveness of the NGO sector to impact politics and to shape the values of the political community being built

in Kosovo. The NGO sector must find ways of countering these trends, and instead build a set of core values and principles that it actively tries to promote.

The report examines the crucial contribution of foreign donors in building and structuring Kosovo's NGO sector. Given that the vast majority of Kosovo NGOs rely on foreign funding, the report recommends that donors maintain adequate levels of funding for NGOs in Kosovo, given the decreasing amount of funds available for them. In addition, the report suggests that donors find ways of supporting the long-term sustainability of successful and proven organizations, rather than providing short-term grants for particular projects. The latter has encouraged an entrepreneurial culture among NGOs, which, instead of focusing on long-term development and strategies, expend their energies on constantly devising new projects that are attractive to donors.

## Introduction

Alongside imposition, [UNMIK] uses enticements through privilege and money – money in particular, which in Kosovo continues to be poured relentlessly towards those channels which seek the destruction of Kosovo’s Albanian identity and the creation of so-called civil society, without an identity or with a transplanted one. All NGOs in Kosovo [...] are financed for this reason: that Kosovo’s new society not be projected through Kosovo’s eventual independence, but that its status be made relative through a tolerant society and an abandoned identity.<sup>1</sup>

The above quote from Mehmet Kraja, a writer and cultural editor for Kosovo’s leading daily, is representative of the deep mistrust that certain segments of Kosovo’s population have created towards civil society and non-governmental organizations (NGOs) in particular. This is paradoxical, as Western policy in Kosovo treats the development of civil society as one of the central indicators of Kosovo’s progress towards democratic change.<sup>2</sup> Furthermore, as a society which has a deep legacy of independent, non-state organization during the decade-long resistance to the rule of Slobodan Milosevic, the discrediting of civil society in the eyes of the public appears to be somewhat of an anomaly.

This does not mean, however, that cynical views of Kosovo’s present-day civil society are correct. In actuality, like in most other postsocialist territories, for many Kosovars the notion of civil society is itself still somewhat elusive.<sup>3</sup> Yet as the booming NGO sector attests, independent, non-state driven organization has taken a strong hold in Kosovo. However, with the exception of a certain number of impressionistic accounts, there have been very few attempts to systematically explore the consequences of such a phenomenon for Kosovar politics. This report seeks to make a modest step in filling that gap.

Kraja’s statement is a testimony to the drastic changes that have taken place in Kosovo’s civil society sector since the end of the 1999 conflict. No longer limited to activism for a single cause – namely, Kosovo’s independence – commentators sometimes see civil society as threatening to national unity, or, due to its connections with what are perceived as lavish Western donors, as corrupt embezzlers of foreign cash. Others, such as Kosovo’s international administrators and Western development agencies, treat civil society as one of the mainsprings of a democratic, ethnically integrated society. It is, however, undeniable that a set of institutions and fields of practice that embody that which is traditionally understood as civil society – the sphere between the institutions of the state and the market – have developed strongly in Kosovo.

Yet has a Western-type civil society emerged in Kosovo? Yes and no.<sup>4</sup> If the standards of measurement are the proliferation of non-state, non-profit driven organizations,

and the variety of sub-national identities and political interests these represent or are publicly identified with, then the answer is yes. However, if we are comparing the role of NGOs in their ability to impact policy, inform party life and organize in a self-sufficient manner, then the picture is rather different. Nevertheless, this report will stray away from using idealized images of civil society in the West as guideposts. Instead, it tries to understand Kosovo's civil society from within, while remaining cognizant of the fact that civil society has historically been a Western concept and category of institutional practice, intrinsically linked to the institutions and practice of liberal democracy.

Three main findings are exhibited in this report. First, the report argues that the foundation for a stable, relatively autonomous civil society has been established. This is a result of the legacy of self-organization that has been inherited from the 1990s, the amount of international aid that has been channeled to NGOs, and the opportunities created by the emergence of a relatively plural public sphere. There are indeed, I argue, a series of institutionalized practices that can be properly termed civil society, thus demonstrating that the notion is not a simple misnomer for some other type of social phenomena, as Kraja's remarks may suggest.

Second, the direct impact of civil society on the policy process is still rather weak. This is due to the unfavorable structure of Kosovo's governing institutions, led principally by the United Nations Interim Administration Mission in Kosovo (UNMIK). I argue that, as long as political monopoly in Kosovo is held by UNMIK and a handful of party leaders, the political potential of civil society will continue to be constrained. Although some inroads into the political sphere have been made, a series of institutional and legal reforms, as well as a more strongly united civic front, are necessary to broaden the opportunities for civil society to gain a more explicitly political role.

Finally, the report argues that the main threat to civil society is the gradual withdrawal of foreign funds, which have thus far been the economic backbone of the majority of NGO activity. This problem is exacerbated by the limited success of civil society groups in institutionalizing their activity and developing forms of financial sustainability based on local sources. As far as institutionalization is concerned, the report argues that NGOs continue to be plagued by poor internal organization and a lack of professionalism. This is partly due to the unavailability of qualified personnel, partly due to the largely entrepreneurial manner in which NGOs tend to spring up, and due to a culture of personalistic domination which pins the entire authority and reputation of an NGO to that of a single individual.

The findings in this report are based on a series of interviews with a wide variety of NGO leaders and activists during the summer of 2003. In addition, the report uses an array of statistical and qualitative data on civil society development in Kosovo, from both official and other sources, to illustrate substantive changes and developments since 1999 to the present. Furthermore, the author has drawn on his own experience as a leading staff member of UNMIK's NGO Registration and Liaison Unit, the main administrative authority in Kosovo charged with NGO registration and monitoring.

The author has also benefited from experience in working with a considerable number of Kosovo NGOs, as well as from many close contacts with a number of civil society activists.

### **Civil society, as known, as practiced: a brief theoretical discussion**

While local politicians, Western diplomats, and media commentators both in Kosovo and outside utter the noun “civil society” with relative ease, social theorists acknowledge that the term does not lend itself to simple definitions. Yet the term, having been present in Western political thought since at least the eighteenth century, has gained in its importance in the past decades both in the West, and the democratizing countries of eastern Europe, Central Asia, and Latin America. In spite of its historical complexity, the concept of civil society has been defended in various ways by a variety of political and social theorists.<sup>5</sup> In addition, a number of authors have stressed its critical importance in the processes of democratic change.<sup>6</sup> From a historical point of view, the term represents an emergent institutional sphere of social and political activism that has had an impact on shaping the state and its functions, and also in the construction of a pluralist political culture.

This report thus understands civil society in terms of both its (a) direct political impact, i.e., in shaping and transforming the legal and institutional sphere of the state, and (b) as a form of practice that has direct consequences for prevailing norms of political culture. This view, elaborated by Jean Cohen and Andrew Arato, is distinct from the classic liberal tradition which holds civil society to be co-extensive with the free market, and with the democratic elitist view which considers civil society to be an instrumental sphere in which political elites compete for votes and in which particularistic interest groups struggle for political power.<sup>7</sup> The essential point is that civil society is not only an institutional, but also a cultural, category, and that the two cannot be treated as distinct from one another.

In this sense, what is designated by the term “civil society” is not limited to any single organizational form or to particular types of activity, and is often untenable to the sharp distinction between the public sphere of the market and private sphere of the household maintained by the liberal tradition. Civil society is thus not reduced to a field in which struggles for political power are exhibited, nor one in which purportedly free individuals join in associations for common benefit, but rather one in which the *normative* values of politics are continually established, contested and politicized. This critically enhances the normative value of civil society itself, captures its unique cultural role, and treats it as a key sphere for the possibility of any kind of democratic politics.

While civil society is a broad concept which could potentially subsume a wide variety of practices, this report focuses particularly on non-governmental organizations, or as they are more commonly referred to as, NGOs. In contrast to the term civil society, NGO is a descriptive term, introduced more recently into political discourse mainly by

the shifting focus of developmental policies that began to stress the importance of independent local organization for the success and sustainability of development policies and democratic change. In general parlance, an NGO represents any type of organization that is engaged in some kind of social or political activism, seeking some level of social transformation, but is not a political party seeking power or an economic organization driven by profit.<sup>8</sup> In Kosovo, UNMIK has defined by law which organizations qualify as NGOs and on this basis grants them legal recognition as such. The legal framework governing NGOs in Kosovo is discussed in a separate section below.

This report focuses specifically on NGOs in Kosovo.<sup>9</sup> While other organizations, such as the media, religious organizations, and a variety of informal groups based on acquaintance and/or kinship networks, could arguably be included as part of civil society, the research in this report has focused on NGOs in particular. This has been done for mainly two reasons. First, NGOs represent the sector that have received the most attention both in local politics and from international agencies focused on civil society development. Furthermore, donor funding and capacity-building trainings and programs have particularly targeted NGOs. The name NGO has become so prevalent that in Kosovo, as in many other postsocialist contexts, it is almost interchangeable with the term civil society.<sup>10</sup> Second, the focus on NGOs has been induced partly due to the availability of greater amounts of data.

With respect to NGOs, the goal of this report is to provide a more comprehensive understanding of their role and function in Kosovo's changing social and political environment. There has been a marked tendency among groups such as UNMIK, the OSCE Mission in Kosovo, donors, and dominant NGOs to construct a homogenized image of the sector and its purpose, role, and activities, usually expressed in singular and undifferentiated manners. In this idealized image of the NGO sector, differences between the nature, goals, and interests of various NGOs remain unacknowledged, in favor of a sanitized and domesticated image of NGOs actively involved in the noble project of constructing Kosovo's democracy. Conflict, contention, and protest – one of the central markings of any social movement<sup>11</sup> – are usually cast aside to depict the NGO sector through images of cooperation, harmony, and coherence, and as keen assistants to Kosovo's international administrators.

While international organizations have constructed an image of NGOs as cornerstones of democracy and models of disinterested civic participation, many Kosovars on the other hand associate the name NGO with small groups of individuals driving a jeep and carrying home a fat paycheck, spending most of their time chasing donors whose funds they embezzle by organizing largely meaningless trainings, conferences, and roundtables. Furthermore, NGOs negative image in the wider public is captured by an array of surveys, which consistently show civil society institutions ranked much lower than political parties and the authorities in terms of trustworthiness.<sup>12</sup>

Given these two extreme views, part of the purpose of this report is to attempt to demystify misleading characterizations of NGOs and civil society, whether it is as

champions of democracy or as unscrupulous opportunists. This is done in three ways. First, the report presents a synopsis of the history of civil society in Kosovo, to contrast the ways in which civil society was understood prior to and after the 1999 conflict. Second, it is done through introducing a more complex, historically-based understanding of the role of civil society in democratic institution-building, especially as it relates to expanding notions of citizenship and a regime of rights. As opposed to a view that treats NGOs as mere foot-soldiers of democratic institution-building or as self-enclosed private groups engaged in the provision of services for the broader public, this report considers the actions of NGOs as a form of political activism that tends to expand the practices of citizenship and increase demands for democratic participation in the political system. And third, by introducing into the analysis groups such as unions and organizations that emerged from the ranks of former KLA fighters, a more complete (and, hence, more segmented and less unitary) representation of the NGO sector is propounded. Divisions, antagonisms, and fragmentations within the NGO field are also discussed, as well as their political consequences.

### **Civil society in Kosovo: a brief history**

While the popularity in Kosovo of the term NGO is rather recent, “civil society” is by no means an unknown concept. Its early emergence can be traced back to the final days of communist monopoly over political life, and the springing up of Kosovo’s first independent political organizations. However, the promising days of democracy and pluralism would be short-lived, as the Yugoslav federation disintegrated and Kosovo became a site of intense interethnic animosities.

With the rapid political and social transformations taking place in the late 1980s and early 1990s throughout former Eastern bloc countries, the concept of civil society entered into Kosovo’s political discourse just as it became popularized in other parts of the ex-communist bloc. It most meaningfully gained its substance with the emergence of Kosovo’s first independent, non-state controlled organizations such as the Council for the Defense of Human Rights and Freedoms (1989), the Kosovo Helsinki Committee (1990), and the Union of Independent Trade Unions (1990), the latter being formed by the breaking away of official state unions from communist party control.

However, the burgeoning pluralism in political life was taking place under sharp ethnic divisions. While Albanians massively flocked towards new independent organizations, which gradually embraced a secessionist platform for Kosovo, Kosovo’s Serbian minority remained tied to state institutions, now coming under the direct control of Belgrade and the rising power of the nationalist banner-waving regime of Slobodan Milosevic. The issue of Kosovo’s status provoked a deep fissure in Kosovo’s society, creating the conditions for the parallel society that emerged in the early 1990s, and leading ultimately to the violent conflict of 1998-99.

Following the appearance of the first independent organizations, the first opposition

political parties were formed as well. The most massive and well-known of these parties was the Democratic League of Kosovo (LDK), founded in December 1989 by a group of Albanian intellectuals. The LDK endorsed a form of non-violent resistance to the Serbian takeover chiefly through the organization and maintenance of Kosovo's so-called "parallel society."<sup>13</sup> Thus, in spite of its official designation as a party and its function as a political movement, the developments after 1990 resulted in the LDK being sometimes identified by Western observers and journalists – alas, very problematically – as a civil society organization.

