Ramadan Ilazi

PhD

2021

The European Union and Everyday Statebuilding in Kosovo

Ramadan Ilazi

Award: PhD **2021**

The European Union and Everyday Statebuilding in Kosovo

Ramadan Ilazi, (PhD)

Thesis Submitted for the Award of PhD

School of Law and Government
Dublin City University

Supervisors: Professor John Doyle and Dr Gëzim Visoka

March, 2020

Declaration Page

I hereby certify that this material, which I now submit for assessment on the programme of study leading to the award of PhD is entirely my own work, and that I have exercised reasonable care to ensure that the work is original, and does not to the best of my knowledge breach any law of copyright, and has not been taken from the work of others save and to the extent that such work has been cited and acknowledged within the text of my work.

Signed: **ID No.: 16212892** **Date: November 3, 2020**

Table of Contents

DECLARATION PAGE III

LIST OF ABBREVIATIONS VI

ACKNOWLEDGEMENT VII

ABSTRACT IX

CHAPTER 1: INTRODUCTION 1

1.1 THE RESEARCH PUZZLE 6
1.2 CONCEPTUAL FRAMEWORK AND METHODOLOGY 10
1.3 THE ARGUMENT AND CONTRIBUTION OF THE THESIS 14
1.4 THESIS STRUCTURE AND OUTLINE 20

CHAPTER 2: STATEBUILDING INTERVENTIONS 23

2.1 AN OVERVIEW OF CONCEPTUAL INVESTIGATIONS INTO POST-CONFLICT STATEBUILDING INTERVENTIONS 23
2.2 THE EU'S APPROACHES TO STATEBUILDING 30
2.3 THE MISSING ASPECT OF EU STATEBUILDING STUDIES 39
2.4 CONCLUSION 42

CHAPTER 3: EVERYDAY STATEBUILDING 44

3.1 STATEBUILDING INTERVENTIONS AND THE EVERYDAY TURN 45
3.2 RESEARCH DESIGN 53
3.3 CONCLUSION 66

CHAPTER 4: STRENGTHENING THE RULE OF LAW IN KOSOVO 67

4.1 UNDERSTANDING EU'S PRIORITIES AND APPROACHES IN THE RULE OF LAW SECTOR IN KOSOVO 69
4.2 INFORMALITY AS A PRACTICE OF MICROMANAGEMENT 72
4.3 EMBEDMENT OF EU POLICE OFFICERS, PROSECUTORS AND JUDGES WITH LOCAL RULE OF LAW INSTITUTIONS 82
4.4 LAW-MAKING PROCESS THROUGH SUBCONTRACTED EXPERTISE 90
4.5 CONCLUSION 101

CHAPTER 5: REFORMING PUBLIC ADMINISTRATION IN KOSOVO 104

5.1 UNDERSTANDING EU'S PRIORITIES AND APPROACHES IN REFORMING PUBLIC ADMINISTRATION 107
5.2 CONTROLLING INPUT OF LOCAL ACTORS IN THE PROCESS OF NEGOTIATING CONTRACTUAL RELATIONS FOR PUBLIC ADMINISTRATION REFORM 115
5.3 INTERFERENCES IN IMPLEMENTING PUBLIC ADMINISTRATION REFORMS 121
5.4 CONCLUSION 129

CHAPTER 6: FACILITATING NORMALIZATION OF RELATIONS BETWEEN KOSOVO AND SERBIA 132

6.1 UNDERSTANDING THE EU'S PRIORITIES AND APPROACHES FOR NORMALIZATION OF RELATIONS BETWEEN KOSOVO AND SERBIA 135
6.2 MUNDANE AND RUDIMENTARY PRACTICES OF ARBITRATION IN THE BRUSSELS DIALOGUE 140
6.3 ILLUSION OF COMPROMISE BETWEEN KOSOVO AND SERBIA THROUGH THE PRACTICE OF EMBEDMENT OF EU IN THE AGREEMENTS 149
6.4 CONCLUSION 162

CHAPTER 7: CONCLUSION 165

7.1 TOWARDS AN ALTERNATIVE VIEW OF EU'S STATEBUILDING APPROACHES 167
7.2 RETHINKING THE EU'S AGENCY IN PRACTICE 171
7.3 THEORETICAL AND POLICY IMPLICATIONS 175

