

The role of the United Nations in International Peacebuilding

The case of Kosovo

دور الأمم المتحدة في بناء السلام العالمي
حالة كوسوفو

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Abstract :

Through this research paper, we are trying to study the role of the United Nations and its approach in building and maintaining international peace by studying the case of Kosovo. Considering that the United Nations is a global institution dedicated to promoting international peace and security, and before this, we will try to define the concept of peacebuilding and determine the difference between the terms related to it from a theoretical standpoint and from a practical standpoint.

Keywords : Peace Keeping, Peacebuilding, UNMIK, Kosovo.

ملخص:

نحاول من خلال هذه الورقة البحثية دراسة دور الأمم المتحدة ومقارنتها في بناء والحفاظ على السلام الأممي من خلال دراسة حالة كوسوفو، باعتبار أن الأمم المتحدة هيئة عالمية الهدف منها الحفاظ وتعزيز السلم والأمن الدوليين، وقبل هذا سنقوم بمحاولة تحديد مفهوم بناء السلام وتحديد الفرق بين المصطلحات المتعلقة به من الناحية النظرية ومن الناحية العملية .
الكلمات المفتاحية: حفظ السلام، بناء السلام، بعثة الأمم المتحدة للإدارة المؤقتة في كوسوفو.

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Introduction:

Peacekeeping has evolved over time to become one of the most significant aspects of the United Nations (UN), which is the second global organization in the history of international institutions. The UN Charter's system of Collective Security was not fully utilized for a considerable period due to the ideological bipolarity and East-West division of the international system. The Cold War, characterized by the rivalry between the United States and the now-defunct USSR, severely hampered the UN's ability to effectively resolve armed conflicts on a long-term basis. Additionally, the over-politicization of issues within the UN, particularly by the five veto-wielding powers of the UN Security Council (the US, UK, France, China, and Russia representing the former USSR), resulted in numerous resolutions that were filled with exaggerated rhetoric. Despite not being explicitly outlined in the theoretical foundation of the UN Charter, peacekeeping emerged as a crucial instrument for maintaining international peace and security. Despite the commendable achievements of UN peacekeepers over the past seven decades, the world still struggles to achieve a state of warlessness. The significant increase in the number of peacekeeping operations since 1988 reflects the heightened expectations placed on the UN in the post-Cold War international system.

The case of Kosovo is one of the cases through which the United Nations sought to maintain world peace, because Kosovo conducted a unique transitional process justice, characterized by the involvement of the international community. Following the conflict in 1999, the entire region came under the control of the UN-Interim Mission in Kosovo (UNIMK), and subsequently, the EU Mandate in Kosovo (EULEX) assumed executive authority within the country, encompassing the realms of policing and judicial intervention. The primary objective of this article is to emphasize the role played by EULEX in the post-war criminal prosecution process in Kosovo, elucidating how this external entity established Kosovar institutions and integrated itself within them. EULEX provided international judges, prosecutors, and police officers who collaborated with their Kosovar counterparts, applying local legislation. Conversely, the article also undertakes a critical assessment of EULEX's performance, addressing not only its contributions but also its shortcomings in investigating and prosecuting war crimes. Consequently, as the European Union entrusted these missions with responsibility and ultimately failed to safeguard and uphold human rights, the EU bears accountability for perpetuating a culture of impunity in Kosovo.

Study problem

Did the concept of peacebuilding involves the creation of sustainable peace through addressing the root causes of conflict and promoting reconciliation, as for the United Nations' efforts in Kosovo, it has been able to build and maintain peace to a certain extent, but challenges and tensions still persist in the region.

This problem encompasses the following questions :

1. What is the definition of peacebuilding ?
2. When was the term peacebuilding first introduced ?
3. Is there a universally accepted understanding of peacebuilding ?
4. What role does the United Nations play in the peacebuilding efforts in Kosovo ?
- 5- What is the concept of peacebuilding and did the United Nations was able to build and maintain peace in Kosovo ?

Hypotheses

- The peace-building process is hindered by the lack of legitimate governance, equitable distribution of wealth, and the presence of diverse races and ethnicities.
- Foreign intervention affected the peacebuilding process.
- Internal politics blocks reconciliation between ethnic-religious groups and peacebuilding.

Methodes

Considering that the topic is a historical issue, we use the historical approach to find out the causes and history of the war in Kosovo, and I also used the case study approach.

Research purpose

This study also attempts to define the concept of peacebuilding and the extent of the effectiveness of the United Nations in building and maintaining global peace by studying the case of Kosovo. The anticipated outcomes of this research endeavor are directed towards presenting a comprehensive definition of peacebuilding as a conceptual framework, as well as its practical application in Kosovo case. We posit that the Kosovo case can serve as a blueprint for other global instances requiring similar approaches to peacebuilding.