In the late 1980s and early 1990s, the Serbian government passed a series of constitutional reforms that, under the pressure of the use of force, reduced Kosovo's self-governing status to that of a symbolic autonomy. The Milosevic regime took full control of local institutions in Kosovo, removing the majority of Albanians from official positions, including administrative bodies, state-controlled enterprises, and public health care institutions, and installing a *de facto* colonial-type regime based on the rule of the Serbian minority, reinforced by thousands of heavily armed police and military forces from Serbia proper. Public schools and Kosovo's only university also became off-limits for Albanian teachers and students, who refused to work under newly imposed Serbian curricula. Under these circumstances, in the years 1990-93, Kosovo's "parallel society" took shape, with the efforts of Albanian professionals, teachers, and activists to maintain the institutional structures inherited from the period of autonomy, to maintain the functioning of Kosovo's society, and to exhibit a political will which used the resulting institutional basis to claim statehood for Kosovo.

Hence, what in other parts of eastern Europe became the genesis of political pluralism and democratic politics, independent political organization in Kosovo turned to be the basis of resistance against Serbian repression, and the struggle for independent statehood for Kosovo. Under these conditions, Western commentators and diplomats involved in the post-Yugoslav crises began to recognize all Albanian political activity as one subsumed under the all-encompassing category of civil society. This perspective was further reinforced by the fact that the LDK, as well as other Kosovar political parties, boycotted Serbian elections and maintained a parallel political sphere. Furthermore, the parallel education and health care system maintained by Albanians essentially functioned as para-state institutions. This makes it highly problematic in designating all of Kosovo's "parallel society" as a civil society effort, however, it did create the embryo of independent organization, a legacy which proved critical in the post-conflict period.

### **Civil society after the war**

While the boundaries of what constituted civil society in the 1990s shifted depending on the particular observer's perspective, the distinction between civil and political society became more clearly marked after the conflict of 1999. The end of politics of

resistance among Albanians and the gradual construction of a competitive political system, cleared the way to differentiating between groups that were directly interested in competing for political power with those that saw themselves as civic groups with limited interests. In the new context, with Kosovo ruled by an international administration, and with various groups assuming power within these structures, the purposes, roles, and functions of independent civic groups would transform radically.

The end of the 1999 conflict and the withdrawal of Serbian forces radically changed the political and social environment in Kosovo. In addition to the presence of NATO troops and the placement of Kosovo under an international administration, the social landscape was also deeply impacted by the influx of international non-governmental organizations (INGOs), performing tasks such as the provision of humanitarian aid, refugee resettlement and reconstruction. Whereas the activities of INGOs are not examined in this report, their role is significant in the postwar mushrooming of new local NGOs. INGOs were instrumental in encouraging the formation of new NGOs, but also in funding projects, providing training, passing down skill-sets, and at times taking a direct role in the founding of local NGOs. While only a handful of international organizations, such as Mercy Corps International, a US-based humanitarian organization, were active in Kosovo during the mid-1990s, postwar Kosovo experienced the arrival of more than 1,000 INGOs.<sup>14</sup> Most of these organizations have now left Kosovo, however, their impact in local NGO organization is lasting.

As is typical in most transitional contexts, postwar Kosovo also witnessed an explosion of NGO organization. Out of an estimated 65 NGOs operating in Kosovo in the period 1989-1998 (out of which five were international), by early 2004 there were nearly 2,300 officially registered domestic NGOs.<sup>15</sup> While it is generally considered that not all registered NGOs are active, the number is indicative of the explosion of NGO organization in postwar Kosovo. The number is considerably high even in comparison to regional levels. For instance, in 2001, Albania had an estimated 400 to 800 registered NGOs, Bosnia-Herzegovina, similarly ruled by an international administration, had 1,300 registered NGOs, whereas Bulgaria had 1,900 NGOs. Neighboring (FYR of) Macedonia is the only country to exceed Kosovo in the number of registered NGOs, with nearly 4,000, out of which 2,000 were considered to be active in the year 2000.<sup>16</sup>

However, radical changes in Kosovo's civil society are not accounted for simply by structural changes in the immediate postwar period. The legacy of the 1990s also partly explains the strength of independent organization in war ravaged Kosovo. During this period, in spite of conditions of harsh repression and pressures to maintain singular party lines, pluralism did manage to gain a foothold in Kosovo, the germ of which exploded in 1999. As Veton Surroi, an independent media publisher and veteran of Kosovo's civic sector notes, because of the independent groups that emerged in the 1990s, "pluralism after the war was understood as something quite normal."<sup>17</sup> In other words, diversity and plurality were not and did not have to be invented in June 1999, only reconfigured and expanded within a new context.

On the political side of things, the role of civil society in Kosovo after the territory's takeover by UNMIK transformed rapidly. The removal of Serb forces from Kosovo necessitated a radical shift of focus for civil society organizations from the politics of resistance to a politics of reconstruction and state-building. Civil society groups thus began to define their agenda vis-à-vis UNMIK, Kosovo's central post-war administrative authority. UNMIK's first measures, under its first administrator Bernard Kouchner, was to integrate existing NGOs within UNMIK's administrative structures. Through this measure, UNMIK differentiated between Kosovo's existing political organizations (the LDK, parties emerging out of the disbanded KLA, as well as minor political parties) and groups that UNMIK designated as representing "the interests of civil society." The first consultative body assembled by UNMIK, the Transitional Council, included a number of individuals as representatives of civil society, as distinct from the representatives of Kosovo's dozen or more political parties. Although this body was less influential in policymaking than Kosovo's three main political leaders, as well as representatives of Kosovo's Serbian minority, the Transitional Council in the period 2000-2001 played a central consultative role. In addition, individuals appointed by UNMIK to represent "civil society interests" were included in UNMIK's Administrative Departments, which performed the duties of civil administration until the general elections of 2001 elected a Kosovo parliament and government.

After the establishment in 2002 of Kosovo's Provisional Institutions of Self-Government, which included an elected Assembly, Government, and President, what remained of NGO groups represented within UNMIK structures were removed. At this point, NGOs no longer had direct influence in policymaking, but were expected to take on the role of advocacy through the channels normally afforded by a democratic process. This second transformation has proven to be quite a challenge, as is discussed later in this report.

### **Legal framework and institutional support**

Presently, NGOs in Kosovo operate under a legal framework which was established by UNMIK in 1999, through Regulation 1999/22, and a series of corollary Administrative Directives.<sup>18</sup> The regulation establishes a distinction between domestic and international NGOs, and distinguishes between two types of domestic NGOs: *associations* and *foundations*. The main difference is that associations are defined as membership organizations, whereas foundations are treated as private groups of individuals (with or without joint assets) formed for either mutual or public benefit. NGOs are expected to operate on a not-for-profit basis, meaning that any profit obtained by the organization is used for the benefit of the organization and not distributed among members. The distinction between associations and foundations is a simple distinction which makes registration straightforward, but which has led to some confusion among NGOs, an issue which is discussed later.

The main administrative body to deal with NGO registration and monitoring is the NGO Liaison Unit (LU), established in 1999 after the promulgation of Regulation 1999/22. The LU is charged with the registration of NGOs, granting them the status of a legal entity. It has recently been through a process of “Kosovarization”, in that international or UN-salaried local staff are replaced by employees working on the basis of the much lower salaries offered by Kosovo’s Consolidated Budget. This has meant a great degree of staff turnover for the unit, which has resulted in limited effectiveness and prolonged registration processes for NGOs. The LU has also been plagued by inadequate funding and understaffing for a variety of reasons.

Treated as a marginal unit within the UNMIK administrative structure, the LU was to some extent a product of haggling between the UN Civil Administration and the OSCE during 2000 over responsibility for NGO registration and monitoring.<sup>19</sup> Apparently, for a variety of budgetary and other reasons, UN Civil Administration was initially not pleased with having the LU under its aegis. When the LU eventually fell under the UN, it received little budgetary support, and tended to lack adequate capacities to perform the tasks of processing on average thirty to forty registration requests per week, as well as monitoring an ever burgeoning number of local and international NGOs. In 2000, for a period of a few months, the LU was operating with only a staff of two, with a single room as its premises. The unit has recently been under a full process of “Kosovarization,” under the authority of the Ministry of Public Services. Besides basic registration data and financial reports, the LU possesses very little information on the NGO sector in Kosovo due to inadequate tracking and surveying capabilities.

The LU is also charged with granting Public Benefit Status (PBS), a special status that NGOs can apply for which grants them special privileges in importing particular goods and raw materials, as well as certain tax benefits. With the criteria having been established in 1999, when Kosovo was in a state of humanitarian emergency, the requirements for PBS are quite liberal. Especially in the period during 1999 and early 2000, PBS was granted to the vast majority of NGOs. In exchange for privileged status, PBS requires NGOs to provide an annual financial report to the LU. In practice, this has been a difficult requirement to implement, due again to inadequate staffing and poor organization.<sup>20</sup> At any rate, the issuance of PBS was curtailed in 2000, so that today, the proportion of NGOs to enjoy such status is estimated at fourteen percent.<sup>21</sup>

The procedure for reviewing and approving PBS applications is ill-defined and unsound. It is ultimately the head of the LU which has authority over granting PBS, which entails a great deal of power for a single official. The review process for PBS, moreover, does not include among its ranks neither Kosovo’s taxation authorities nor any representatives from the NGO sector. For this and other reasons, PBS has many times emerged as a problem between the LU and various other segments of the international administration. Some of the biggest problems have occurred between the LU and the Customs Service, the agency that must ultimately act on the status by allowing

certain goods to pass through Kosovo's borders untaxed, based on a simple certificate issued by the LU.<sup>22</sup>

Besides the LU, another important component of the international administration's NGO policy is the activity of the Organization for Security and Cooperation in Europe (OSCE), which is the key institution-building pillar of the UNMIK mission. While UNMIK was tasked with establishing and implementing a legal framework, the OSCE directed its resources towards NGO development and capacity-building. Under the aegis of the OSCE's Department of Democratization, the OSCE established throughout major cities in Kosovo NGO Resource Centers, whose purpose was to provide basic resources and assist newly-formed NGOs in completing the registration process. In 2001, these Centers were placed under the management of Kosovar NGOs.

The OSCE's approach, which views NGOs as having a narrow and functionally defined role to play vis-à-vis other parts of Kosovo's society, sought to install mechanisms of centralized management and control of the sector. This bureaucratizing approach is one of the most marked failures in this institution's mission to "develop civil society." The OSCE's major civil society initiative, the NGO Assembly, an organization intended to function as a surrogate "parliament" and an umbrella organization for all of Kosovo's NGOs, failed in attracting any serious following. And while the initiative certainly produced neither the kind of centralized structure, nor the homogenized, harmonious NGO image that the OSCE sought to manufacture, it is nonetheless hailed by the mission's former chief as one of its greatest accomplishments.<sup>23</sup> As one NGO legal expert critical of the OSCE's approach put it in 2001, "we don't need another Socialist Alliance," referring to the socialist-era front organization which had included and placed under its influence all associations.<sup>24</sup> While the OSCE had certainly not intended to reestablish the Socialist Alliance or an organization of that nature, the refusal of the majority of influential NGOs to join such an organization reflects both the suspicion members of Kosovo's civil society have formed against any type of massive organization which purports to "represent civil society," and the flawed manner in which the OSCE attempted to unite all NGOs under a single umbrella. And while the OSCE continues to brandish its civil society development activities as one of the main pillars of its institution-building mission, its role in overall sector development seems to have been marginal.<sup>25</sup>

## **Donors and donor policy**

While UNMIK managed to perform its duty of NGO regulation, registration and monitoring at a meagerly adequate level, and the OSCE's contributions to NGO development are unremarkable, international donors certainly had a very different impact on the sector's growth. Largely due to the profuse amount of funding these organizations provided, especially in the immediate postwar period, the donor community in Kosovo deeply impacted the structure, orientation, and nature of NGO activity. The globaliz-

ing force of international donors, who tend to apply a series of uniform policy standards and success-assessment measures throughout the regions of the world in which they operate, partly contributed to a booming NGO sector in Kosovo, turning it into the type of bustling field which was witnessed during the 1990s throughout postsocialist and various “Third World” states in which foreign donors took a direct role in “civil society development.”<sup>26</sup> From this vantage point, rather than just a local phenomenon, the booming NGO sector in Kosovo can be considered as yet another local consequence of the shifting global developmental policies of Western development agencies and private donors and their explicit focus on NGOs.

During the 1990s there was only one international donor operating in Kosovo, the privately-funded Open Society Foundation (OSF). During the 1990s, OSF supported a series of cultural and educational activities in Kosovo, such as the publication of textbooks and supporting arts and intellectual work, which were greatly suppressed during Kosovo’s rule by Belgrade. In 1999 OSF, which had until then worked as a branch of the Belgrade-based OSF, became an autonomous entity led by a fully Kosovar board of directors, with full autonomy in deciding local policies and funding priorities within the general goals set by the foundation. In this sense, in line with OSF’s global policy, the Kosovo OSF (also known by its acronym, KFOS) became a internationally-funded institution staffed and led by local Kosovars. A similar organization, this one supported by funds from the European Union (EU), is the Kosovo Civil Society Foundation (KCSF). Like KFOS, KCSF is led by a Kosovar board, which autonomously decides on the foundation’s NGO support policies. Both KFOS and KCSF share the policy of supporting the growth of civil society in Kosovo through providing short-term funding and grants, as well as working directly with local authorities in providing funds for training and other activities.

