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Preventive measures for non-proliferation in the region of Kosovo



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Introduction

The area of the Balkans appears to be particularly unstable, although significantly important for the future of the rest of Europe. Since the end of the Cold War the area is ravaged by continuous wars and hostile situations, which led, first of all, to the destruction of Yugoslavia and the creation of new states, and, secondly, on a less formal level, to the constant instability of the area.

Although, at this of time, the new states seem to be sovereign, inside Serbia, the issue of Kosovo has not been solved yet. After the NATO air strike in 1999, the area officially followed the path of development. In practice, though, the continuous hostility between the Kosovo Albanian majority and the Serbian minority, along with the dead-end in the negotiations as for the final status of Kosovo could not but end up in turmoil. At this point of time there is no specific conclusion to the status of Kosovo, whereas the drums of war are still heard.

Under these circumstances of instability the possibility of Kosovo turning to a field of war one more time and becoming a vivid market for arms and weapons seems quite realistic. Therefore, measures should be taken, in order to collect and destroy every illegal weapon, acquired by inhabitants, as well as avoid purchasing more. The realization of this prediction could be terrifying and could lead to a black hole of illegal weapon market in the heart of the Balkans, affecting Western Europe as well.

Background information

Kosovo lies in the southern part of Serbia and used to be an autonomous province during the era of the socialistic regime. The majority of the population inhabiting the area is Kosovo Albanians (approximately 90%), while Serbs live there in a percentage of 10%.

During the Croatian and the Bosnian war, the Kosovars followed the route of passive resistance and non-violence, which concluded to the disregard of the Serbian institutions. The Kosovo Albanian leader, Ibrahim Rugova, was a great defender of this method. However, after



the three war parties (Yugoslavia, Bosnia-Herzegovina and Croatia) signed the Dayton Accords (1995), under the auspices of the USA, the Albanian population of Kosovo realized that the peaceful route would not give them the chance to gain their independence. This occurred due to the fact that no additional changes in borders within Yugoslavia would be sanctioned.

In the two years to come the situation in Kosovo became more and more hostile. The Kosovo Liberation Army (UCK) was founded and it started a struggle in order to “liberate” Kosovo. Their campaign consisted of terrorizing acts against the Serbian population, in order to radicalize the situation, whereas, Belgrade would not leave such challenges unanswered. The turning point was the collapse of Albania, in 1997, because of the collapse of the so-called “pyramid” system. The turmoil in the neighbouring country, which consist the “motherland” for the majority of Kosovars, ended in complete anarchy. Under these circumstances, the weapon storages of the country were looted and the vast majority of these weapons ended in Kosovo. The UCK was supplied with the necessary means in order to pursue their target. Furthermore, military assets were acquired by illicit market and the money earned by illicit drug trafficking. It is now worth mentioning that the economy of Kosovo throughout these years deteriorated significantly; therefore trafficking was part of the population’s activities anyway.

In 1998, the atrocities between the Serbian army and the Kosovo Liberation Army were unprecedented. The European Union and the USA feared that a new “Bosnia” would occur; therefore they undertook initiatives in order to resolve the crisis, before it was too late. Such initiatives were the Contact Group (consisting of representatives from Germany, USA, Russia, France and the United Kingdom) and the numerous attempts to meet the ends of the two sides. The United Nations, on the other hand, still carrying the burden of the failure of the UN ‘safe havens’ during the Bosnian War, took action immediately, as well. However, under the Milosevic administration, Belgrade had to confront with the hostility of the international community. The European Union and the USA thought of him as the cause of the turmoil in the Balkans. As a result, UCK, realizing their advantage intensified the struggle, causing the exact same response by the Serbian government.

The initiatives that took place in the area or in order to resolve the issue can be summarized as following:



- CSCE (Conference on the Security and Cooperation in Europe): During 1992-1993 a mission was sent to Kosovo in order to prevent conflicts in the area, under the framework of preventive diplomacy. It consisted of observers and its main tasks were to monitor the protection of the human rights and to promote the democratic procedures. The Yugoslavian government asked them to leave, though, by the end of July 1993.
- Contact Group: It consisted of the Ministers of Foreign Affairs of the USA, the United Kingdom, France, Germany, Italy and Russia. The Contact Group received memoranda from both sides and was trying to prevent general conflict and destabilization of the area via common press conferences and diplomatic processes. Its action is located during the period 1997-1998.
- The Agreement Holbrouk-Milosevic (October 1998): This agreement reiterated the willingness of the international community and the Yugoslavian government to resolve the problem with diplomatic means and declared the departure of Yugoslavian army from Kosovo. Richard Holbrouk was acting as the Special Envoy of the President of the USA.
- Rambouillet Talks: The talks were held under the pressure of NATO and are separated in two phases. In February 1999, during the first phase, no progress was noticed. An agreement was proposed, which was not accepted by both Serbs and Kosovar Albanians. In March 1999, during the second phase and under the threat of NATO bombings, only the Kosovar Albanians signed the proposed agreement, while the Serbs were talking about the circumvention of the sovereignty of the country.