Research originality and value

The primary sources utilized in this study consist predominantly of articles and scientific papers authored by foreign scholars. This deliberate choice is motivated by the significance and value of gaining a comprehensive understanding of their perspectives on the Kosovo peacebuilding scenario. The research methodology employed in this paper relies on a descriptive and historical approach, wherein an analysis of these materials is conducted. Through this method, the focus will be on elucidating the intricacies of peacebuilding in Kosovo, and also an attempt to provide a theoretical study of the concept of peacebuilding.

Section I: Conceptual And Theoretical Framework of The Study Peacebuilding

In this section, we will talk about defining the concept of peacebuilding and attempt to define the concept of this term from a theoretical and practical perspective.

a) : Definition Of Peacebuilding

Through this requirement, we will attempt to define the concept of peacebuilding by presenting a set of definitions provided by academics and practitioners

1-Definition

Peacekeeping is a multifaceted concept that is interpreted differently by various individuals, including scholars, analysts, and peacekeeping practitioners, depending on their theoretical perspectives or traditions. In essence, peacekeeping refers to a mechanism employed by the United Nations (UN) for the purpose of managing conflicts. It entails the deployment of forces to act as intermediaries between conflicting parties, thereby establishing a buffer zone. The primary objective of peacekeeping is to uphold a ceasefire. Conventionally, this involves the dispatch of military personnel to conflict zones, who are entrusted with the responsibilities of overseeing buffer zones and monitoring compliance with ceasefire agreements. According to the UN, peacekeeping operations are defined as "...military personnel-based operations, conducted by the United Nations without enforcement powers, aimed at assisting in the maintenance or restoration of international peace and security in conflict-ridden areas. These operations are voluntary in nature and rely on the consent and cooperation of involved parties. Although military personnel are involved, the attainment of objectives is not reliant on the use of force, distinguishing peacekeeping from the 'enforcement action' authorized under Article 42 of the United Nations Charter¹

There are many possible definitions of peacebuilding and diverse perspectives on its nature. The concept initially surfaced more than three decades ago, thanks to the efforts of Johan Galtung. Galtung advocated for the establishment of peacebuilding frameworks that would foster lasting peace by tackling the fundamental triggers of violent conflicts and bolstering local capabilities in managing peace and resolving conflicts.

Peacebuilding is a term, which started to attract interest in the beginning of the 1990s in circles of international organizations. The former UN Secretary-General, Boutros-Boutros Ghali, put it

firmly on the UN's agenda by including it in the document "Agenda for Peace" which came out in 1992. In it, Ghali, who responded to a demand from the UN Security Council on how to improve peacekeeping and peace-enforcement, identified peacebuilding as postconflict social and political reconstruction activities, which are aimed at preventing a relapse into conflict².

2- Expanding the concept of peacebuilding

In 2000, the Lakhder Brahimi Report defined it as "activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war." The UN's understanding of peacebuilding has continued to evolve ever since³

Johan Galtung, is the "symbol" of the term peace -building. He regarded peace in three phases or forms: peacekeeping, peacemaking and peacebuilding. These three forms, more extensively are given as follows:

- **Peacekeeping** - has to do with the sole purpose of ending violence;
- **Peacemaking** - after peacekeeping comes peacemaking, which is related to the resolution of conflicts in peaceful ways (negotiation, mediation, etc.);, Peacemaking. Peacemaking operations are conducted with the mutual consent of the combating sides, or possibly at their request. For example, the parties may decide, independently or under pressure from international organizations or individual states, to cease military actions, but they are unable to do so without help from the world community and international peacekeeping forces⁴
- **Peacebuilding** - the main goal is the establishment of a sustainable peace.

In 2001, the UN Security Council reconfirmed the close relationship between these three forms of peace, highlighting the values of the inclusion of the elements of peacebuilding in peacekeeping missions. Also, the UN Security Council, has set itself as the core of peacebuilding tasks, the building and strengthening of democratic institutions⁵The term is distinguished from peacekeeping and peacemaking by its insistence on society-wide reconciliation in combination with statebuilding⁶

There are two distinct aspects to the concept of peace: negative peace and positive peace. Negative peace refers to the management of violence between nations or groups of people. On the other hand, positive peace entails the establishment of a lasting peace by fostering cooperation among these groups or nations and addressing the root causes of conflict. The objective of peacebuilding is to not only bring stability to a country, but also to transform society in a way that ensures sustainable peace. This process involves three phases: transitioning from an unstable peace to a stable peace, and ultimately achieving sustainable peace. In the aftermath of a conflict, peacebuilding efforts primarily focus on immediate and crucial actions, such as demobilization, implementing reintegration programs, and urgently rebuilding vital infrastructure. In many cases, these activities are carried out simultaneously with military peacekeeping operations.⁷

The definition of peacebuilding provided by the Secretary-General's Policy Committee is as follows: Peacebuilding encompasses a variety of actions aimed at mitigating the likelihood of reverting back to conflict by enhancing the capabilities of a nation at all levels for managing conflicts, and establishing the groundwork for lasting peace and development. It is crucial for peacebuilding strategies to be consistent and customized to address the unique requirements of the respective country, while being driven by national ownership. These strategies should encompass a meticulously prioritized and sequenced set of activities, which are relatively limited in scope, but aimed at accomplishing the aforementioned objectives⁸.