In addition to these hybrid organizations which are funded internationally but locally staffed and managed, there are a number of foreign-led, largely government controlled development agencies which provide funding for NGOs in Kosovo. Out of these, the most prominent are the US Agency for International Aid (USAID), the British Department for International Development (DFID), German Office for Reconstruction and Development, the Swedish International Development Cooperation Agency (SIDA), and the Swiss Agency for Development and Cooperation (SDC). In addition, foreign diplomatic offices in Prishtina also provide a limited number of grants to NGOs, and there are a number of smaller private or semi-private foundations that provide or have provided NGO funding. Foreign-based religious organizations also provide a variety of funding for humanitarian and other charitable purposes, usually with the purpose of religious proselytizing. In contrast to the locally-run KFOS and KCSF, these donors largely base their local priorities on the basis of their respective funder’s or government’s global policy goals. Overall, the picture one obtains for the period from 1999 to the present is one of an abundance of donor money for a variety of NGO activities.<sup>27</sup> While exact figures are unavailable, official reports of NGO annual revenue are 411 million euros in 2000, 211 million euros in 2001, and 207 mil-

lion euros in 2002, with these numbers being almost certainly underestimates.<sup>28</sup> By comparison, Kosovo's total 2003 budget was 490 million euros, with around 160 million euros allocated for education and social assistance *combined*. Such discrepancies concretely illustrate the favoritism that international aid and development agencies exhibit for private organization as opposed to supporting critical public institutions. As for NGO funding, the drastic difference between 2000 and 2001 is reflective of the enormous drop in donor support for NGOs. It should be noted, however, that most of the reported funds were spent by international NGOs, a large number of which have since 2001 left Kosovo for other crisis hotspots. The shrinking revenues are therefore also indicative of the much smaller number of international NGOs working in Kosovo.

Over ninety-seven percent of local NGO revenues in 2000 and 2001 are reported to have been derived from donor grants, as opposed to revenue from dividends, interest, and economic activity.<sup>29</sup> The source of most funds is grants by foreign donors, such as those enumerated above.<sup>30</sup> And while the purpose of this report is not to evaluate particular funding programs or donor policy goals, the fact stands out that the vast majority of funding is done on the basis of short-term, project-based grants that seek to fund particular NGO activities. Under such terms, donors tend not to offer funding for general goals or for the long-term operating costs of NGOs. It is under the influence of donor policy that the term "the project" has become standard in NGO parlance, being both the central point of reference and the main *raison d'être* for many NGOs. From the donor's point of view, short-term funding is partly treated as a facilitator for "capacity building" – the development of sustainable, indigenous organizational and management skills. This is reflected by an approach to NGOs which supports mushrooming and proliferation, under the notion that out of the deluge the strongest and ablest will survive.<sup>31</sup> From the point of view of local NGOs, developing projects that are attractive to donors is usually the group's central preoccupation.

Heavy reliance on international donors for funding has at the same time undermined capacities and efforts for local self-sustainability. As an illustration, none of the interviewed NGOs, with the exception of unions and KLA veteran organizations, had any concrete plans for financial sustainability without donor support. While during the 1990s, Albanians supported the parallel education system through a voluntary three percent tax, such a level of solidarity for common goals seems to have waned in the postwar period. Only a small number of groups seem to have retained a level of cohesion and solidarity to maintain organizations through self-sustainability and the pooling of resources. Most groups function on a largely entrepreneurial basis, adjusting goals and structuring activities on the basis of the type of funding available from donors.

Thus, for the vast majority of NGOs, operations are heavily dependent on foreign donors, whose funds for Kosovo have in the past two years continued to dwindle. When asked for alternatives, most respondents believed that there may be possibilities of raising funds through the commercialization of services and various profit-making

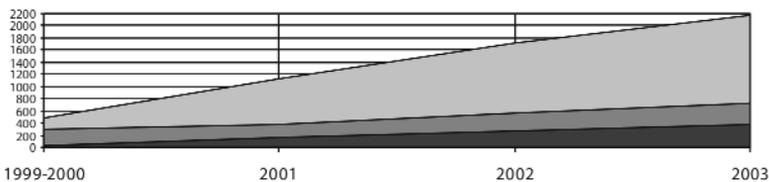
activities. Such business-oriented thinking is not uncommon among many Kosovo NGOs, reflecting their largely entrepreneurial nature, as well as the highly competitive environment in which they vie for donor monies. However, as historical experience shows, in Kosovo and elsewhere, political and social activism and profit-making do not always go together.

On the other hand, few of the interviewed NGOs had seriously entertained the idea of generating funds from Kosovar sources, whether in terms of individual donors or businesses. Most thought that such a policy would open the door to pressure and influence from individual Kosovar businessmen. And few NGOs have assets which they could profit from; options for raising funds through trusts, interest, and dividends in Kosovo's underdeveloped market economy are limited anyhow.<sup>32</sup> Furthermore, while Kosovo's government circulates vast amounts of public monies in private contracting for commercial services, it has thus far not allocated any funds for NGOs. With international donations for Kosovo shrinking, the inability of NGOs to resolve questions of financial sustainability does not bode well for their future sustainability.

### The donor-driven NGO boom and its aftermath: an analysis

While the vast amounts of donor funding, especially during 2000 and 2001, created an environment conducive to NGO entrepreneurship, the Darwinian approach to NGO development may have possibly led to a squandering of funds on relatively irrelevant and low-impact projects, instead on focusing on particular organizations and building their capacities for long-term sustainability. After four years of heavy investment in civil society, a large number of NGOs have dissolved almost overnight, whereas a considerable number tend to operate on an irregular basis. Moreover, existing groups also feel the pressure of the reduction of donor funds. While exact figures are unavailable, various observers estimate that no more than a third of the nearly 2,200 officially registered local NGOs are active.<sup>33</sup>

Graph 1. NGO sector growth, 1999-2003. Based on official registration data.



■ Registered NGOs ■ Estimated Active ■ Minority NGOs (Registered)

In addition, government-funded donors have tended to fluctuate their funding priorities on the basis of their government's shifting policy goals in Kosovo. Thus, one notes how after 2000, with the increasing focus on the flight of and violence against minorities, especially Kosovo Serbs, many donors shifted their funding policies to focus on programs that centered around the protection of minorities and minority rights. Following this change in donor policy, a number of Kosovo NGOs shifted their own activities towards organizing projects that were related to minorities, such as various conferences, roundtables, and other activities related to minorities or which include minorities as participants and/or "target populations" as recipients of training programs or other forms of assistance. Government-funded donors also tend to align their funding priorities with short-term UNMIK policy goals, considering the role of NGOs to be limited to that of providing local assistance to the operation of the international mission administering Kosovo.

The shifting goals of donors, combined with a policy of only funding short-term activities, have produced a segment of largely non-specialized NGOs, whose broad focus is "democratization," "reconciliation," and "human rights," but whose specific goals and activities are ever changing. This is reflected in the answer of one NGO activist after being asked about the goals of his NGO: "our goals change, depending on what donors want."<sup>34</sup> Another activist compared the activities of his organization with that of a construction company: "we tell them this is what we can do for you, and they decide. Whatever the donor wants, we deliver."<sup>35</sup> Given the dependency of the majority of NGOs on donor funding, economic pressures are undoubtedly the main factor that explain such flexibility. However, donor pressure on NGOs to alter their projects to fit donor agendas is also a regular occurrence, as indicated by many NGO representatives in interviews. Driven by needs of adequate reporting to their home base, donors tend to measure success in terms of a variety of bureaucratic benchmarks that may be irrelevant to actual conditions in Kosovo, and local NGOs are forced to perform under those benchmarks, regardless of their better judgment.<sup>36</sup> In the face of such pressure and the widespread competition for funds, few NGOs have the capability to resist donor demands.

### **NGO Activity: Service Providers or Political Pressure Groups?**

The structure of incentives, especially the influence of powerful donor funds, has determined the nature of NGO activities and goals. This is reflected in table 1 below, which represents a rough classification of NGOs by type of goals, based on the NGO's declared goals in its official registration record.

The data on table 1 is the result of an analysis based on a random sample of fifty domestic NGOs from the official NGO registry for each year, while the classification is based on the stated goals of the organization in their official statute.<sup>37</sup> *Associations* are defined as organized groups of specialized individuals, whether defined professionally

Category				
Year	Association	Service provider	Political pressure/ interest group	Total number registered per year
1999-2000	20%	76%	4%	492
2001	42%	34%	0%	625
2002	32%	38%	4%	590
2003	20%	60%	20%	463

Table 1. NGO goals classified by type. Residual numbers represent NGOs with unavailable data.

or otherwise, whose main goal is to bring individuals together under a single organization for a variety of reasons. Examples include professional associations, sports leagues, hobby groups, fan clubs, etc. While such groups may sometimes have explicit political goals (such as the legal regulation of a professional field, such as pharmacists, lawyers and professional auditors), the political interests of these groups are perceived to be rather limited whereas building a membership base is central.<sup>38</sup>

*Service providers* are groups which organize for particular purposes of social change, but which seek change primarily through the autonomous organization of activities and the provision of services to targeted groups. Examples of these include privately organized cultural groups, charities and humanitarian groups which provide services through direct assistance and intervention. The defining feature of these groups is that although they may have a variety of social transformational goals, pressuring the government is not the main means they employ to achieve those goals. Finally, groups which seek to shape official state policy are counted as *political pressure/interest groups*. Such groups have explicit political goals and seek to directly influence the direction of state policy by a variety of means. This does not mean that these groups do not provide any services of their own, but that their overarching goal is influencing and changing state policy in a particular area, or seeking state intervention where there is none. As can be seen, the proportion of NGOs with such goals is quite small.<sup>39</sup>

At least two observations stand out from the data. First, the numbers on the table reflect the possible effects of particular donor policies, informed by neoliberal understandings of the role and functions of civil society. The neoliberal paradigm in development policies, which includes NGO sector development, has been critiqued by other authors studying NGOs and development policies throughout so-called “Third World” countries.<sup>40</sup> In essence, this view, based on an ideology that holds the market to be the central mechanism of social cohesion and economic well-being, holds that social services traditionally provided by the state should be curtailed and instead performed by private groups.

In Kosovo, this is reflected in the extremely small number of NGOs that are directly oriented towards demanding or modifying state intervention, and the marginalization of those that have a direct interest in influencing official policy, a phenomenon that is discussed later in this report. In this sense, NGOs are envisioned as service providers and largely apolitical organizations, which fill gaps that profit-seeking enterprise and state intervention cannot fulfill. In Kosovo, moreover, the apolitical nature of NGOs is also prescribed by law.<sup>41</sup> Hence, UNMIK and donor policy have created a climate that favor NGOs engaged in service-provision as opposed to those that have more explicit political goals.

Second, the data is indicative of the rather closed nature of the political system in Kosovo. Few groups have an incentive to organize politically when political life is dominated by rigid party structures, and when major policy decisions are made largely outside of the purview of the public. UNMIK Regulations are promulgated with little or no public input, while laws proposed in the Assembly are prepared by Ministries and foreign experts who rarely make them available for public discussion. Issues arising from such a condition are discussed below. The observable spike in 2003 in the number of NGOs with political goals is indicative of how deeply the general institutional framework affects Kosovo's NGO sector. The establishment of the PISG and the greater availability of donor funds for projects geared towards "advocacy" and political lobbying has arguably resulted in a growth of organizations that have explicit political goals. However, the number of such groups is still small compared to organizations that mold their goals and activities according to the general service provider model.

To briefly summarize, the availability of donor funds and the limited opportunities for direct political action have created the conditions where the vast majority of NGOs have no explicitly defined political concerns, are driven by short-term planning, and are oriented towards providing services as opposed to direct political activism. Institutional changes during 2003 have affected the nature of NGO goals – growing political opportunities have been conducive to the establishment of politically-oriented NGOs.

### **The segmented nature of the NGO field**

As indicated above, the NGO field in Kosovo, far from being a uniform and homogenous sphere, is segmented and highly fragmented. This is not only a result of the proliferation of NGOs, but also of the antagonistic relationships between major NGO groups. In terms of segmentation, the NGO field is for a variety of historical reasons divided into four major "tiers." These tiers are by no means homogenous in the types of interests they represent and their forms of activities, nor do they necessarily constitute a particular movement, but simply represent tendencies based on social groupings, organizational histories, and inter-NGO linkages. The first tier includes organizations that have pre-dated the war and the NGO boom after 1999. This includes large-scale network organizations such as the aforementioned KMDLJ and the Mother Teresa

Association, unions, and a variety of groups and associations inherited from the socialist era. The second tier includes organizations that have pre-dated the war but were not organized in mass-based networks and tended to maintain a critical attitude towards the LDK and other political movements of the 1990s. In addition to *Koha Ditore*, Kosovo's first independent daily, this includes more independent minded think-tanks such as the Kosova Action for Civic Initiatives (KACI), RIINVEST, as well as KFOS. The third tier includes the vast array of NGOs that have emerged after the war, a majority of which tend to be marginal groups in terms of the known "players" in the NGO sector, but some of which have now become firmly established in the field, groups such as KCSF, KODI, FDI, Kosovo Women's Network, and KIPRED.<sup>42</sup> The final group consists of organizations that have succeeded the disbanded Kosovo Liberation Army (KLA), groups which are sometimes not even recognized by others in the field as NGOs, in spite of possessing such a status legally as well as organizationally. Underlying these different tiers are a variety of inherited social networks between actors which have at various points been politically active during the 1990s and before, as well as younger actors which have only recently become involved in social and political activism in the more recent wave of NGO emergence.