LIST OF INTERVIEWS 181

BIBLIOGRAPHY 185

List of Abbreviations

ACA	Anti-Corruption Agency of K
CSDP	Common Security and Defence Policy
EC	The European Commission
EEAS	European External Action Service
ERA	European Reform Agenda
EU	The European Union
EULEX	The European Union Rule of Law Mission in Kosovo
EUOK	The EU Office in Kosovo
EUSRK	European Union Special Representative in Kosovo
IBM	Integrated Border Management
ICJ	International Court of Justice
ICTY	International Criminal Tribunal for the former Yugoslavia
IPA	EU's Instrument for Pre-Accession Assistance
JRCB	Joint Rule of Law Coordination Board in Kosovo
KPCVA	Kosovo Property Comparison and Verification Agency
NGO	Non-Government Organizations
OECD	Organisation for Economic Co-operation and Development
PAR	Public Administration Reform
SAA	Stabilization and Association Agreement
SG-PAR	Special Group on Public Administration Reform between Government of Kosovo and the EU
SIGMA	Support for Improvement in Governance and Management - a joint initiative of the OECD and the EU,
SRC-PAR	Sector Reform Contract for Public Administration Reform
TAIEX	Technical Assistance and Information Exchange
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo
UNSCR	United Nations Security Council Resolution
YCS	Young Cell Scheme

Acknowledgement

To my son Leka.

When I completed my postgraduate studies in 2012 at the University of St. Andrews in Scotland, because of my rather unpleasant experience with my thesis, I felt I was not done with my higher education. But besides that, my overall experience at St. Andrews was most rewarding, and I came to appreciate and really like the tranquillity, civility and the sense of belonging to a community that was pursuing knowledge. I created friendships that I still cherish. So, when I applied for the PhD scholarship in 2016 at the School of Law and Government of DCU, I was a deputy minister for European integration in the Kosovo government, a highly stressful job. During the interview, I was asked why I would leave a job like that to pursue a PhD at DCU. First and foremost I wanted to return to return to a space I knew I had enjoyed and learned so much and space from the chaotic and stressful environment of politics. But, also I knew I had an unfinished job with academia. I had gained so much experience working in the government with the European integration process, and I thought I could contribute to the existing body of knowledge by building on my experience and exploring further the EU from the perspective of the researcher. However, while I thought I was escaping a stressful environment of the politics, I was not prepared for the level of gruelling stress the PhD process is. But, as my friend and my mentor Dr Gëzim Visoka said to me at the time, this is the necessary and required pain to come out of the process complete. Dr Visoka is the one person I am so much grateful to for encouraging me to pursue my PhD but also for providing me with a path that allowed me to reintegrate myself into a sense of belonging to the community of amazing individuals that contribute to knowledge. Words truly fail me to express my sense of appreciation that I have for Gëzim. Thank you!

This thesis was a result of considerable and valuable support, above all, from my supervisors Professor John Doyle and Dr Gëzim Visoka. I grateful for your guidance, encouragement, and advice for four years, as well as your continued support. I want to also thank you for the emotional support, which was extremely important to me. Throughout the four years, there were instances when I doubted myself and the research project, but you were always there for me. I thankful for the walks we had in the Albert College Park with Gëzim discussing my dilemmas and challenges with the research project, as we sipped our caramel macchiato. I am thankful to Professor Doyle, who despite his responsibilities as the dean of the faculty, always made time to meet and offer guidance. I have benefited so much from his wisdom and experience. In particular, I appreciate both John's and Gëzim's thoughtful and insightful advice that really helped me capture the analytical potential of my research. School of Law and Government at the DCU was an amazing place to study, and I am thankful to the head of the school Professor Iain McMenamin, Professor Gary Murphy, Dr Walt Kilroy, and Dr Ken McDonagh for their continued support and encouragement. I also would like to extend my gratitude to Azra Naseem, an amazing person who helped move from disorder to order in my

thesis. I appreciate Azra's support in properly organizing my material, arguments and the analysis.

I also want to thank my fellow student colleagues at the DCU, in particular Dr Alessandra Rossetti, Dr Harikrishnan Sasikumar, Dr Eline Christina Sikkema, Sheelagh Brady, Gearóidín McEvoy, Clare Barry, James Forbes, and Christine Andreeva. I am grateful to my colleagues at the Kosovar Center for Security Studies (KCSS), particularly Dr Florian Qehaja, as well as Mentor Vrajolli, and Tringa Naka for their support. KCSS is an amazing think-tank in Kosovo that contributes significantly to the peacebuilding process in the country.