In numerous countries, the period immediately following a conflict is marked by a notable lack

of security and a sense of political instability. While peace processes may make progress, they frequently experience setbacks as well. During this time, many countries are governed by temporary political arrangements until the first post-conflict elections take place and newly elected representatives assume their roles in the executive and legislative branches. The success of peacebuilding efforts is contingent upon the political decisions made by various stakeholders, including national and local governments, communities, donors, and the United Nations. Additionally, effective leadership from both national governments and within the UN, as well as the availability of resources such as human capital and donor financing, play crucial roles in determining the outcome of peacebuilding endeavors⁹.

One aspect of scholarly literature categorizes peacebuilding alongside peacekeeping and peacemaking, without providing a clear distinction between these terms. In essence, peacebuilding encompasses efforts to prevent or resolve conflicts, carried out by external entities like the United Nations or other international organizations, as well as local actors at the community level. The ultimate objective of peacebuilding is to establish a sustainable peace that goes beyond the mere absence of violence, encompassing a structural transformation of a society plagued by conflict into a state of positive peace that benefits all individuals¹⁰.

Peacebuilding involves the implementation of various reconstruction and reform initiatives in countries that possess highly fragile, fluid, and unpredictable political environments. These circumstances give rise to tensions and contradictions that often cannot be fully resolved, necessitating trade-offs between competing needs and objectives. Furthermore, each postconflict situation is distinct, defying general theories and predefined plans of action. Nevertheless, experience does provide insights into areas where improvements are necessary to equip decision-makers with the necessary tools, resources, and political support to effectively navigate these complex situations. Previous peacebuilding endeavors have not adequately considered the political dynamics of postconflict scenarios. Divergent viewpoints, interests, and goals among different actors have hindered the development and implementation of cohesive peacebuilding strategies. International actors have also failed to sufficiently prioritize the restoration of national governance capacities and service delivery. Additionally, the United Nations' new peacebuilding architecture has yet to fully fulfill its mandate. Taking concrete measures to address these challenges will enhance the ability of policymakers and practitioners to effectively manage peacebuilding in each unique context¹¹.

2-Understanding Peace Building

Peace building is essentially the process of achieving peace, depending on one's understanding of peace, peace building differs considerably in terms of approaches, scope of activities and time frame. It is therefore not astonishing that the term and the concept of peace building are nowadays used in research and practice with varying understandings and definitions¹².

Bertram asserts that peace building is a relatively recent field, leading to a multitude of definitions that can sometimes be confusing. However, what is most intriguing is that various scholars define peace building as a 'process' involving a wide range of activities and stakeholders. According to Kofi Annan, peace building encompasses the simultaneous and integrated actions taken after a conflict to consolidate peace and prevent the recurrence of armed confrontations. Lederach characterizes peace building as an endeavor to address the underlying structural, relational, and cultural root causes of conflict. These two definitions share a common understanding of peace building as a process. Annan goes further by including the processes of changing attitudes through reconciliation and addressing the root causes of the conflict. However, Annan's perspective is limited to the process beginning only after the conflict has ended. This raises the question of what happens if the conflict does not come to an end. On the other hand, Lederach encompasses the full range of stages and approaches necessary to transform conflict into sustainable peaceful relations

and outcomes. Therefore, peace building is a holistic and comprehensive process that should encompass post-conflict reconstruction, the improvement and cultivation of social relations, the provision of aid assistance, reconciliation, and overall social and structural changes¹³.

Section II : Theoretical Framework

Through this requirement, we will attempt to define the concept of peacebuilding by presenting a set of theories and practices put forward by academics and practitioners in this field.

a)- Liberal Peace Building approach (Liberal Peace Theory)

The concept of liberal peacebuilding emphasizes the democratic reconstruction of states following armed conflicts and is rooted in the idea of the democratic/liberal peace, which can be traced back to the works of Immanuel Kant. In his renowned work "Zum Ewigen Frieden" (Perpetual Peace), Kant laid the groundwork for understanding peacebuilding among states based on their democratic values. He argued that the democratic structure of states is associated with their relatively peaceful behavior towards other states. Numerous quantitative studies have supported Kant's arguments by demonstrating a clear positive causal relationship between democracy and peace. Democracies tend not to engage in conflicts with one another because their shared norms of compromise and cooperation prevent their conflicting interests from escalating into violence. Another aspect of the "democratic peace" debate is the notion of the "liberal peace," which draws on the ideas of Adam Smith. In his book "An Inquiry into the Nature and Causes of the Wealth of Nations," Smith did, proposed a potential correlation between democracy, economic liberalization, and peace. In other words, the higher the level of a free market economy combined with a democratic political system, the greater the likelihood of achieving peace. Today, the concept of the "liberal peace" has become an integral part of the broader "democratic peace" discourse, as most democracies also embrace liberal market economies¹⁴.

b)- Sustainable Peace Building

On 27 April 2016, the General Assembly and the Security Council adopted substantively identical resolutions on peacebuilding (A/RES/70/262 and S/RES/2282 (2016), respectively), concluding the 2015 review of the UN Peacebuilding Architecture. These resolutions are the most comprehensive and far-reaching resolutions on this issue. This ground breaking achievement outlines a new ambitious agenda and approach for peacebuilding. Member States demonstrated their commitment to strengthening the United Nations' ability to prevent the "outbreak, escalation, continuation and recurrence of [violent] conflict," address the root causes and assist parties to conflict to end hostilities in order to "save succeeding generations from the scourge of war" as stated in the opening sentence of the UN Charter¹⁵.