While these networks have no definite structure, they tend to focus on individual personalities who dominate particular "cliques." That "cliques" exist among NGOs is acknowledged by most NGO activists in Kosovo.<sup>43</sup> Particular NGOs tend to be identified as being allied with either one or another such clique, and particular cliques tend to be associated with a particular donor or groups of donors. The antagonism existing between such groups surpasses that of what one could consider a "healthy competition," because animosities and intolerance tend to stretch into a highly personal level.<sup>44</sup> Such animosities work to prevent any type of joint initiative and cooperation, often by simply making them unthinkable. While there are a variety of factors that can account for such divisions, these are neither ideologically-based, nor (as a prejudiced view might believe) are they based on family-ties and kinship. One undeniable factor is competition for an ever-dwindling amount of donor funds, which are crucial not only for maintaining organizations but, since organizations are strongly recognized by the individual that heads them, for personal status and prestige as well. The unstable economic environment in Kosovo merely exacerbates such concerns, as well as the rather intimate and personal nature of ties between major members of the NGO field, particularly in Prishtina.

Another evident trend is for most NGOs to be located in the capital. Prishtina has by far the greatest proportion of NGOs in Kosovo and as such it stands out as an exception to the more or less evenly distributed number of NGOs throughout other municipalities, based on their population (see Graph 3 in Appendix). In addition, NGO participation includes to a proportional degree members of all ethnic communities (see Graph 4 in Appendix). This means that activity from and within civil society is not unique to Prishtina, nor is it limited to the Albanian majority.

From the point of view of associational life within municipalities, the trends illustrate the major transformation of the mode and degree of NGO participation since the end of the war. During the 1990s, groups operating outside of Prishtina tended to function as branches of organizations headquartered in the capital, constituting a hierarchical structure starting from local activists to the leadership in the capital. This trend has now been replaced with a rise in independent regional, town, and village level organization. As the trend of organizing local women's support groups, environmental organizations, local lobby groups, and a variety of other organizations catering to local needs, pluralism has invariably taken hold within municipalities. Prishtina no longer dominates organizationally, though most funds continue to be channeled through the capital. Prishtina-based donors have also directly influenced the building of local organization, through trainings and financial incentive.

An instructive example illustrating the development of local NGOs is the project undertaken by KCSF and the Canadian group Alternatives during 2000 and 2001 in the small, impoverished and war-ravaged municipality of Glogovc (Drenas). Before the said groups began their project of NGO support, Glogovc had three branches of Prishtina-based groups, and only one local NGO. After the NGO support project took place, which included a series of trainings and publications on NGO organization and management, the number of NGOs in Glogovc rose to 21, with 14 of them being locally based organizations.<sup>45</sup> While the KCSF-Alternatives project was not the only contributing factor to the rise of local NGOs in Glogovc, it illustrates a common trend throughout Kosovo, with a greater number of locally organized groups taking the place of centralized branch organizations.

The impact of local organization is not relevant only in the impact it has on the Kosovo-wide structure of NGO activities, but also its implications for municipal politics. With the establishment of elected municipal administrations in 2000, the NGO sector has played a crucial role in generating pressures for the opening of municipal politics to greater citizen participation, and the imposition of local agendas as opposed to the tendency of parties to follow the party line set in Prishtina. For instance, a campaign by a coalition of NGOs in Gjakova during 2003 resulted in the promulgation of a law which made Assembly proceedings, committee meetings and municipal documents open to the public.<sup>46</sup> In another example, a leading member of the USAID-funded Kosovo NGO Advocacy Project (KNAP) tells of a case in the town of Viti in which a municipal officer was fired for stealing 50 EUR from municipal funds. The pressure to fire the officer had come from a group of NGOs, which uncovered the incident and pressured the municipal leadership to discipline the officer.<sup>47</sup> Though cases such as this may seem trivial given the complex problems Kosovo faces, they illustrate the importance of the local NGO sector in opening up local political structures to greater democratic participation, and applying oversight that influences the functioning of municipal administration. This does not mean that local NGOs are fully satisfied with the work of their municipal administrations. An activist with the Gjakova NGO Forum, complains that corruption, cronyism and ineffective leadership plague his municipali-

ty's local administration and that NGO activities can do little to change that without major institutional reform.<sup>48</sup>

### **Problems of professionalism and internal organization**

Another critical problem faced by many NGOs is the poor level of professionalization and weak internal organization. This is indicated both at the formal level of codified rules, regulations, and operating procedures, and at the substantive level of the day-to-day conduct of business.

A review of the statutes of a random sample of registered NGOs illustrates the limited emphasis most NGOs place on internal organization, such as establishing procedures for the election of boards and appointing individuals to leadership positions, the clear definition of lines of authority and accountability, and financial transparency. The vast majority of NGOs register by making simple modifications to the standardized sample statute developed by the OSCE, without adapting the various elements of the statute to the particular goals and needs of the organization. For most NGOs, registration is considered a formality and in many cases, statutes and other founding documents are rarely approved jointly by members.<sup>49</sup> In many cases, even organizations that are registered as membership associations are run like private businesses, with the founder assuming the position of chief executive and conducting all of the NGOs business. This is true not only of novice groups, but of well-established NGOs as well. A review of the statutes of several of these organizations reveals ill-defined procedures for electing boards, as well as the registration of closed, foundation-type organizations as membership associations which in their statutes state that membership is open to all and leaderships are elected by general assemblies of members, in complete contradiction with the actual nature and operation of the organization.<sup>50</sup>

Furthermore, the element of personal domination of individual leaders is indicative of the poor level of institutionalization of NGOs. Turnover, at least at the leadership level among major NGOs, is low, with NGOs tending to dissolve when the founding member relinquishes his or her activities or leaves the organization.<sup>51</sup> Rules of conduct, employment contracts, and regulatory documents are found only in rare cases, with hiring tending to occur along family lines or close social circles. Financial transparency is limited to donor monitored budgets based on single projects, and to the small number of NGOs with Public Benefit Status that are required to submit an annual financial report to the authorities. All of these raise serious questions about the level of institutionalization, accountability, and democratic organization within NGOs themselves, with arbitrariness, ill-defined working procedures and division of tasks, and individualistic domination prevailing throughout the sector. Such a situation exists also as a result of the limited number of legal mechanisms that require NGOs to be transparent to the public, making foreign donors, by virtue of their power to grant or refuse funds, the only entities that, to the limited degree possible, monitor the accountability, reliability,

and transparency of NGOs.

NGOs also participate in a highly competitive labor market for individuals with specialized skills and administrative experience. Thus, part of the reason of poor institutionalization is not found only within the structure of organizations themselves, but in the economic environment in which they operate. In this respect, domestic NGOs are in direct competition with UNMIK, other international organizations, larger firms, and the public sector for skilled employees, especially those that speak the English language and can perform complex administrative tasks and fieldwork. Official data, based on a survey, indicate that in 2000, domestic NGOs employed over 3,000 full-time employees throughout Kosovo. With diminishing funding, that number dropped to a little more than 700 in 2002.<sup>52</sup> Nevertheless, at 500 euros monthly, average salary levels in the NGO sector continue to be more than double those in the public and private sectors.<sup>53</sup> This has made NGOs attractive to highly skilled, sometimes Western-trained Kosovars, and together with the high salary levels offered by international organizations and a variety of private businesses, pose an extremely difficult challenge for the public sector to compete for skilled labor.

In summary, NGOs still face enormous challenges in developing their capacities for professional work and accountability. Beyond attractive logos and eye-catching letterheads, this entails a stress on devising appropriate rules for governing organizations, and ensuring that those rules are followed properly in the election of leaderships and governing bodies. Such accountability cannot be guaranteed through laws and state intervention; rather, it is up to the NGO community to collectively think through the modes of collective behavior it wishes to promote in the wider society. Self-monitoring and commonly determined standards of ethics and organizational behavior are one of the ways in which this can be achieved.

### **Changing political nature of NGOs**

In the NGO field in Kosovo, and particularly in Prishtina where the majority of NGOs are concentrated, there are a number of NGOs that are generally considered to be dominant and influential. While this dominance and influence may not necessarily be reflected among members of the general public, it is generally exhibited within the NGO field itself, in the donor-driven competition for “projects” and funds. The short-term, project-driven funding policies of donors have had an effect in not only shaping the emerging NGO sector, but also in transforming the role and activities of NGOs established prior to the influx of donor money. A concrete example of such transformation is KMDLNJ, one of Kosovo’s oldest independent organizations. KMDLNJ is Kosovo’s most well-known and largest human rights monitoring group, consisting of a widely diffuse network of activists covering all of Kosovo. During the 1990s, its activities included monitoring and the publication of comprehensive reports on human rights abuses, an activity which it continues to this day, as well as reacting through pub-

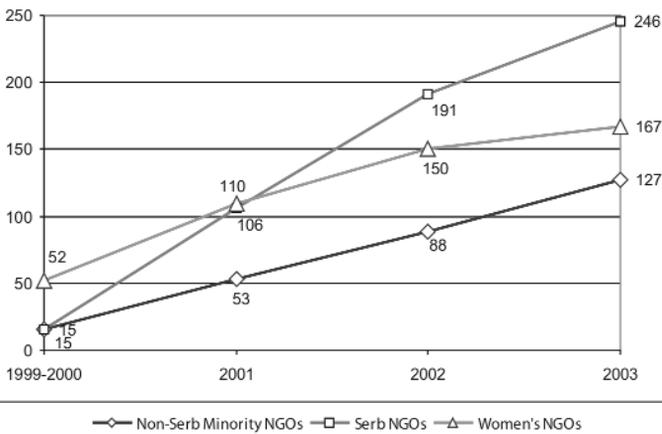
lic communiqués against particular cases of what it deems to be a violation of human and other rights. However, one notes how in the postwar period, KMDLNJ directed some of its organizational resources towards a variety of short-term projects, such as elections monitoring, monitoring the proceedings of municipal assemblies, and the organization of one-time events, based on the availability of donor funds. As one of its leading officials explains, one positive effect of donor funding is that it has enabled KMDLNJ to expand by establishing a presence in Serbian-inhabited regions, such as Zvečan, Leposavić, and Gračanica, and to include minorities among its ranks.<sup>54</sup> Yet even a well-established organization such as KMDLNJ had to adapt to the new NGO environment in Kosovo, not only in terms of reorienting its goals but also in restructuring organizationally, engaging in new types of activities, and participating in new forms of fundraising.

One notable trend in the sector is the increase of NGOs founded by members of ethnic minority populations, or catering to the needs and/or interests of these groups. Graph 4 in the Appendix lists the proportion of minority NGOs by municipality, showing that the number of minority NGOs tends to roughly reflect the proportion of the population minorities constitute in each municipality, while Graph 2 below illustrates the expansion of minority NGOs, particularly Serb ones.<sup>55</sup> Serb NGOs outnumber all other minority NGOs, indicating the relatively high level of participation of Serb or predominantly Serb organizations in Kosovo's NGO sector. Though this does not tell us anything about the easing of the difficulties faced by Serbs due to their social isolation within Kosovo, it does suggest that non-state, non-party organization is continuing to expand among Kosovo Serbs as well.<sup>56</sup> This is a historical shift for Kosovo Serb society as well, since very few local Serb NGOs were in existence in Kosovo prior to the 1999 conflict.

The growth of women's NGOs demonstrates the awareness – at least among Kosovo's women – of the problems of gender inequality in Kosovo. Though women have been treated by UNMIK and the OSCE as a group with special needs, especially with the designation of quotas for women on electoral lists, Kosovo's women continue to be discriminated against, maltreated, and face much greater employment difficulties than men. Domestic and sexual violence, as well as female trafficking and forced prostitution, thousands of cases of which are recorded each year, are also disturbing phenomena in Kosovo. However, though the number of NGOs founded with the purpose of either providing assistance to or representing the interests of women, few of the negative trends of women's abuse have subsided.<sup>57</sup> Like with most other NGOs, a large portion of these NGOs seem to emerge partly in response to funding opportunities. One notes, for instance, the large number of women's NGOs that organize training programs for sewing and tailoring, though textile employment is extremely scarce in Kosovo. Women's NGOs thus may not be different from the general trend, which is skewed towards quantity as opposed to quality – NGOs form to take advantage of funding opportunities, regardless of the usefulness or effectiveness of the programs they implement. And, like with most NGOs, these groups tend to be organized towards

the provision of services (such as week-long training programs) as opposed to lobbying for women’s rights or seeking greater political representation. Sevdije Ahmeti, director of the Center for Protection of Women and Children, an organization founded in 1993, notes these problems. In differentiating between established NGOs and fly-by-night groups, she states, “Not all NGOs are part of civil society – a large number of them have emerged as a result of searches for employment opportunities.”<sup>758</sup> Statements such as these illustrate the sharp distinctions that long-standing members of Kosovo’s civil society make between themselves and new groups, many of which do not last beyond the point when grant money has been depleted after one or two small projects.

Graph 2. Growth in number of NGOs catering to ethnic minorities and women.



In distinction from other groups, unions are a special case of an organization with a long tradition and a strong constituency. All of Kosovo’s union organizations are organized under the umbrella of the Union of Independent Trade Unions (BSPK). As indicated above, unions are organizations that predate the 1990s but which during that period broke away from state control. Furthermore, unions largely preserved their organization despite having most of their members removed from the workforce after the Serbian takeover. After the war, unions sought to reestablish themselves by reclaiming old jobs and, based on practices inherited from the period of Yugoslav-style self-management, establish new governing organs for former enterprises to revitalize dilapidated plants and facilities. Success in this respect was limited however, as most enterprises were defunct and, with an exception of a small proportion of them, could no longer become economically viable. Matters were complicated also by UNMIK’s unclear policy with regard to former worker managed, “socially-owned” property, as defined by Yugoslav laws pre-dating 1989. It was only in 2003 that a special UNMIK privatization agency, the Kosovo Trust Agency (KTA), began the process of privatizing socially-owned enterprises, which had initially been, in largely ambiguous and

inconsistent ways, placed under UNMIK's authority but left to workers' groups or directors to manage and run.