After the failure of the Rambouillet talks, NATO commenced the bombing of Yugoslavia under the code name “Allied Force”.

The United Nations produced quite a few resolutions concerning the efforts to resolve the Kosovo issue that arose peacefully. The most important of them are:

- Security Council resolution 1160 (31/3/1998), which expressed the need for both sides to work diplomatically for a solution and prohibited other states to provide weaponry to any of the two sides.



- Security Council Resolution 1199 (23/9/1998), which reiterated the need for cooperation between the two sides for a political solution and endorsed the cease of atrocities and the promotion of humanitarian aid in the area.
- Security Council Resolution 1203 (24/10/1998), which reiterates the same principles, forces the Yugoslavian side to fulfill their duties according to the former resolutions and the Kosovo Albanian side to stop atrocities.
- Security Council Resolution 1244 (6/10/1999), which occurred after the ending of the NATO bombings. It condemned all the hostile energies that took place in Kosovo by all sides, implemented the international civil and security presence, regulated the Special Representative of the United Nations and took care of the humanitarian issues that occurred after the bombing. Apart from all the other issues that were settled this resolution commanded the demilitarization of UCK.

After the end of the NATO bombings two international forces settled in Kosovo. UNMIK settled there under the authorization of the United Nations and KFOR under the authorization of NATO. Practically, Kosovo, although still part of Serbia, is an international protectorate. The issue of disarmament and non-proliferation, which is the one that concerns us, is one of the most important ones that the two forces have not succeeded yet in resolving. However, numerous attempts, including projects and initiatives, have been made.

After the ending of the NATO bombings in June 1999, two international agencies settled in Kosovo: UNMIK, led by the United Nations, and KFOR, led by NATO. The disarmament of the civilians and rebels was and still is part of KFOR's tasks. According to Security Council Resolution 1244(1999), the Yugoslavian Army and paramilitary forces should leave the area of Kosovo and only some portions of the Army would return in order to maintain basic Serbian authority presence and to take part in the demining process. On the other hand the UCK should be disarmed and demilitarized, in order to develop into a political power. These specific principles were underlined during the meeting of G-8 Foreign Ministers at Petersberg Centre on 6 May 1999.



The actions taken after the settlement of the international civilian and security presences in Kosovo are stated below:

- **KFOR**: In accordance to UNSCR 1244, the force ordered disarmament of the UCK. However, the UCK fighters were given a three-month deadline, up to September 1999 in order to completely disarm. Although the UCK generally complied with the interim deadlines, including short delays, and apart from pistols gave up anti-tank and anti-aircraft weapons, during these three months, the fighters were able to stockpile numerous of them, as well. It is important to note as well, that the UCK denied complete demilitarization and disarmament, due to the fact that “Kosovo needs protection”, as stated. Amnesty periods followed in 2001, 2002, 2003 (the last one in cooperation with UNDP).
- **UNDP**: The UN agency established two projects for the reduction of illicit small arms in the region of Kosovo. The first one, **ISAC I** (Illicit Small Arms Control), (June 2002-December 2003) targeted in supporting the sustainability of post-conflict peace building and human development processes in Kosovo through the reduction to and availability of illicit small arms. The project built strong partnerships with the Provisional Institutions of Self Government (PISG), KFOR, UNMIK and NGOs active in the area. Its main goal was to support regulatory framework, public policy and planning for illicit and legal small arms, public awareness, SALW collection and destruction. **ISAC II** (August 2005-February 2006) intended to extend its reach to a broader segment of population. The objectives were more related to the results of use of SALW, the raising of awareness among the society and the different groups, information, but KPS training and equipment for counter-terrorism and appropriate equipment installed for the Weapons Registration Office, as well.

Weapons-in-Exchange for Development Project: A program funded by the Japanese government under the auspices of UNDP, tied to the weapons’ amnesty. This program provided funding for community development projects to each of the three municipalities with the largest number of weapons surrendered during the amnesty period. In order to enter the program a municipality should surrender a minimum of 300 weapons. The amount of the funding reached \$ 225,000 per municipality.



THE ISSUE

- Currently, it is estimated that 310,000 to 440,000 unregistered guns circulate in the region of Kosovo. According to a SEESAC survey that ended in June 2006, it is estimated that 400,000 weapons exist in Kosovo, of which about 317,000 are illegal. The rest of the amount corresponds to legal possessed weapons (for instance hunting guns or legally acquired for security reasons), official international agencies (KFOR, UNMIK) and international private security companies.