John Paul Lederach is widely recognized as the primary advocate of the sustainable peace concept. He has formulated a comprehensive framework for peace building that emphasizes the importance of sustainable reconciliation within societies. Lederach asserts that the establishment of robust structures, effective processes, and the training of individuals over an extended period of time are crucial for achieving lasting peace. On the other hand, Paul van Tongeren advocates for the application of complexity theory in conflict prevention and peace building efforts. Tongeren argues that in order to effectively contribute to peace, diverse agencies must collaborate across multiple levels and employ various approaches¹⁶.

Lederach, in agreement with this standpoint, asserts that there is a general consensus on the primary objective of peace building, which is to establish a state of positive peace. This entails creating a stable social equilibrium wherein the emergence of new disputes does not escalate into violence and warfare. Sustainable peace is characterized by the absence of physical and structural violence, the eradication of discrimination, and the attainment of self-sustainability. The pursuit of

such an environment surpasses mere problem-solving or conflict management. Peace building initiatives strive to address the fundamental issues underlying the conflict and transform the patterns of interaction among the parties involved. Their goal is to transition a particular population from a state of extreme vulnerability and dependence to one of self-sufficiency and overall well-being¹⁷.

c)- United Nations And Peacebuilding In Kosovo

Through this topic, we will try to explain and present the most important causes of the conflict in Kosovo and the involvement of the United Nations in peacebuilding, as well as talk about the role of the European Union in the Kosovo crisis.

1- Historical Background

Through this requirement, we will try to explain and present the historical causes of the conflict and the nature of the state of Kosovo in terms of the social structure and cultural difference that were among the causes of the crisis,

2- A brief History

Kosovo, situated in the southwestern part of Serbia, is a region characterized by its diverse ethnic makeup, encompassing eight distinct ethnicities. In 1990, the demographic composition of Kosovo consisted of 81% Albanians, 11% Serbs and Montenegrins, 3% Gorani Moslem-Serbs, 2% Roma people, and 2% other minority groups. During this time, Kosovo-Albanians, who were facing oppression under the nationalist Serb government led by Milosevic, organized a peaceful movement and declared independence for Kosovo without the recognition of Belgrade. This declaration of independence further escalated tensions between Serbs and Albanians, leading many Albanians to believe that armed resistance was the only way to bring about change. Consequently, the Kosovo Liberation Army (KLA) was formed, marking the beginning of the war. The War in Kosovo commenced in February 1998 and concluded in June 1999, capturing global attention and culminating in a NATO intervention. In February 1998, the KLA, an Albanian paramilitary organization, initiated guerrilla attacks against Serb police and civilians. As a result, the KLA gained control over more than 30% of Kosovo. In response, the Serbian authorities, under Milosevic's command, launched a brutal crackdown on Kosovo Albanian civilians, resorting to bombings, mass killings, and murders. Milosevic's strategy aimed to portray the ethnic cleansing of Kosovo-Albanians as legitimate Serbian military actions against the KLA. By August 1998, the Serbs had regained control over 90% of Kosovo, resulting in the loss of numerous lives among both soldiers and civilians. Additionally, approximately 360,000 civilians were forced to flee to Albania and Macedonia in search of safety¹⁸

3- Roots of the conflict

On 11 March 1981, a series of protests erupted at the University of Pristina, initiated by Albanian students who were dissatisfied with their living conditions. These demonstrations quickly spread to other cities in Kosovo, involving the Albanian population. As the protests gained momentum, the participants began demanding increased autonomy for Kosovo and even the possibility of merging with Albania. In response, Belgrade took decisive action by deploying military forces and declaring a state of emergency. Consequently, over 2,000 Kosovar Albanians were apprehended, and security measures, which had been relaxed since 1974, were tightened. The Serbian perspective predominantly interpreted the Albanian appeals for greater autonomy as synonymous with advocating for unification with Albania. The most detrimental consequence of the 1981 crisis was the exacerbation of emotionally charged nationalist sentiments on both sides, fueling ethnic chauvinism¹⁹

In 1987, Slobodan Milosevic became a national political leader and began dismantling the autonomy of Kosovo's Albanians. The Serbian constitution was amended to give Serbia control over Kosovo's police, courts, and civil defense, reducing Kosovo's autonomy to a mere token. New measures were decreed by the Serbian Assembly in March 1990 to shore up the position of Serbs in Kosovo. Albanian legislators met in secret in September 1990, proclaimed a Republic of Kosovo, and established a shadow government. Rugova's aims were to prevent violence, internationalize the Kosovo problem, and deny the legitimacy of Serbian rule. Despite Serbian suppression of Albanian life in Kosovo and widespread human rights violations, Rugova adhered to this course despite economic sanctions on Serbia and renewed programs of Serb colonization. Serbia's war of territorial expansion against Bosnia in April 1992 caused Albanians in Kosovo to worsen. Serbia raised the specter of a fundamentalist Islamic threat, but obtaining an overall ethnic balance in Kosovo remained as illusory as ever²⁰.