In contrast to the majority of NGOs, unions have a direct interest in shaping policy and the institutional sphere of the state, given their function as representatives of worker interests vis-a-vis employers and state regulators.<sup>59</sup> Unions have tended to receive a smaller portion of donor support, although a variety of training programs have been implemented, especially with funding provided by agencies such as USAID.<sup>60</sup> The central issue of contention between unions and UNMIK authorities has been privatization. While unions are generally supportive of the privatization process, they fear that it can generate greater unemployment among union members, and that it may be detrimental to union organization. Hasan Abazi, president of the Metalworkers' Union, has told of cases of union-busting at several enterprises that were previously leased off by UNMIK to private companies.<sup>61</sup> Based on these precedents, fears are that unions will be either marginalized or chased-out of newly privatized enterprises, or that older employees will be laid off without any resulting benefit or pension, due to the inexistence of any requirements on the part of new owners to retain employees, and to Kosovo's inadequate public pension and social assistance schemes. Such threats to employees and unions are exacerbated by Kosovo's mammoth level of unemployment, estimated to be over sixty percent, and due to inadequate levels of protection of employees by the law and the court system.<sup>62</sup>

In the public sector, salaries have been a major bone of contention between the Teacher's Union (SBASHK), and UNMIK and Kosovo's Provisional Institutions of Self-Government (PISG). At the beginning of the school year in 2002 and 2003, SBASHK organized a strike to protest low salary levels of teachers and education employees. In 2002 these were answered by the Ministry of Education offering a six-month stipend to supplement teachers' regular salaries, but Ministry and other government officials have generally responded with the excuse that they have no control over Kosovo's public budget, which is formally adopted by the Assembly but devised and approved by UNMIK. On its end, UNMIK has generally shied away from dealing with union protestors, treating the issue as one to be handled by Kosovo's government. Yet with budgetary policy largely out of their control, Kosovo's authorities have little choice but point their finger at UNMIK, thereby absolving themselves of any responsibility for contentious political questions such as this.

Another group that has a key interest in securing entitlements from the state are organizations that have emerged from the disbanded Kosovo Liberation Army (KLA). These include the Association of War Veterans (SHVL) and the Association of War Invalids (SHIL), with a combined membership claimed to number 10,000. Having emerged from the former KLA, these groups have been viewed by UNMIK and other international agencies as hotbeds of radicalism. Yet, officially, these groups have rather legitimate demands: the recognition by law of a special status for all former KLA fighters, as well as special assistance programs for handicapped veterans as well as other

Kosovars who have been incapacitated as a result of fighting during the war. These ongoing demands partly reflect the negligence of UNMIK and international aid organizations to the rehabilitation and needs of these former fighters and their families.

Ironically, these groups that have been largely ignored by donors are also the ones to have found the most stable means of local self-sustainability. SHIL, for example, receives a monthly donation from the employees of Kosovo enterprises, who share a percentage of their personal income with SHIL for purposes of aiding former veterans and their families. In addition, the organization receives individual donations from Kosovar benefactors. SHIL receives no aid from the government but, according to one of its officials, in 2003 managed to obtain a budgetary allocation from the Ministry of Health to be used for the needs of invalids who need specialized medical attention outside of Kosovo. In addition, SHIL requires that all of its handicapped veterans be certified as having a physical or mental incapacity by the Ministry of Health. In spite of pressure and negligence - a charge which the chairman of SHVL does not spare even the political parties which emerged out of the KLA<sup>63</sup> - these groups have managed to maintain ties with official institutions and organize for self-sustainability.

### NGOs and the political system

In contrast to NGOs involved in short-term project implementation and various types of service-provision - those that UNMIK and the OSCE have touted as representing *the civil society* of Kosovo - unions and war veteran and invalid groups represent concrete examples of organizations which have a direct interest in affecting state policy and thus present ruling authorities with direct political challenges. With increasing distance from the end of the conflict, groups such as these have been increasingly less hesitant in embracing such a role and taking a direct part in articulating demands on behalf of their constituents. In the case of unions one notes a largely successful (if not necessarily planned for) transformation of organizations that were once based on resistance politics to organizations that exhibit, articulate, and struggle for particular demands which directly affect the standard and quality of living of its members. Unions, as shown, have also turned to organizing protests as a means of political pressure against the Kosovo government and UNMIK.

However, while Kosovo's society has since the end of the war exhibited a process of political segmentation along various, non-ethnically exclusive lines of cleavage - a fact demonstrated by the various identities and interests that are represented through civil society - UNMIK continues to overemphasize the problem of interethnic relations, as if this issue can be treated in isolation from Kosovo's enormous problems of postwar trauma, massive unemployment, acute levels of social dislocation, and the fragile state of its public institutions, as well the underlying insecurity created by Kosovo's undefined political status. In opposition to UNMIK and the narrow, nationally-driven political agendas of parties, Kosovo's NGO sector demonstrates the existence of a deep-

seated pluralism that, instead of being courted but fundamentally kept out of the political process, needs greater opportunities for institutional channeling.

On the other hand, the interest in political expediency has led UNMIK to limit discussion on policy questions with the leaders of Kosovo's main Albanian political parties, as well as political leaders deemed to represent minority populations. The first unelected representative body established by UNMIK in 1999 included individuals believed to represent the voice of civil society, but in this multivocal sphere, party leaders were considered to hold the most political clout.<sup>64</sup> As a consequence, most criticism against the violence that befell Kosovo after war, especially that committed against the Serbian minority, was directed against Kosovo's political leaders, although their authority to control or influence the violence was never clearly demonstrated. The role of groups such as KMDLNJ and that of independent voices in the media in renouncing the violence was largely brushed aside by UNMIK, and instead Western diplomats in Kosovo pursued a policy of publicly stigmatizing Kosovo's entire Albanian population for the postwar violence, which was being experienced not only by minorities but by Albanians as well.<sup>65</sup> The paternalistic scolding of Kosovo's Albanian population was the first step in alienating and politically marginalizing Kosovo's civil society, in that party leaders were always the favored interlocutors, at the cost of marginalizing other parts of Kosovo's society. Arguably, such a policy served to further maintain ethnic divides and ethnic party representation, and tended to ignore the potential to strengthen moderate forces found within civil society.

The potential role that could have been played by civil society in the question of inter-ethnic reconciliation immediately after the war is one of the most important opportunities missed by UNMIK. The question of reconciliation, which inevitably requires the addressing of the question of postwar justice, was never adequately addressed by UNMIK. UNMIK could have used its unique position to start, in close cooperation with all segments of Kosovo's society, a process of grassroots reconciliation through truth commissions, the proper prosecution of wartime and postwar criminals, and institutionalized forms of restitution in the form of South African style truth and reconciliation tribunals. While such efforts may not have produced the type of tolerant society one may ideally wish to see in Kosovo, they would have nonetheless started a process which may have eased some of the interethnic tensions that continue to exist. Instead of focusing on such a process – a critical one for any post-conflict region – UNMIK, under its first administrator, Bernard Kouchner, chose a policy of denunciation, scolding, and moral pontificating directed towards Kosovo's Albanian population, a policy which in various forms and degrees continues to this day. Such a policy clearly damaged the potentialities that were to be found among Kosovo's civic groups for making the initial steps towards postwar catharsis, and polarized populations even further along ethnic lines by strengthening, especially among Kosovo's Serbs, former regime apparatchiks, radical nationalists, and dogmatic religious figures, who were unquestionably embraced and promoted by UNMIK as "Kosovo's ethnic Serb representatives." Soon enough, some UNMIK and other Western officials began to speak

and act as if a war never occurred in Kosovo, or, under the guise of neutrality, exhibited the attitude that blame for the war must be equally distributed among all of the parties in the conflict. The consequence of this approach have been increasing feelings of disgruntlement and frustration among Kosovo's Albanians, many of whom believe that questions of postwar justice were never adequately addressed.<sup>66</sup>

The question of postwar justice, although now largely overshadowed by problems of massive unemployment, institution-building, political problems over Kosovo's status, and the violent events of March 2004, is one of the central questions that needs proper addressing if Kosovo's civil society is to reflect its democratic potential. It is not surprising that it is among NGO groups that one finds moderate voices which speak of peace and democratic coexistence, as well as members of ethnic minority groups who openly endorse independence for Kosovo. Within civil society, moreover, one finds NGOs which openly breach ethnic divides, and those groups rarely receive the public attention which is devoted to problems of inter-ethnic violence. Furthermore, official policy tends to emphasize and promote difference and institutional segregation, with the introduction of ethnic quota systems and other such mechanisms to correct or increase ethnic minority representation, and to avoid any questions of responsibility for past events, questions which have now been simply turned over to the justice system to be handled as cases of criminal conduct.

### NGO-s and the policy process

The other contributing factor to NGOs remaining marginalized in the political field is that, until the election of Kosovo's Assembly, the policy process itself was largely opaque, lacking transparency, with regulations being enacted with little consultation or discussion with the public. UNMIK is structured in such a way that the head of the mission, the Special Representative of the Secretary General (SRSG), acts as ultimate law-giver and law-enforcer at the same time, and also has authority over Kosovo's court system. With such widespread powers, UNMIK is responsible for governing all facets of Kosovo's life, and the process of transferring authority to PISG has been complicated and slow.

While on the one hand the presence of KFOR and UNMIK have generated institutional structures supportive of a relatively stable and peaceful civil life, the structure of those institutions have at times worked against democratic impulses and their inherently conflicting nature. The establishment of PISG has only further marginalized NGOs, whose protests, such as those of unions, are answered by angry Kosovar officials with claims that they have no authority over their demands. On the other hand in response to these protests UNMIK tends to avoid accountability telling NGOs and other citizens to raise their issues with Kosovo's elected authorities, and engages in public campaigns seeking to give "lectures in democracy."

At the same time, however, the establishment of a Kosovar parliament has created the

opportunity for NGOs to directly take part in the lawmaking process. While very few NGOs have attempted to gain access and influence the policy process through direct lobbying,<sup>67</sup> some NGOs have managed to push with Assembly delegates particular legislation pertinent to their interests. There have been recent cases in which NGOs have successfully pushed particular issues through the Assembly, such as a law for protecting the handicapped, passed after the initiative of Handikos, a group representing the interests of handicapped individuals. The Association of War Veterans of the Former KLA has also indicated its intent to submit a proposal for a law providing special status and services to war veterans and those who have been physically or mentally incapacitated due to participation in the fighting.<sup>68</sup> Furthermore, late in 2003, human and women's rights activists were invited to discuss with members of the Assembly a draft law against gender discrimination. These are singular cases, however, and such direct interventions and interactions between civil society and the Assembly on policy questions are rare.

The relationship between NGOs and the Assembly is directly related to the access NGOs have with political parties. Usually, NGOs and political parties tend to operate as distinct blocs and interlinkage between these groups is quite low. Generally, the relationship between NGOs and parties is largely antagonistic and competitive, rather than cooperative and driven by common interest.<sup>69</sup> There are a variety of historical reasons for such a condition, some of which were enumerated earlier, but two reasons stand out: first, the predominance of rigid, highly centralized party structures which prevents NGOs from having greater access to the policy process, and second, the very small number of NGOs that actually have explicit and well formulated policy goals which they can actively lobby for. Instead of lobbying through parties, NGOs tend to directly lobby members of the Assembly. While such an approach may prevent parties from forming standing constituencies and from NGOs gaining a meaningful input in formulating party goals, it does foster a spirit of consensus-based policies in which both civil society and parties partake in. NGOs should take advantage of the willingness of Kosovo's fledgling institutions to open their doors for NGOs to directly influence the direction of present and future policies and introduce a long-term, consensus-based form of cooperation between civil society and state institutions.<sup>70</sup> Constant pressure towards openness and transparency from civil society against Kosovo's elected authorities is also central to preventing the corporatization of Kosovo's public institutions, which is the present risk given the high level of cronyism and patronage within Kosovo's political parties, as well as Kosovo's electoral system which favors highly centralized parties.<sup>71</sup>

A similar effort to bring NGOs more closely into the policy process has recently been made by an USAID funded project known as the Kosovo NGO Advocacy Project (KNAP). Led by an NGO based in the southwestern town of Gjakova, it represents an untraditional approach to NGO funding as it specifically supports advocacy and lobbying efforts. Thus, instead of taking the usual service provider role, NGOs engage in lobbying efforts, usually at the municipal level, for particular policies, from making

municipal documents and meetings open to the public, to campaigns for laws banning smoking in public areas and places of business. Thus far, the initiative has exhibited some success, but questions remain on the viability and sustainability of such efforts after donor funding disappears.

At the same time, the role of civil society groups is not always one of confrontation with the political system, nor is it necessarily linked to demands for particular policies or entitlements. In fact, a wide variety of politically-oriented NGOs have directly taken part in campaigns supportive of the rule of law, minority rights, voter mobilization and so on. Politically active research groups such as the one publishing this report, as well as others such as KODI, KACI and RIINVEST, for instance, tend to take critical positions against UNMIK and Kosovo's political parties, but with the intention of guiding policies, informing debate, and providing feedback to the processes of political and economic reform. Others, such as The Forum, engage in active campaigns which use posters, advertising and television promotions to promote particular issues of public importance, such as in a more recent case to encourage Kosovars to support the public budget by paying customs duties and reporting cases of corruption. In cases such as these, NGOs assume not only the expected role of criticizing and undermine the work of governing authorities, but also support their public mission from a civic point of view, a critical step in the present stage of institution-building. And while most of these efforts have been made possible by donor support, they nevertheless reflect the civic initiatives found in Kosovo's society, in that most of the campaign initiatives, planning and execution are done by Kosovar groups themselves rather than by donor directive. Overwhelming reliance on donors has nonetheless fostered a belief among other segments that NGOs and civil society have been instrumentalized by UNMIK, a notion exhibited by statements such as the one cited at the beginning of this report, and which unfortunately NGOs have done very little to counter.