The reasons why the possession of illegal weapons is so high vary. Apart from the family tradition and the general gun tradition of the area, which is claimed to exist, but it is not a reliable reason, there are numerous others. First of all, the lack of police and judicial capacity to implement the law regulating Small Arms and Light Weapons possession (SALW). This law has been adopted according to UNMIK administration. After all, there is a poor legislative framework for regulating the international transfer of arms and military equipment. Therefore, weapons possession is more prevalent in border and rural areas. These results appear in proportion to the levels of insecurity that exist in border and rural areas, which are more increased than the ones in the cities.

There is a strong connection between voluntary small arms and light weapons surrender and the final status of Kosovo. The Kosovo population feels great insecurity because of that issue, with the need for financial improvement and collective and individual initiatives to supplement it.

Apart from the reasons stated above, there is always the aspect of political and ethnic rivalries, organized crime and revenge attacks. Especially for the aspect of crime, illegal market is a fact in the area of Kosovo concerning weaponry, drugs, human trafficking, while armed attacks, such as robberies or assaults happen on a regular basis.

The high insecurity levels, which push the population to try to defend themselves, their families and their properties by their own, are caused by the lack of faith to the international presence in the region. For instance, Kosovo Albanians, feeling secure in general, are formerly secure under the protection of the Kosovo Protection Corps (KPC, a transformation of the UCK



from 2001 in order to undertake police tasks) and on a second level to KFOR, whereas Kosovo Serbs feel insecure under the protection of both of them, hoping that the Serbian Army will protect them.

To this aspect contributed the difficulty of the international presence to create a specific and realistic public policy, to a great extent due to mixed data and confusing processions. Although, KFOR and the police declared four amnesty periods so far (1999, 2001, 2002, 2003), only the first one has the reputation of the successful one, while numbers on the rest of them deteriorated each year. Even though the UCK surrendered their weapons in the amnesty period of 1999, it is widely believed the organization surrendered only a small proportion of its arsenal. Of course, the reveal of large-scale SALW caches was more frequent immediately after the conflict of the late 20th century, however, weapons are seized on a daily basis, concerning mainly pistols, rifles and shotguns. To this effect, KFOR and KPS keep stored collected weapons, which are not secured or destroyed, as they should be, which is a proof of the extremely slow judicial proceedings.

The poor and slow judicial procedure supplements the problematic legislation over the legalization of guns. It is stated by the president of the Hunting Society of Kosovo that since 2001 over 50,000 guns were legalized as hunting ones, even though the hunters' number never increased 10,000. It is understood that this lack of control by UNMIK result to the proliferation of SALW in the region of Kosovo, as well as the destruction of the wild life of the area.

There are three main reasons why the demand for illegal SALW is constantly increasing in the region of Kosovo:

- The lack of legal channels for acquiring a firearm, since no licensed SALW vendors exist in Kosovo. This reason includes the needs of hunters.
- The strong need of the population to provide security and protection for themselves, their families and their properties. This occurs as the main reason.
- Finally, in order to pursue criminal activities.
- It is clear, that the three above reasons constitute different degrees of threat to security and safety and different law enforcement challenges.



- It is rather important and interesting to refer to the main sources of illegal SALW in the area of Kosovo, since this is the field on which strongest measures should be taken:
- Ex-Yugoslav SALW holdings: This phenomenon is observed mainly in the northern areas of Kosovo, where former policemen or soldiers of Serb origin, even though the Serbian Army withdrew, still carry their guns.
- SALW looted from stocks in Albania: Apart from the loot that took place in Albania after the financial and political collapse of the country in 1997, it is estimated that approximately 39,000 weapons were brought by Kosovar refugees, who were hosted in camps in Albania during NATO bombings and returned to their homes in Kosovo.
- Former ethnic Albanian armed groups holdings: However, 8,500 weapons were surrendered and confiscated during the 90-day amnesty period of 1999 and after that approximately 1,400. Moreover, it is assumed that 30-40% of the total UCK holdings in 1999 was given to other insurgent groups in South Serbia and FYROM. It is important to take into account the relocation of the weapon caches in northern Albania, as it is assumed to be safer there, and the seizures, as well. It is estimated that approximately 20,000 weapons are either cached in northern Albania or circulate illegal inside Kosovo.
- World War II weaponry: Of course this kind of weapons does not constitute serious threat, since they are old and not well preserved. Most of them appear to be dysfunctional and are kept in the houses as family heirlooms.
- Illegal SALW production: Although it is estimated to correlate to a small proportion of the overall illegal circulation in Kosovo, it is widely known that with a small amount of money people can transform their guns or to construct one, certainly of lower quality.
- SALW trafficked into Kosovo: Mainly criminal groups follow this route and especially they are trafficked from Albania. Although some surveys believe that currently not large numbers are moved through Kosovo, poor border surveillance and poor legislation framework allow traffickers to act. Among the international officers, the British ones seem to be the most rigorous, while Russians tend to be more lenient and less activated, probably by fear of the perception wide spread among the Kosovo Albanians that they are “friends of the Serbs”.