I- Peacebuilding in Kosovo

Since the 12th of June 1999, when NATO troops entered Kosovo, the process of peacebuilding and subsequent state-building has been initiated and continued. The civil-military intervention in Kosovo in 1999 was driven by the objective of preventing further violations of human rights and freedoms, as well as the widespread murder, massacre, and genocide inflicted upon the Albanian population. The civilian mission, known as UNMIK, and the military mission, NATO/KFOR, were established in Kosovo with the aim of restoring legitimacy. In accordance with United Nations Security Council resolution 1244, both UNMIK and KFOR assumed full authority over Kosovo, effectively removing Serbia from power. This authority encompassed the three branches of state power - the legislature, executive, and judiciary. While UNMIK focused on state powers, KFOR was responsible for maintaining public order and peace, as outlined in the Bilateral Technical-Military Agreement with Serbia in 1999. The successful unity and cooperation among the UN, OSCE, EU, and NATO in Kosovo is widely regarded as a remarkable achievement.

When NATO launched Operation Allied Force on 24 March 1999, its members and planners expected air operations to be successfully concluded within a few days. In the event, NATO's military effort lasted for over two months. In this exercise in military coercion, the United States publicly ruled out, at the start, the idea of committing forces to a land invasion of Kosovo. When the FRY refused to be cowed by the air onslaught, this thus called into question NATO's strategy of what some had called 'immaculate coercion'²¹

In early June, President Milosevic indicated his acceptance of the international demands, compliance with which was necessary to end the bombing.¹⁹ After brief negotiations with NATO, represented by Lieutenant General Sir Michael Jackson, the FRY leadership agreed to withdraw its security forces and accept a NATO-led peacekeeping force and a UN international administration mission in Kosovo. These points were incorporated into Security Council Resolution 1244, which was passed shortly thereafter. On the question of the future status of Kosovo, the Resolution was deliberately ambiguous. Unlike in the Rambouillet drafts, there was no clear signal that a referendum on eventual independence would be organised. Kosovo's future thus remained uncertain²².

a- UNMIK and Kosovo

Established in 1999, UNMIK (United Nations Interim Administration Mission in Kosovo) was given a broad mandate to fulfill various responsibilities. These included promoting the establishment of substantial autonomy and self-government in Kosovo until a final settlement was reached. UNMIK also performed basic civilian administrative functions as required and organized the development of provisional institutions for democratic and autonomous self-government. This involved overseeing the holding of elections and transferring administrative responsibilities to these

institutions while supporting the consolidation of Kosovo's local provisional institutions and other peacebuilding activities. Additionally, UNMIK facilitated a political process to determine Kosovo's future status and oversaw the transfer of authority from provisional institutions to institutions established under a political settlement. The mission also played a role in supporting the reconstruction of key infrastructure and other economic development efforts. In coordination with international humanitarian organizations, UNMIK provided support for humanitarian and disaster relief aid. Furthermore, UNMIK maintained civil law and order, which included establishing local police forces and deploying international police personnel to serve in Kosovo during the interim period. The mission was also responsible for protecting and promoting human rights in the region. Lastly, UNMIK worked towards ensuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo. While some of these tasks had short-term objectives, much of the humanitarian and rebuilding work of UNMIK was completed more quickly than initially anticipated after the mission's establishment²³.

Section III: OBJECTIVES AND GENERAL FORMAT OF THE MISSION

Through this section, we will try to explain the role of the military forces in building peace in Kosovo, and we will also talk about their organization, work, and the efforts they have made.

a)- KFOR

KFOR must generally support UNMIK but nevertheless retains an independent position vis-à-vis UNMIK, as it is authorised separately and has its own area of responsibility. This is clarified in Resolution 1244 which stipulates that KFOR should be “coordinating closely with the work of the international civil presence in “a mutually supportive manner²⁴”.

1- Establishment of local institutions

The establishment of the Provisional Institutions of Self-Government (PISG) and the gradual transfer of powers to them have been ongoing since the Constitutional Framework was promulgated in 2001. Over the years, there have been four elections in Kosovo, each one demonstrating improvements in terms of organization and execution, as confirmed by thorough international monitoring missions. The emergence of democratically-elected and accountable institutions in Kosovo marked a significant milestone. Due to its remarkable progress, the Civil Administration "Pillar" of UNMIK has recently been demoted to a department within the office of the Special Representative of the Secretary General. Concurrently, regional civil administration offices have commenced their closure throughout Kosovo. While the oversight role will persist as mandated by UNSCR 1244, the local institutions now exercise full executive authority for most purposes, in accordance with the provisions of the Resolution²⁵.