## NGO-s and the status question

To treat civil society as somehow insulated from the question of Kosovo's unresolved international status is to commit the flaw contained in the thinking which permeates much of Kosovo's international administrators and the view held many Western diplomats: the notion that if democracy can be developed in Kosovo, the unresolved question of Kosovo's status can be more easily addressed some time in the future. To believe that one can erect a wall between "everyday," "practical" political questions and the supposedly "abstract" question of Kosovo's status is akin to believing that one can make a pendulum swing in a single direction – it is both logically and practically impossible. UNMIK and the OSCE, however, have engaged in deliberate policies through which they have sought to focus the thinking of the citizenry on "practical" problems that can be resolved by the existing powers held by Kosovo authorities, while encouraging Kosovars to "ignore" more fundamental questions of the political status, security, freedom of movement, postwar justice, and economic reform.

While the need to assist in the transformation of Kosovo's political groups from a politics of resistance to a politics that is more appropriate to that of democratic statebuilding is arguably necessary, UNMIK and the OSCE also conduct a policy through which they seek to "educate" the Kosovar public by explaining that the primary interest of citizens should be the resolution of "everyday" problems instead of more complicated ones like security and political status.<sup>72</sup> On the eve of local and national elections, UNMIK and the OSCE have conducted publicity campaigns in which they call on the citizens of Kosovo to focus on "practical issues," such as electricity, roads, and schools, rather than questions of Kosovo's status. On the eve of the 2001 elections, the OSCE believed that citizens should cast aside the question of Kosovo's political status and learn to "exercise democracy" by gaining a "social and political awareness in a civil society," and offered a citizens' survey as "a tool for civil society to judge how the action of the elected leaders matches requests expressed by people."<sup>73</sup> When a number of Albanian participants in the survey offered the view that Kosovo's civil emergency force, the Kosovo Protection Corps (KPC), represents the future army of Kosovo, the OSCE disqualified those opinions as "proposals [that are] outside the realms of the Constitutional Framework"<sup>74</sup> – in other words, the OSCE finds legitimate only those political desires that remain within the framework determined by itself. In taking such a position, UNMIK and the OSCE are liable not only to the accusation that they are exhibiting a condescending attitude towards the political awareness of Kosovo's populace, but also that they engage in attempts to artificially narrow the field of politics by establishing criteria which determine legitimate and illegitimate demands. This springs from the simple fact the both UNMIK and the OSCE operate in Kosovo not only as institution-builders but also as *ruling authorities*.

However, the roots of the problem are not only the poor choices of policymakers running UNMIK and the OSCE but more structural, linked to the hastily put together postwar settlement, and the ambiguous nature of UNSC Resolution 1244, the document which keeps Kosovo under UN control. Resolution 1244 maintains the former Federal Republic of Yugoslavia's sovereignty in Kosovo (now represented by the new entity of the Union of Serbia and Montenegro), while charging the UN with building institutions of self-government. While the settlement seems straightforward, how one can, in the same territory, preserve one state's sovereignty while engaging in a new state-building project makes for an extremely complicated question. Since Resolution 1244 offers no substantial answers as to the scope and limits of Kosovo's self-rule, this question is also subject to political haggling. The Constitutional Framework promulgated by UNMIK lists twenty-eight competencies that are the responsibility of the PISG, while listing the "reserved powers," which are to be held by UNMIK. Among the powers fully acceded to PISG are education and science, youth and sports, spatial planning, and tourism, while UNMIK's reserved powers include establishing monetary and fiscal policy, security and policing, the functioning of the judicial system (including the power to appoint and dismiss judges), external (international) relations, and control over the civil registry. UNMIK also retains the power to veto laws approved by the Assembly, and to

dissolve the Assembly altogether. There is no question then, for Kosovo's citizens and civil society groups, as to who wields real power in Kosovo. Hence, the "abstract" question of the status has, in spite of UNMIK's and the OSCE's wishful thinking, deeply impacted a variety of "local," "practical," and "everyday" political issues, starting from the question of who owns the local water utility to whether Kosovars enjoy any actual citizenship rights.<sup>75</sup> Given the uniqueness of Kosovo's position vis-à-vis international law, many of these questions have been subject to quasi-legal (i.e., political) interpretation, thus creating deep fissures between UNMIK and the local authorities, and have aggravated civil society groups that are unable to address major issues when the system is premised on finding tentative, short-term solutions.

In this sense, some of the central issues affecting civil society and the NGO sector are not only haphazardly connected to the status question but are *directly* related to it. To mention only the organizations discussed in this report, unions, for instance, have had their interests directly affected by the question of former socially-owned enterprises, which has been only tentatively resolved with the creation of a privatization and trust agency.<sup>76</sup> UNMIK can allow former KLA veterans to receive special legal recognition as fighters for Kosovo's independence only at the risk of being accused of having overstepped the boundaries of "neutrality" on the claims in the Kosovo conflict. Pensioners can protest their meager pensions, and teachers can raise the issue of their low incomes through strikes and protest demonstrations, only to be told by Kosovo authorities that the Kosovo budget, funded primarily through taxes collected within Kosovo, is ultimately under the control of UNMIK. In the central questions which define the workings of a state – budget allocations, taxation policy, the judicial system, policing, property reform – PISG exercises only limited powers, and this directly affects a wide array of interests within civil society, who are prevented from appealing to elected representatives for solutions and accountability.

The constraints placed by the status question on resolving critical political issues have limited the ability of the NGO sector to channel civic activism towards political reform and social change. In combination with donor policy which favors short-term projects and a service-providing role for NGOs, civil society has in the public realm assumed the image of a service sector that is not directly involved in raising, questioning, or shaping political issues, and offering concrete solutions to complex political problems. As indicated by the statistical analysis of NGO goals (table 1), that view is not totally unjustified. Furthermore, any type of political activism on the side of civil society is undercut by political parties, which are based on largely closed constituencies and managed through top-down control. On the other hand, UNMIK continues to retain control of the most critical components of state power, making public appeals for reform largely meaningless, as pensioners, teachers, evicted families, abused women, underpaid workers, families living in dangerously polluted environments, discriminated minorities, mothers still hoping to learn about the fate of a husband or son (or both), persons who cannot obtain travel documents, and other aggrieved individuals and groups have dis-

covered in the past few years. All of these groups have demands which in some way infringe upon the reserved powers held by UNMIK, and thus cannot be resolved by Kosovo's local authorities. In these instances local authorities rightly claim that certain issues are beyond their power to address, perpetuating a vicious circle of frustration and powerlessness among both formal powerholders and outraged citizens. In the words of Sevdije Ahmeti, "the issue of the political status [of Kosovo] has become a social problem."<sup>77</sup> While groups fighting for public interests must struggle for the recognition of basic rights and entitlements, Kosovo's democratic potentials are held hostage by the idea that the status question is a question of "high politics," to be addressed by international diplomats and national leaders at some future point, while UNMIK can continue to successfully "build democracy" by drawing up sleek "standards for Kosovo" documents and by hauling the populace into elections for authorities whose main prescribed role is the performance of administrative duties.<sup>78</sup> The disconnect between the interests and desires – precisely on "practical" and "everyday" problems – expressed in Kosovo's civil society, and Kosovo's highly paid international administrators, is constituted by a gap that no public awareness campaign on the importance of "everyday" issues can fill.

## Conclusions

Civil society has emerged strongly in postwar Kosovo, and it is here to stay. What remains ahead are challenges of institutionalization, opening the democratic process to input from civil society, and a clearer articulation of a collective identity for NGO-s in relation to the rest of society.

One of the central issues on the agenda of Kosovo's civil society remains the question of postwar justice. Political leadership and international pressure can do little to address this question – the behavior of local and international authorities and Western diplomats is in certain instances part of the problem, not the solution. If this key issue is not adequately addressed, Kosovo remains open to the pressures of radical nationalist agendas and militancy.<sup>79</sup>

The fragmentation of the NGO sector is doing enormous harm to its public image, as well its political efficacy. While competition cannot be fully eliminated, NGO-s must seek ways in which they can, at least at the level of a collective identity, define their aspirations and goals. In this way, the NGO sector can take full control in articulating a new vision for Kosovo's future, one that can clearly take into account Kosovo's historical conditions and current problems, and that steers clear of the attractive but oftentimes empty rhetoric of UNMIK and Western officials speaking of a distant and intangible "European future" for Kosovo. In defining a collective identity, perhaps one should begin by discarding the label NGO altogether, and adopting a more elaborate set of terms designating public interest groups, associations, and collective movements that evade the convenient but at times misleading categorization as NGO.

Donors, which are the NGO sector's lifeline, should revise funding policies to support long-term operations rather than short-term projects. Donors should also phase out their presence gradually, and not simply abandon Kosovo's civil society. At the same time, NGOs need to seriously consider ways of developing the means of financial sustainability based on local sources. Commercialization of services is one, if not always the most tenable option, though even basic fundraising activities such as dues collection or the establishment of support foundations by local businesses are possibilities. These activities furthermore require the construction of larger constituencies and local bases of support, which would help bring NGOs in much greater contact with the interests of common citizens, who would in turn have a greater stake in the work of NGOs.

The political system needs to be opened up to greater transparency and a greater presence of NGOs, either through monitoring or lobbying efforts. NGOs, especially those geared towards political activism, need to more clearly define their agendas and build constituencies. At the moment, NGOs have very little access and input in the policy process, and their political influence is greatly constrained. Empowering civil society, however, is also premised on the successful addressing of the status question, which can no longer be treated as inconsequential to, or fully detachable from, Kosovo's democratic development.

## Recommendations

### To UNMIK/PISG:

- **Grants to NGOs:** The Kosovo budget should allocate funding in the form of grants to NGOs, to be awarded in a competitive fashion. NGOs, however, should not be used to replace essential public services, nor should they be expected to perform the duties that are the responsibility of government authorities.

- **Legal reform:** A new law should be adopted to update and revise the existing regulation on NGO registration. The law should maintain the simple procedures for NGO registration, but needs to mandate greater transparency within NGOs, as well as update taxation and monitoring procedures, which were initially designed to support humanitarian relief operations. The new Law on Associations suggested by the Standards for Kosovo document is the occasion to make the necessary regulatory improvements. At the same time, the new law should protect NGO autonomy, by not permitting any form of politically motivated interference, influence, or obstruction, either by UNMIK or PISG, in the operation of NGOs.

- **Reforming taxation policy:** Taxation policy should require all NGOs to provide an annual financial statements to the taxation authorities to ensure transparency. The definition of Public Benefit Status should be revised to reflect Kosovo's new state of affairs. Not-for-profit status should be defined by law and should be used to maintain

accountability among all NGOs. A new, more-inclusive procedure should be defined for granting PBS, which includes members of the Ministry of Public Services, the Ministry of Finance, and representatives of the NGO sector on a rotating basis. Taxation policy should favor businesses that donate funds to NGOs, encouraging forms of financial self-sustainability.

### To NGO-s:

- **Improving public image:** NGOs need to counter attitudes which disparage and undervalue the role of civil society, first and foremost by establishing a collective identity for themselves and their role within Kosovo's new polity. This should entail a self-realization that civil society is indeed central to Kosovo becoming a sustainable democratic community, and articulate the overall values of active citizenship, political engagement, plurality and solidarity that they promote. Articulated, historically sensitive, and meaningful civic ideologies, which encapsulate within them coherent visions of political community, need to complement civic engagement and activism.

- **Self-sustainability:** NGOs need to find alternative ways to fund activities as opposed to completely relying on foreign donors. Devising sources of local funding is significant not only for the sheer survival of organizations, but, as discussed in this report, also has social and political consequences. The building and expansion of local constituencies, dues collections from memberships, and the encouraging of volunteer work, are some of the important ways in which NGOs can become truly embedded social organizations. NGOs should also pressure PISG and UNMIK to find ways of making public funds available to NGOs through grants for the performance of publicly oriented activities.

- **Increasing professionalism:** NGOs need to work in strengthening internal organization and in increasing levels of professionalism in their work. NGOs need to serve as examples of democratic openness, transparency, efficiency, and professionalism, especially vis-à-vis political parties and public institutions that they often criticize.

- **Improving standards:** As recommended at a recent NGO meeting, NGOs should devise mechanisms of self-monitoring and establish standards and values of ethics in the NGO field.

- **Broaden vision:** NGOs need to begin recognizing the regional and even global character of their goals and values and find ways to create or join broader networks and coalitions of organizations with similar values outside of Kosovo. In becoming members of what is sometimes being called a "global civil society," Kosovo NGOs will directly partake in promoting the values of peace and democratic stability both regionally and internationally.

**To donors:**

- **Maintain adequate levels of funding:** A continued presence of international donors is vital to Kosovo's maintenance of an active NGO sector. Donors should not simply abandon Kosovo NGOs, but should examine possibilities of phasing out their presence with the increased capacities of local NGOs to become self-sufficient.
- **Focus on long-term support:** Donors should reconsider policies of short-term grants and focus on providing long-term support to NGOs, especially those which have a proven record of success, quality, and reliability. Such a policy would also ease the burden on NGOs to spend resources on devising new projects every few months, and instead focus on long-term goals and strategies, as well as issue-based constituency-building.