BLOCK POSITIONS

- It is well understood that the block positions over the issue of the final status of Kosovo do not reflect in absolute terms the block positions over the issue of non-proliferation of Kosovo.
- To be more specific, the United States of America, the United Kingdom and France are ready to recognize an independent Kosovo. Non-proliferation is of great importance to them, due to the fact that they will not need to send more troops there in case of turmoil. On the other hand, these countries are able to sell weaponry in these areas. China and Russia can sell weaponry or components, as well. However, gas pipeline projects in the area need it to be stabilized and secure, but not necessarily prosperous.
- The European Union holds an ambivalent position and, especially, Germany whose position on the matter is a mystery. Some of the other EU countries, such as Greece, Slovakia, Spain, Romania, Cyprus, Hungary and Bulgaria keep a mediocre position.
- Non-proliferation may be of great interest to countries that suffer from similar problems, such as African ones or Latin American states. Given the fact that they do not have special interests in the area, they can rally in order to promote a more effective draft resolution. Added to the above-mentioned countries, moderate Arab countries, such as Egypt, Jordan and Saudi Arabia can pursue a solution via the UN. Iran, of course, is against any incentive that the USA supports.

QUESTIONS A RESOLUTION MUST ANSWER

In order to be proved completely successful, a resolution must answer some questions, among others, concerning:

- The production of SALW



- Internal trade and illicit trade of weaponry
- Possession and use of SALW
- Stockpile management
- Information management
- Education and SALW awareness
- SALW Collection and Destruction Programs
- International transfer control and border management
- International cooperation and information exchange
- Transparency and oversight within Kosovo
- Coordination and policy transformation
- The above-mentioned factors are the ones that face the greatest difficulties in order to be resolved. Current deficiencies are caused due to vague mandates and the lack of true engagement on the issue. UNMIK and KFOR need to act vigorously, so that the situation of proliferation of weaponry in the region of Kosovo will be considered as an unfortunate event and not as a permanent truth.

SOLUTIONS AND SUGGESTIONS

- In order to have a fruitful and effective debate, the delegates should not concentrate in the issue of the final status of Kosovo. Certainly, as it occurs above, it is an issue strongly related to the proliferation of weaponry in Kosovo, however it is not a task of the 1st Committee of the General Assembly, but rather of the Security Council. Therefore, comments on the situation are accepted, nonetheless complete engagement to this issue would be misleading for the debate.
- On the issue of non-proliferation in the region of Kosovo itself, it is highly recommended to use and improve the already existing bodies and projects. The announcement of further projects or the establishment of more bodies (international and/or regional) would not add anything new to the current problem, unless, of course, there is a certain institutional



lack. Furthermore, other UN agencies could be asked for aid or consultancy, such as UNDP, which is already activated in the region with special programs.

- Finally, apart from illegal trade and low-efficiency border control, it is recommended to work on the perceptions of security in the area, due to which there is such a great demand for SALW. Providing security to the population of the area will lead to the reduction of the demand, to stabilizing effects and to the paving of the path of Kosovo to disarmament and development.

CONCLUSION

The proliferation of weapons in the area of Kosovo is an inconvenient truth that is not as widespread as during the years immediately after the conflict, but still exists in a large scale. The sheer existence of such a danger after nine years of international civilian and security presence in the province puts in peril the credibility of the international institutions that are engaged.

Moreover, the proliferation of weapons puts in danger of destabilization the entire region of Western Balkans. Therefore, it is claimed that we are watching either the creation of a rogue state or of a black hole of illicit trade in the heart of south eastern Europe. Adding the fact that, as long as the status of Kosovo is not finalized, the local population might claim independence by an armed conflict, it occurs that disarmament in the area is more than an emergency.

Thus, the 1st Committee of the General Assembly, who is responsible for such matters, should take initiatives and promote the solution of the issue. Such a solution should not concern only disarmament, but the reasons why the latter has not been succeeded yet. It is widely evident that measures should be taken so that peace and security in the area prevails.



LINKS FOR FURTHER RESEARCH

- www.smallarmssurvey.org
- www.cv.jmellon.cokm/salw_kosovo_2006.pdf
- www.seesac.org
- www.reliefweb.int
- www.kosovo.undp.org
- www.mirror.undp.org/kosovo/Projects/projects.asp
- www.birn.eu.com
- www.unmikonline.org
- www.nato.int/kfor/
- www.lamar.colostate.edu/~grjan/kosovohistory.html
- www.smallwarsjournal.com
- www.antiwar.com

Of course this list is not limiting and you should definitely consult the web sites of the Ministry of Foreign Affairs and the Permanent Mission in the UN of the country assigned.