2-Civil Law and Order

The United Nations Mission in Kosovo (UNMIK) has been working to establish effective and inclusive law enforcement agencies in Kosovo. Initially, the UNMIK Police (UNMIK-P) had a large international presence, consisting of 3,505 officers at its peak in December 2000. However, this was not sustainable or desirable due to high personnel turnover rates and short contracts. In recent years, the situation has improved as longer-serving international officers have advanced within the system and specialized units have been established to address organized crime and corruption. The Kosovo Police Service (KPS) was established in 1999 under UNMIK's guidance and with training provided by the OSCE-mandated police training college in Vushtrri/Vucitrn. The KPS currently comprises approximately 6,530 officers and has assumed operational command of all police stations and regions, except for Mitrovicë/Mitrovica²⁶.

Conclusion

The notion of peacebuilding refers to the process of establishing and nurturing sustainable peace in societies that have experienced conflict or violence. In the case of Kosovo, the United Nations successfully undertook the task of constructing and upholding peace within the region.

Ensuring peace in the Western Balkans and Kosovo has emerged as a significant objective for international organizations. The UN and EU's prolonged involvement in Kosovo can be attributed to various challenges, including the conflict in the 1990s and its aftermath, the absence of political cohesion, and the need for institutions capable of both civilian and military intervention. Moreover, the EU's engagement has been prompted by factors such as ethnic nationalism, socio-economic difficulties, and interethnic tensions, particularly between Serbs and Albanians in Kosovo. Additionally, unresolved matters in bilateral relations have further contributed to the EU's active role in the region.

The Kosovo peace operation, led by various international organizations under UN guidance, has been a significant achievement in shaping the post-Cold War peace operations and the Capstone Document. While not the initial multinational peace operation under UN leadership, the Kosovo mission has been instrumental in advancing the post-Cold War peace operations concept, as it has been more successful and all-encompassing than the Bosnia mission, due to the insights gained from it.

The study came to the following conclusions and recommendations :

- Peacebuilding must be in cooperation with internal bodies and involving all sectors of society
- Peacebuilding is a broad concept and can potentially include many political or military definitions
- Peacebuilding is an integrated and cooperative process that requires concerted national efforts, coordinated by International actors to ensure the effectiveness of the process;
- The need for the peacebuilding process to be comprehensive in its various political and economic aspects and social, which ensures that no element that may affect the sustainability of peace is neglected,
- Providing an appropriate security environment is considered a motivating factor in creating lasting peace.
- The European Union plays a crucial role in stabilizing the Republic of Kosovo, presenting a significant challenge to the peace-building process. Key issues include fostering reconciliation between Belgrade and Priština, addressing proposals on border revision with Serbia, and promoting multi-ethnic relations. EULEX and the EU must address internal obstacles like corruption, organized crime, and economic instability during the enlargement process. International peacebuilding efforts, regional cooperation, and local engagement in demarcation processes can drive positive transformation.
- The pillar system in Kosovo's peace operation was crucial, bringing together key international organizations like the OSCE and EU, led by the UN in a civilian capacity, with NATO providing security support. This system set the stage for post-Cold War peace operations outlined in the UN Capstone Document.
- UNMIK's flexibility in accommodating functional and structural changes within the pillar system has been a crucial feature of the mission. UNMIK has experienced various adjustments over time, enabling the UN to adapt to the mission's requirements and the situation on the ground in Kosovo.

- The peace operation in Kosovo transitioned from a UN peacekeeping mission to a civilian task led by the OSCE, particularly EULEX, after 2008. This shift led to a wide range of peacemaking, peace enforcement, peacekeeping, and post-conflict peacebuilding activities.
- UNMIK has always been a collaborative effort. Its framework includes two other regional organizations – the OSCE and the EU – as two of three (previously four) pillars. Overall, despite initial challenges, this setup has been successful and could be duplicated in other places to guarantee the representation and active participation of regional organizations in UN missions, or of UN structures in missions led by regional organizations.

Citation :