## Notes

<sup>1</sup> Quote from Mehmet Kraja, *Mirupafshim në një luftë tjetër* (Prishtina: Rozafa, 2003), p. 229. Quote translated from Albanian by the author.

<sup>2</sup> The critical importance placed by UNMIK and Western policy on civil society development was most recently confirmed by the inclusion of civil society “standards” in the *Kosovo Standards Implementation Plan* (Prishtina: UNMIK, March 31, 2004).

<sup>3</sup> See, for instance, Howard Clark, *Civil Resistance in Kosovo* (London: Pluto Press, 2000).

<sup>4</sup> When speaking of the state/civil society distinction in non-Western contexts, one must heed to what Ashis Nandy calls the “imperialism of categories” – the risk of imposing categories derived from particular understandings of Western political development to parts of the world in which they may not be applicable. See Nandy, “The Politics of Secularism and the Recovery of Religious Tolerance,” in Veena Das, ed., *Mirrors of Violence: Communities, Riots, and Survivors in South Asia* (Delhi: Oxford University Press, 1990), pp. 69-93.

<sup>5</sup> See, for example, John Keane, *Civil Society: Old Images, New Visions* (Cambridge: Polity Press, 1998); Ernest Gellner, *Conditions of Liberty: Civil Society and Its Rivals* (London: Hamish Hamilton, 1994). For a thorough consideration of the concept of civil society in Western thought and its relationship to contemporary political culture see Andrew Arato and Jean Cohen, *Civil Society and Political Theory* (Cambridge, Mass.: MIT Press, 1992).

<sup>6</sup> Thomas Carothers, “Western Civil-Society Aid to Eastern Europe and the Former Soviet Union,” *East European Constitutional Review*, Vol. 8, No. 3 (Fall 1999).

<sup>7</sup> Arato and Cohen, *ibid*.

<sup>8</sup> There has been much critique on the role of monetary gain and the role of economic factors in NGO activity, especially in regards to the relationship between government development agencies and international NGOs. For a caricatured critique of NGOs and their relationship to development see Gino Lofredo, “Help yourself by helping The Poor,” in Deborah Eade, ed., *Development, NGOs, and Civil Society* (Oxford: Oxfam GB, 2000), pp. 64-69.

<sup>9</sup> In both the academic and the policy realm, the term NGO is sometimes used with some ambiguity, at times referring only to organizations focused on development, and at others to all organizations in civil society. The use of the term NGO in this report is done only for descriptive purposes and because it has a specific meaning in Kosovo, and does not necessarily represent an endorsement of a particular usage of the term. Frankly, precisely due to its ambivalent nature, I would have preferred not to use the term NGO at all. However, complication would have only increased had I introduced an alternative set of terms.

<sup>10</sup> I should note that in this report, groups that are not generally considered to belong to the NGO sector have also been interviewed, such as Veterans Associations and Trade Unions. Reasons for such an inclusion are given below.

<sup>11</sup> Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics* (Cambridge: Cambridge University Press, 1998).

<sup>12</sup> See Index Kosova, *Trust in Institutions, Approval of Leaders and Talks with Serbia*, [http://www.indexkosova.com/Publications/Pub\\_august03.html](http://www.indexkosova.com/Publications/Pub_august03.html). Last accessed November 9, 2003. This survey does not ask respondents to rate their trust in civil society, but trust in media is used as a proxy to gauge trust in civil society as opposed to other political institutions.

<sup>13</sup> On Kosovo's "parallel society" see Besnik Pula, *Contested Sovereignty and State Disintegration: The Rise of the Albanian Secessionist Movement in Kosovo, 1988-92* (MA Thesis, Georgetown University, 2001); Shkëlzen Maliqi, *Kosova: Separate Worlds* (Prishtina: Dukagjini, 1998); Denisa Kostovicova, *Parallel Worlds: Response of Kosovo Albanians to Loss of Autonomy in Serbia, 1989-1996* (Keele: Keele European Research Centre, 1997).

<sup>14</sup> The number is based on UNMIK NGO registration data.

<sup>15</sup> Data for 1989-1998 taken from *UNDP Human Development Report 2002 – Kosovo* (New York: United Nations Development Programme, 2002), p. 37. Data from 1999 to June 2003 is from the official register of the UNMIK NGO Liaison Unit. UNMIK law distinguishes between domestic and international NGOs.

<sup>16</sup> Numbers are derived from country reports in United States Agency for International Development, *The 2001 NGO Sustainability Index* (Washington, DC: USAID, 2002). Serbia was not included in the comparison due to the changing political environment after the fall of the Milosevic regime in 2000.

<sup>17</sup> Interview, August 8, 2003.

<sup>18</sup> Regulations are the highest order of laws passed by UNMIK that currently govern Kosovo.

<sup>19</sup> This information has been obtained through interviews with anonymous UNMIK staff, February-July 2001. The LU was not the only case of antagonism between the UN and the OSCE. A far more consequential problem was that of civil registration during 2000, which the OSCE carried out with a number of serious delays, errors, and cases of data loss, reported throughout the local media. The task of civil registration was later taken over by the UN.

<sup>20</sup> While several hundred NGOs enjoy PBS, until recently the LU has had only one staff member that reviews financial reports. The LU has had to postpone the reporting deadline several times, as well as waive the requirement of certain NGOs to provide an official audit report due to the unavailability of certified auditors in Kosovo.

<sup>21</sup> Bejtush Kicmari and Nexhip Gashi, *Non-Governmental Organization and their Role in Kosovo's Economy: Data and Policies* (Prishtina: Ministry of Economy and Finance, 2003), p. 4. The number includes international NGOs.

<sup>22</sup> Since Kosovo is largely an import economy, most revenue in Kosovo is generated by customs duties. Exemption from customs means a great deal in Kosovo's economic environment, making PBS a highly prized possession. There have been unconfirmed reports of NGOs being used as front organizations for the importation of goods and

materials in the name of humanitarian aid, with the goods ending up being sold on the market. Such incidents have made even legitimate aid seem suspicious, and there have been cases when Customs blocked the entry of humanitarian goods from entering Kosovo for days. Incidents such as these prompted the taxation authorities to revise taxation policies, making it obligatory for everyone to pay customs duties, but making it possible for NGOs with PBS to receive a refund once proper documentation is provided.

<sup>23</sup> See Daan Everts, *Review of the OSCE's Mission in Kosovo Activities, 1999-2001* (Prishtina: OSCE Mission in Kosovo, 2001), p. 4. The umbrella organization, known as the NGO Assembly, still exists, but excludes the majority of major NGOs.

<sup>24</sup> Gjylieta Mushkolaj, Private Correspondence, March 2001.

<sup>25</sup> None of the interviewed NGO representatives thought that the OSCE's programs had significantly contributed to the sector's development.

<sup>26</sup> See, for example, the studies in Remonda Bensabat Kleinberg and Janine A. Clark, eds., *Economic Liberalization, Democratization and Civil Society in the Developing World* (New York: St. Martin's Press, 2000).

<sup>27</sup> An out-of-date, but still useful compendium of donors in Kosovo is the *Donor Manual for Kosovar Local NGOs*, jointly published by KCSF and the OSCE in 2001.

<sup>28</sup> These figures include both international and domestic NGOs. The numbers are most likely underestimates because they are aggregates of NGOs with Public Benefit Status, which are the only NGOs required to submit annual financial reports to the authorities, and which is a status only fourteen percent of all registered NGOs enjoy. In 2000 and 2001, over ninety percent of funds were obtained from grants. The source of the data is Kiçmari and Gashi, *ibid.*, p. 12.

<sup>29</sup> Kiçmari and Gashi, *ibid.*, p. 10.

<sup>30</sup> Most interviewed NGOs indicate foreign donors as their main sources of funding.

<sup>31</sup> Such a perspective has been confirmed in interviews by at least three high-ranking members of different donor organizations.

<sup>32</sup> One striking exception is the IPKO Institute, a not-for-profit training institute for computer networking and information technology, which raises funds through dividends in IPKO Net, an Internet service provider. IPKO Institute was formed by the spinning off of IPKO's Internet provider arm into a for-profit shareholder company, in which the institute holds a certain proportion of shares. However, very few NGOs have the opportunity to capitalize assets in such a way. For a background on IPKO see Deborah Shapley, "Rebuilding the Web in Kosovo's Ashes," *The New York Times*, April 18, 2001.

<sup>33</sup> This is an estimate based on information provided by an official of the UNMIK NGO Liaison Unit, as well as the various civil society actors interviewed for this report. The NGO Liaison Unit only registers new NGOs, and rarely do NGOs that cease their activities follow the legally-prescribed deregistration procedure, thus making it impossible to know for certain the number of active NGOs.

<sup>34</sup> Interview with NGO activist (name withheld). Prishtina. August 6, 2003.

<sup>35</sup> Interview with NGO activist (name withheld). Prishtina. August 2, 2003.

<sup>36</sup> There are talks in NGO circles in Kosovo about largely meaningless conferences and roundtables organized in which very little of substance was discussed, but which a particular NGO organized due to the availability of donor funds. The general belief is that rather than an actual outcome, certain donors are satisfied with a few snapshot photos, a financial report (including expenses on meals and other amenities), and copies of speeches which simply reiterate the prevailing discourse of the international administration. Events such as these have contributed to the tarnishing of the public image of NGOs, making them seen as largely ineffective groups which exist merely to suck up donor money. While events such as these have taken place, it is incorrect to characterize the entire NGO sector as being engaged in such activities or existing for that sole purpose.

<sup>37</sup> Since the resulting classification is based on samples from each year of registration, the results were tested for statistical significance using a chi-square goodness-of-fit test. The null hypothesis was that the distribution would be equal for all categories for each year. The proportions for each year were found to be statistically significant at  $\alpha = .05$ . In terms of annual classification, the year 1999-2000 has been counted as a single year due to the fact that all NGOs in that year were formed or reestablished under the new registration regime after June 1999, and the implementation of the registration regime by UNMIK did not begin until late 1999.

<sup>38</sup> This definition should not be confused with UNMIK's legal distinction between associations and foundations. The criteria are applied regardless of the NGO's legal status as an association or a foundation, although for obvious reasons membership groups would have been registered as associations.

<sup>39</sup> While the groups sampled may no longer be active, their registration nonetheless represents a tendency of the reasons for group organization in a given period. The data only represent general tendencies, since the actual activities of a group may diverge from those stated in their official statute.

<sup>40</sup> Jenny Pearce, "Development, NGOs, and civil society: the debate and its future," in Eade, *ibid.*, pp. 15-43.

<sup>41</sup> According to Section 8 of Regulation 1999/22, NGOs are prohibited in engaging in fundraising activities on behalf of political parties and endorsing candidates for office. Given inadequate implementation, the law would probably not hamper such activities if NGOs did engage in them. However, such a provision may be crippling to NGOs which have a direct interest in influencing policies through lobbying political parties and endorsing particular candidates for public office.

<sup>42</sup> This group also includes a multitude of ethnic minority (including Serbian) and religious NGOs which have emerged after the war.

<sup>43</sup> Most interviewees explicitly acknowledged the existence of "cliques" when asked about them. They could identify them by particular individuals (and not necessarily the organizations they represent). Such cliques are usually connected to particular sources

of donor money, with particular cliques having influence or control over particular funds.

<sup>44</sup> The author, who has had the privilege of both interviewing and working with NGOs which are in direct competition with one another, has had the opportunity to personally witness the highly personal level at which bitterness and resentments are expressed against members of rival NGOs.

<sup>45</sup> See *Mapping of Civil Society and NGO Sector of Glogovc* (Prishtina: KCSF, 2001).

<sup>46</sup> See *Guideline: Project Regulation for the Application of Provisions of the Statute of Gjakova Municipal Assembly for Consultation and Participation of the Public* (Gjakova: NGO Forum – Gjakova, 2003).

<sup>47</sup> Interview with Fron Nazi, July 20, 2003.

<sup>48</sup> Interview with Arbnor Pula, July 31, 2003.

<sup>49</sup> To register an association, the law requires the signatures of no more than three founding members. Most of the reviewed statutes show that associations usually do not exceed this number of signatories.

<sup>50</sup> The NGO Liaison Unit maintains a record of the statutes and founding documents of all registered NGOs, which are by law open to public review. Several statutes of major NGO groups were reviewed in this manner, and there were several cases where the formal statute did not correspond to the mode of organization the NGO practiced in day-to-day operations, as observed by the author.

<sup>51</sup> Since there is no reliable data to gauge the role of the leading member in NGOs, this statement is based on the author's observations and anecdotal evidence provided by other participants in the NGO field.

<sup>52</sup> Kiçmari and Gashi, *ibid.*, p. 11. This data is based on a survey of 35 NGOs and is useful as a guide for providing estimates rather than as a definite statistic.

<sup>53</sup> Kiçmari and Gashi, *ibid.*, p. 12.

<sup>54</sup> Interview with Behxhet Shala, KMDLNJ executive director, July 25, 2003.

<sup>55</sup> For the purposes of this report, "minority NGOs" are defined as those NGOs that are specifically geared towards minority populations, or whose founders are members of minority populations. Minority populations include all those legally recognized groups, including Serb, Bosniak, Turk, Roma, Ashkali, Egyptian and other. Serb NGOs have been counted separately, since this group is the largest, politically most significant, and socially most isolated minority group in Kosovo.

<sup>56</sup> The bulk of this analysis was written prior to the violent events of March 17-18, 2004, thus making it difficult to gauge the impact of those events on the NGO sector. The events have undoubtedly strained interethnic relations within the NGO field, though the extent and scale to which that occurred requires separate research.