I would also like to extend my gratitude to a number of people who offered encouragement and support throughout my four years at the DCU: Shpëtim Selmani, Erna Hasangjekaj, Pleurat Halili, Leonora Kryeziu, Kushtrim Palushi, Bekim Çollaku, Besart Lumi, Afrim Demiri, Nazim Haliti, Admir Salihu, Samir Reka, Kushtrim Musa, Arton Xheladini.

I am especially thankful to my family, to my wife Jehona Kapllani-Ilazi, my son Lekë Pulsar Ilazi, my mother Naile Ilazi, and my sisters Fitore, Arta, and Adelina. My wife Jehona has been especially supportive, and understanding considering my time away from family while I was in Dublin. My conversations with Jehona about my research really helped shape my analysis. As a journalists she always provided a fresh perspective to my early findings and arguments. Also, I have found great motivation watching my nieces grow and their curiosity about my studies: Diana, Anduena, Bora, Era, Mrika, Enea, Lisa and my nephew Marson.

Lastly, I want to express my utmost appreciation and gratitude to the DCU and the country of Ireland for giving me the opportunity to pursue my PhD. It is an amazing country that I have come to love and admire. ***Go raibh maith agat.***

Abstract

Ramadan Ilazi

The European Union and Everyday Statebuilding in Kosovo

This thesis examines the European Union's everyday statebuilding practices in Kosovo. Although there is an ample research on the EU's work in Kosovo, the existing accounts have primarily focused on the performance of institutions and instruments of the EU, such as conditionality in the accession process, and do not sufficiently engage with the micro-politics and the everyday dynamics that foreground the agency in the statebuilding process. The thesis focuses on examining the everyday practices and various actors that enable the EU to assert its power and influence over domestic decision-making process in rule of law and public administration, and conflict mediation. Drawing mostly on extensive field research and participant observation in Kosovo, this thesis expands our understanding of the EU's statebuilding practices and its effectiveness. Contrary to the mainstream accounts on the EU, this thesis finds that the EU's statebuilding capacity in the field is shaped by prudent conduct, improvisation, and pragmatic navigation attuned more to serve the immediate interests of EU's actors rather than those of beneficiary communities. The very process of statebuilding is organized around creating a role for a protracted and embedded involvement of the EU rather than empowering local institutions and enabling local ownership over the statebuilding process. The thesis finds that what constitutes of the EU in everyday encounters is different from the perceived image of the EU as a normatively and organizationally consistent actor. What constitutes the EU to the local actors are the subcontracted experts from technical assistance projects, who are the norm entrepreneurs, but who lack proper supervision by the EU, and more than often improvise their input, such as best practices from member States or norm to solve complex local challenges. Ultimately, intermeshing of political and technocratic actors among the EU enables the organization to exert power, but also exposes many flaws which tend to undermine its image and long term impact. Thus, this empirical account of everyday statebuilding approaches of the EU makes an important contribution to the overall studies of the EU as an emerging global actor.

Chapter 1: Introduction

> *"The EU officially is not engaged in statebuilding process in Kosovo. The EU representation in the country is largely comprised of contracted services and those seconded by Member States." (Personal interview with senior civil servant in the Ministry of Foreign Affairs of Kosovo, Prishtina, December 12, 2017)*

The purpose of this thesis is to account for EU's everyday statebuilding practices and actors and show how they create an enabling environment for the Union to implement and achieve statebuilding objectives, including diffusion of norms, resolving conflict and addressing other factors that contribute to the ailing of the state.

In the aftermath of the Cold War, the international community became increasingly interventionist in the internal affairs of post-conflict societies as well as of weak and ailing states (Zaum, 2007). They involved holistic projects that aimed to transform, (re)build the state institutions and establish public administration, reform rule of law and the security sector, and promote market-based economy (Doyle and Sambanis, 2000). This understanding of peace became central to the international community's approaches to post-conflict stabilization and, therefore, essential to international peace and security. The interventions in Bosnia and Hercegovina (BiH), Kosovo, and Timor Leste are good cases in point, where the international community not only engaged in a comprehensive statebuilding process but also became a de-facto governor of the territories enjoying unchecked executive and legislative authority (Zaum, 2007).