- 1- Jenkins, Isiaka Alani Badmus And Bert, Basic Concepts And Theories In International Peacekeeping: An Analytic Review, Austral: Brazilian Journal Of Strategy & International Relations, V.8, N.16, Jul./Dec. 2019 | Pp.52-53
- 2- Boutros-Boutros-Ghali, An Agenda for Peace, preventive diplomacy, peacemaking and peace-keeping. Report of the SecretaryGeneral pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 United Nations New York.,p.823.
- 3- United Nations, UN Peacebuilding: an Orientation,Peacebuilding Support Office new york 2010.p5.
- 4- Alexander, Nikitin, Basic Terminology and Concepts in International Peacekeeping Operations: An Analytical Review. Low Intensity Conflict & Law Enforcement (Volume 6, Summer 1997,, may-june).
- 5- Brovina, Ngadhnjim, Peacebuilding in Kosovo. International Review, ILIRIA (2017, 06), p. 171.
- 6- Marie Soleil,Frère,&Nina,Wilen, ,Definitions, Peacebuilding, INFOCORE, (2015, 11 27).. The INFOCORE, p.2.fromt&http://www.infocore.eu/results/definitions/25 novembre 2015.visited 05012024 at 08 :07.
- 7- Brovina, Ngadhnjim.op.cit.p.171.
- 8- United Nations, UN Peacebuilding.op.cit.p.5
- 9- Ibidem.
- 10- - Van Brabant, What Is Peacebuilding,Significantly Different Perspectives on Peacebuilding, International peacebuilding alliance interpeace (2010).., pp. 02-09.
- 11- IPI Blue Papers, Peacebuilding,Task Forces on Strengthening Multilateral Security Capacity international peace institute, Vienna.2009.,p.1.
- 12- people's university, Peacebuilding – Meaning And Significance,(India, Indira Gandhi National Open University,2024)p.1. <https://egyankosh.ac.in/bitstream/123456789/63939/1/Block-4.pdf>.visited 25 january2024 at 09;11.
- 13- Ibid.p16.
- 14- Ibid.p14.
- 15-United nations report, What does “sustaining peace” mean?,(New York, united nations,2017)p. 01.avialibale in https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/guidance-on-sustaining-peace.170117.final_.pdf.visited 22 january 2024 at 08;03
- 16- people's university,p.15.
- 17- Longpoe Hentuang Henry, Peace Building: Theories and Practice, International Journal Of Innovative Research & Development, March, 2020 Vol 9 Issue 3.151-156.p154.
- 18- Julia E. García Álvarez, Le rôle d'EULEX dans le processus de poursuites pour crimes de guerre au Kosovo, avialiable at <https://esthinktank.com/2022/11/11/the-role-of-eulex-in-the-war-criminal-prosecution-process-in-kosovo/>.visited 02 January 2024 at 08:11.

- 19- brief, ausa background,institute of land warfare publication roots of insurgency in kosovo,1999.06,<https://www.ausa.org/sites/default/files/BB-82-Roots-of-the-Insurgency-in-Kosovo.pdf>.see 08/02/2024.
- 20- Ibidem.
- 21- Paul Latawski and Martin SMITH, *The Kosovo crisis and the evolution of post-Cold War European security*. Manchester and New York: Manchester University Press. 2003.op.cit.p.14.
- 22- Ibid.20.
- 23- Søren Jessen-Petersen , *Challenges of Peacebuilding: The Example of Kosovo*, THEMENSCHWERPUNKT, Heupel, *Friedenskonsolidierung der Vereinten Nationen*, S+F (24. Jg.) 1/2006.p.02.pp06-10.
- 24- Jürgen Friedrich, UNMIK in Kosovo: Struggling with Uncertainty, Netherlands, Koninklijke Brill N.V,2005, Max Planck Yearbook of United Nations Law, Volume 9, 2005, p. 225-293.p.236.
- 25- Søren Jessen-Petersen .Op.Cit.p02.
- 26- Op.cit.262.

¹¹ Jenkins, Isiaka Alani Badmus And Bert, Basic Concepts And Theories In International Peacekeeping: An Analytic Review, Austral: Brazilian Journal Of Strategy & International Relations, V.8, N.16, Jul./Dec. 2019 | Pp.52-53

² Boutros-Boutros-Ghali, An Agenda for Peace, preventive diplomacy, peacemaking and peace-keeping. Report of the SecretaryGeneral pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 United Nations New York.,p.823.

³ United Nations, UN Peacebuilding: an Orientation,Peacebuilding Support Office new york 2010.p5.

⁴ Alexander, Nikitin, Basic Terminology and Concepts in International Peacekeeping Operations: An Analytical Review. *Low Intensity Conflict & Law Enforcement* (Volume 6, Summer 1997,, may-june).

⁵ Brovina, Ngadhnjim, Peacebuilding in Kosovo. *International Review, ILIRIA* (2017, 06), p. 171.

⁶ Marie Soleil,Frère,&.Nina,Wilen, ,Definitions, Peacebuilding, INFOCORE, (2015, 11 27).. *The INFOCORE*, p.2.fromt&http://www.infocore.eu/results/definitions/25 novembre 2015.visited 05012024 at 08 :07.

⁷ Brovina, Ngadhnjim.op.cit.p.171.

⁸ United Nations, UN Peacebuilding.op.cit.p.5

⁹ Ibidem.

¹⁰ - Van Brabant, What Is Peacebuilding,Significantly Different Perspectives on Peacebuilding, *International peacebuilding alliance interpeace* (2010)... , pp. 02-09.

¹¹ - IPI Blue Papers, *Peacebuilding,Task Forces on Strengthening Multilateral Security Capacity* international peace institute, Vienna.2009.,p.1.

¹² people's university, Peacebuilding – Meaning And Significance,(India, Indira Gandhi National Open University,2024)p.1. <https://egyankosh.ac.in/bitstream/123456789/63939/1/Block-4.pdf>.visited 25 january2024 at 09;11.