<sup>57</sup> See *Annual Report 2002* (Prishtina: Center for the Protection of Women and Children, 2002).

<sup>58</sup> Interview, July 28, 2003.

<sup>59</sup> In Kosovo, unions are generally not registered as NGOs. The only union to register as an NGO is SBASHK, the Teachers' Union. This report has included unions in the

NGO sector for comparative purposes, though that should not be construed as an endorsement of the idea that unions should, in a legal sense, be treated equally as all other non-governmental groups.

<sup>60</sup> That political and ideological struggles are part of what takes place within development agencies is illustrated by an internal struggle between the civil society and economic sectors of USAID's Kosovo mission. While the civil society sector funded a program for union development, the economic sector was heavily involved in Kosovo's privatization process, whose smooth implementation was being challenged by union demands for a proportionate workers' share in the process. The economic sector demanded that USAID end its program of union assistance, since unions were jeopardizing the sale of former socially-owned enterprises. The incident was reported to the author by a USAID employee whose name will be withheld.

<sup>61</sup> Interview, July 28, 2003. Abazi also spoke of the inability of unions to expand into privately-owned industries due to owner resistance, and the fear of employees to join unions, by enumerating several cases.

<sup>62</sup> Abazi indicated that court cases sometimes take months and even years to process, and usually give very little in terms of worker protection, which in many cases is not implemented even if granted by the court. In addition, the newly established Labor Inspectorate, charged with monitoring working conditions and employee safety standards, was considered by Abazi to be malfunctioning and prone to corruption. Widespread abuse and harassment of female employees was another problem indicated by Abazi. With entire families dependent on their incomes from the employment of a single family member, female employees are especially vulnerable to abuse and pressure by owners and managers, the vast majority of whom are male.

<sup>63</sup> Interview with Sadik Halitjaha, chairman of the Association of War Veterans of the Former KLA, Prishtina, July 25, 2003.

<sup>64</sup> On the dynamics between party and civil society representation in UNMIK's first representative bodies, see Ilir Dugolli, "Political parties and a civil society metaphor," in KCSF, *Anthology of Civil Society* (Prishtina: Kosova Civil Society Foundation, 2001), pp. 145-55.

<sup>65</sup> See police statistics for the years 1999-2000 in *UNMIK Police Annual Report 2000* (Prishtina: UNMIK Police, 2001), pp. 34-8. Available at <http://www.unmikonline.org/civpol/publications.htm> (Last accessed: January 4, 2003). The numbers show an *overall* increase in violent acts throughout Kosovo. While minorities and Serbs were disproportionately targeted and victimized, violent acts against Albanians were also high by Kosovo's historical standards.

<sup>66</sup> A good example of such a group is the recently established Coalition of Missing Persons Organizations, composed largely of Albanian women whose husbands and sons have disappeared during the 1999 war, and who feel that perpetrators have never been brought to justice.

<sup>67</sup> Interview with Ramush Tahiri, advisor to the President of the Assembly, Prishtina, August 4, 2003.

<sup>68</sup> Interview with Halitjaha, *ibid.*

<sup>69</sup> See Dugolli, *ibid.* Unions, for instance, do not represent a strong constituency to any single political party, nor has their vote been sought after actively by any of the major parties, according to Abazi (*ibid.*). Organizations that have emerged from the former KLA also exhibit a largely antagonistic relationship with parties formed by former KLA political leaders, whom they feel let down by.

<sup>70</sup> Tahiri (*ibid.*) indicated that the Assembly would welcome more input from civil society groups on particular issues, where he believes a lot of expertise and specialized knowledge lays.

<sup>71</sup> The fully proportional, closed-list electoral system was recently renewed by UNMIK chief Harri Holkeri, in spite of massive opposition from a large coalition of civil society organizations.

<sup>72</sup> For a recent illustration of the thinking behind UNMIK's policy that the "great issue" of the status can be divorced from "practical" and "everyday" political problems, see the editorializing in "Voices of Kosovo," *Focus Kosovo*, December 2003, <http://www.unmikonline.org/pub/focuskos/dec03/letters.htm> (last accessed January 15, 2004). *Focus Kosovo* is an official publication of the UNMIK Department of Public Information.

<sup>73</sup> *Kosovo's Concerns: Voters' Voices* (OSCE Mission in Kosovo, 2001), p. vii. Available at <http://www.osce.org/kosovo/documents/reports/> (last accessed January 15, 2004). A similar document was prepared for the 2000 municipal elections.

<sup>74</sup> *Ibid.*, p. ix.

<sup>75</sup> On the question of human and citizenship rights in Kosovo and their relationship to Kosovo's international administration see the critical report of the Ombudsperson Institution, *Third Annual Report, 2002-2003* (Prishtina: Ombudsperson Institution, 2003). Available at <http://www.ombudspersonkosovo.org> (last accessed January 12, 2004).

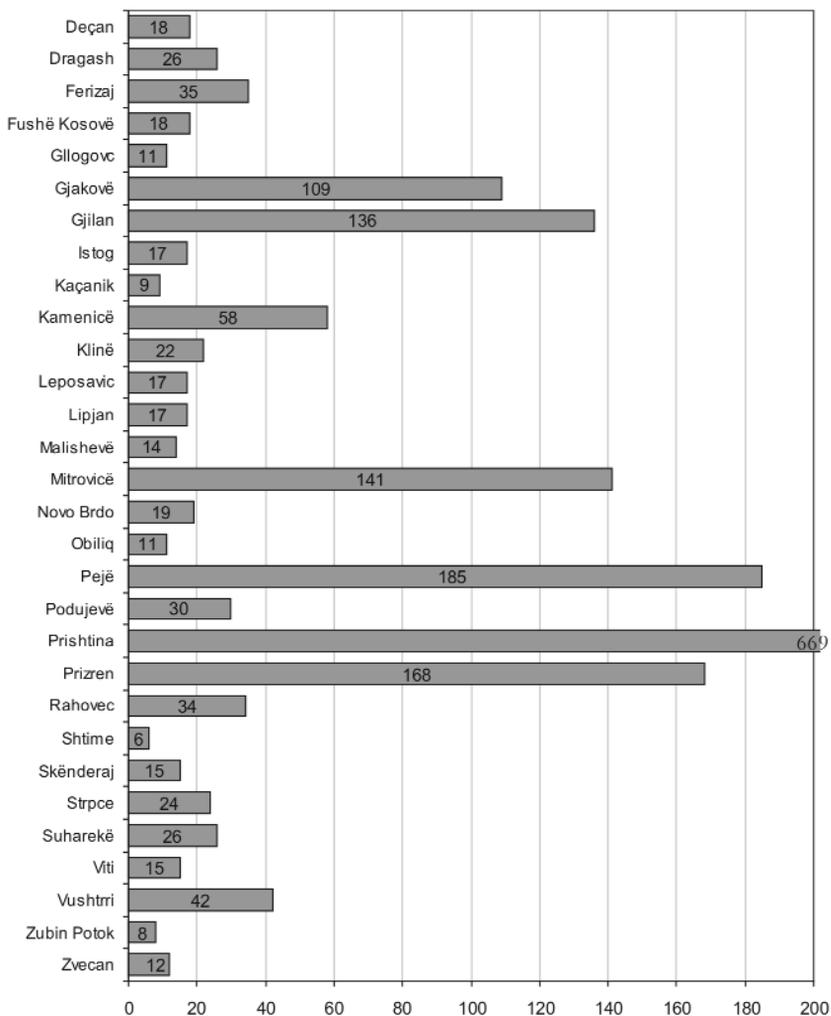
<sup>76</sup> On the complex issue of socially owned enterprises and privatization see Robert Muharremi, *The United Nations Mission in Kosovo and the Privatization of Socially Owned Property: A Critical Outline of the Present Privatization Process in Kosovo* (Prishtina: KIPRED, 2002). Available

<sup>77</sup> Interview, Prishtina, July 27, 2003.

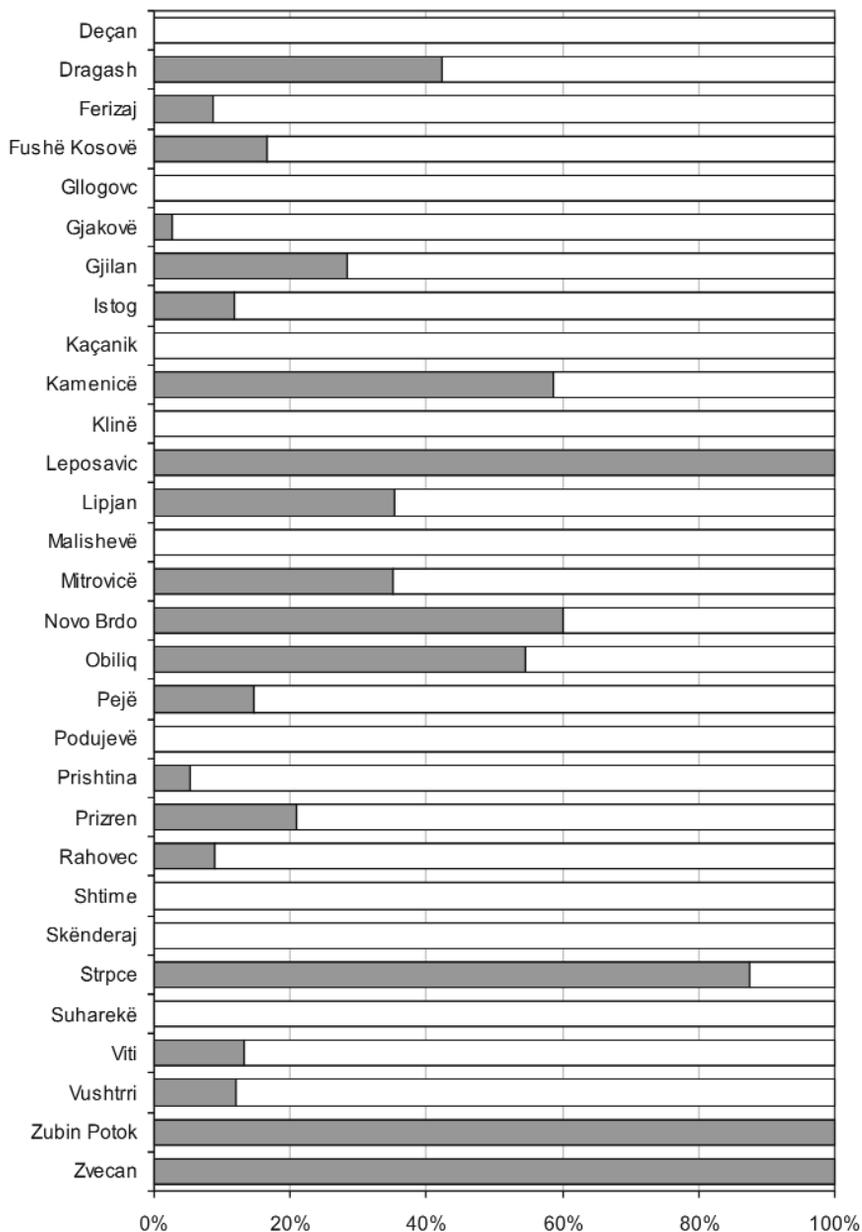
<sup>78</sup> Figures indicate that UNMIK is failing in this task as well. Nearly half of Kosovo's electorate failed to vote in the 2002 elections for Kosovo's Assembly, the first national elections in postwar Kosovo. An argument can be made that this is partly a result of the lack of faith that Kosovo's citizenry has developed towards the present political system.

<sup>79</sup> The bulk of this analysis was written before the violent events of March 17-19, 2004. The unrest that pervaded Kosovo those days I believe is a consequence of some of the issues raised in this report.

**APPENDIX:** NGO distribution by municipality and minority participation



Graph 3. Number of registered NGOs per municipality, 1999-2003



Graph 4. Minority participation in the NGO sector, by municipality. Gray indicates percentage minority.

## List of Abbreviations

BSPK	Union of Independent Trade Unions of Kosovo
KMDLNJ	Council for the Defense of Human Rights and Freedoms
DFID	Department for International Development (UK)
EU	European Union
INGO	International Non-Governmental Organization
KACI	Kosovo Action for Civic Initiatives
KCSF	Kosovo Civil Society Foundation
KFOR	Kosovo Force (NATO)
KFOS	Kosovo Foundation for Open Society
KLA	Kosovo Liberation Army
KNAP	Kosovo NGO Advocacy Project
KODI	Kosovo Documentation Institute
KPC	Kosovo Protection Corps
LDK	Democratic League of Kosovo
LU	NGO Liaison Unit (UNMIK/PISG entity)
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
OSCE	Organization for Security and Cooperation in Europe
OSF	Open Society Foundation
PBS	Public Benefit Status
PISG	Provisional Institutions of Self-Government
SBASHK	Kosovo Teachers Union
SHIL	Association of War Invalids of the Former KLA
SHVL	Association of War Veterans of the Former KLA
SRSG	Special Representative of the Secretary General
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo
UNSC	United Nations Security Council
USAID	US Agency for International Development

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## About KIPRED

The Kosovar Institute for Policy Research and Development aims to support and promote democratic values in Kosovo through training and independent policy research.

The training pillar is focused on the development of political parties through the Internet Academy for Democracy, which was developed in cooperation with the Olof Palme International Center.

The research pillar focuses on producing independent policy analysis on issues such as good governance, administration, political party development, regional cooperation, political economy, and local government.

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