¹³ Ibid.p16.

¹⁴ Ibid.p14.

¹⁵

United nations report, What does “sustaining peace” mean?,(New York, united nations,2017)p. 01.avialibale in https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/guidance-on-sustaining-peace.170117.final_.pdf.visited 22 january 2024 at 08;03

¹⁶ people's university,p.15.

¹⁷ Longpoe Hentuang Henry, Peace Building: Theories and Practice, International Journal Of Innovative Research & Development, March, 2020 Vol 9 Issue 3.151-156.p154.

¹⁸ *Julia E. García Álvarez*, Le rôle d'EULEX dans le processus de poursuites pour crimes de guerre au Kosovo, available at <https://esthinktank.com/2022/11/11/the-role-of-eulex-in-the-war-criminal-prosecution-process-in-kosovo/>.visited 02 January 2024 at 08:11.

¹⁹ brief, ausa background,institute of land warfare publication roots of insurgency in kosovo,1999.06,<https://www.ausa.org/sites/default/files/BB-82-Roots-of-the-Insurgency-in-Kosovo.pdf>.see 08/02/2024.

²⁰ Ibidem.

²¹ Paul Latawski and Martin SMITH, The Kosovo crisis and the evolution of post-Cold War European security. Manchester and New York: Manchester University Press. 2003.op.cit.p.14.

²² Ibid.20.

²³ Søren Jessen-Petersen , Challenges of Peacebuilding: The Example of Kosovo, THEMENSCHWERPUNKT, Heupel, Friedenskonsolidierung der Vereinten Nationen, S+F (24. Jg.) 1/2006.p.02.pp06-10.

²⁴ Jürgen Friedrich, UNMIK in Kosovo: Struggling with Uncertainty, Netherlands, Koninklijke Brill N.V,2005, Max Planck Yearbook of United Nations Law, Volume 9, 2005, p. 225-293.p.236.

²⁵ ²⁵ Søren Jessen-Petersen .Op.Cit.p02.

²⁶ Op.cit.262.

Bibliography

A- Books:

- 1- Smith, Martin A.; Latawski, Paul, The Kosovo crisis and the evolution of post-Cold War European security. Manchester and New York: Manchester University Press. 2003.

B- Articles:

- 1- Jenkins, Isiaka Alani Badmus And Bert, Basic Concepts And Theories In International Peacekeeping: An Analytic Review, Austral: Brazilian Journal Of Strategy & International Relations, V.8, N.16, Jul./Dec. 2019 | Pp.52-53
- 2- Alexander, Nikitin, Basic Terminology and Concepts in International Peacekeeping Operations: An Analytical Review. Low Intensity Conflict & Law Enforcement (Volume 6, Summer 1997,, may-june).
- 3- Brovina, Ngadhujim, Peacebuilding in Kosovo. International Review, ILIRIA (2017, 06), p. 171
- 4- Van Brabant, What Is Peacebuilding,Significantly Different Perspectives on Peacebuilding, International peacebuilding alliance interpeace (2010).., , pp. 02-09.
- 5- IPI Blue Papers, Peacebuilding,Task Forces on Strengthening Multilateral Security Capacity international peace institute, Vienna.2009,.
- 6- Longpoe Hentuang Henry, Peace Building: Theories and Practice, International Journal Of Innovative Research & Development, March, 2020 Vol 9 Issue 3.151-156.
- 7- Søren Jessen-Petersen , Challenges of Peacebuilding: The Example of Kosovo, THEMENSCHWERPUNKT, Heupel, Friedenskonsolidierung der Vereinten Nationen, S+F (24. Jg.) 1/2006..pp06-10.
- 8- Jürgen Friedrich, UNMIK in Kosovo: Struggling with Uncertainty, Netherlands, Koninklijke Brill N.V,2005, Max Planck Yearbook of United Nations Law, Volume 9, 2005, p. 225-293.

C- Reports:

- 1- Boutros-Boutros-Ghali, An Agenda for Peace, preventive diplomacy, peacemaking and peace-keeping. Report of the SecretaryGeneral pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 United Nations New York.,p.823.
- 2- United Nations, UN Peacebuilding: an Orientation,Peacebuilding Support Office new york 2010.p5.
- 3- United nations report, What does “sustaining peace” mean?,(New York, united nations,2017)p. 01.avialibale in https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/guidance-on-sustaining-peace.170117.final_.pdf.visited 22 january 2024 at 08;03

D- Websites

- 1- People's university, Peacebuilding – Meaning And Significance,(India, Indira Gandhi National Open University,2024)p.1. <https://egyankosh.ac.in/bitstream/123456789/63939/1/Block-4.pdf>.visited 25 january2024 at 09;11.

Brief, ausa background,institute of land warfare publication roots of insurgency in kosovo,1999.06,<https://www.ausa.org/sites/default/files/BB-82-Roots-of-the-Insurgency-in-Kosovo.pdf>.see 08/02/2024