The statebuilding 'era of interventionism' (Sutter, 2009), and the role that the international community played in the domestic affairs of other countries, produced significant research and debates among scholars and practitioners. The ethics of the interventions and their legitimacy, as well as their performance and impact, have been central themes in the post-conflict statebuilding debates (Lottholz and Lemay-Hébert, 2016). An early critique to the

statebuilding interventions has focused on the nature of the interventions, framing them as top-down elite oriented approaches that ignored local agency and imposed norms in diverse and complex environments, often with disregard to local culture, norms and experience (Richmond 2002; Mac Ginty, 2011; Mac Ginty & Richmond, 2013; Richmond, 2014).

Regional approaches have been recognized as an important lens to address the critiques and shortcomings in predominantly UN-led statebuilding interventions (Coning, 2015). In this context, the European Union (EU) as an emerging peacebuilding actor with an aspiration to develop its own distinct approach, has been a subject of particular interest. The EU wants to spread its norms and export its own model of governance and democracy in the framework of statebuilding interventions (Visoka and Doyle, 2016). This is driven by the conviction that the EU as a peace project itself is safer with a pacified and liberalized periphery (Tocci, 2008). This understanding was emphasized in EU's Security Strategy of 2003 (Council of the European Union, 2003) and in the 2016 EU Global Strategy (EUGS) that prioritise state and societal resilience because '[f]ragility beyond our borders threatens all our vital interests' (Council of the European Union, 2016, p. 23). Furthermore, the EU's founding documents express a clear commitment to 'multilateral solutions to common problems' that 'advance in the wider world: democracy, the rule of law […]' (Journal of the EU, 2018).

Over the years, existing literature has revealed a gap between rhetoric and practice in the emancipatory claims of the EU's statebuilding approaches (Juncos and Blockmans, 2018). For instance, the existing analyses show discrepancies between the EU's commitments to support local ownership and inclusion of civil society and the track record on the ground (Ejdus and Juncos, 2018). Some scholars are sceptical that an EU which embraces the "standard liberal peace prescriptions" in its approach is the "appropriate actor" to implement statebuilding "operations" (Richmond, Björkdahl, and Kappler, 2011, p. 461). The hopes that in the Western Balkans a liberal democratic transformation would take hold with EU's involvement have led to disappointment (Kmezić, 2019).

The existing accounts provide important insights into the decision-making processes, instruments, institutions and policies of the EU pertaining to statebuilding approaches, but scholars have invited more research into how the implementation works in practice (Juncos and Blockmans, 2018). Most of the analyses have focused on examining the performance of particular statebuilding policies or the instruments of the EU such as the CSDP missions and how they promote 'external actorness' of the Union (Kirchner, 2013). Part of the problem is

that, despite having CSDP in place, there continues to be a challenge with consistency in application of statebuilding intervention and "failure of the EU to live up to its commitment" (Okemuo, 2013). The militaristic aspect of CSDP is also problematic with scholars such as Mary Kaldor maintaining that CSDP should operate on the 'principles of human security' (Kaldor, 2012). And, while the EU has integrated the concept of human security in its discourse, especially in the framework of the Civilian Planning and Conduct Capability (CPCC) (EEAS, n.d.), it is also a fact that the EU has used the concept of human security to frame its existing and new civilian programs, rather than to affect a conceptual shift in CSDP's approaches. While this is largely understood, there remains a need to know more about what really happens in practice—particularly in the relationship between EU missions' personnel and their local counterparts. This interaction is important to examine because central to CSDP missions is capacity development (Qehaja, 2017). While the EU uses different methods to achieve this goal, one of the most popular is embedding its personnel within local institutions in the hope that this would be more effective in knowledge transference.

With respect to policies, a considerable amount of analyses on EU's statebuilding approaches have focused on how the Union utilizes conditionality to influence its statebuilding agenda, particularly in the framework enlargement policy (Grabbe, 2002; Bernardi, Hart, & Rabinowitz, 2015; Blagovcanin, 2016). The so-called 'sticks and carrot' approach of the EU towards statebuilding is considered a major instrument to promote democratization and rule of law (Richter and Wunsch, 2020). Existing research has also examined in detail the EU's approach and instruments to institution-building (Pace, 2012). However, there has been less investigation of the micro-politics of the EU's statebuilding approaches, particularly with respect to how the European Commission asserts its power through everyday practices and influences domestic affairs to diffuse norms or to ensure a particular desired outcome in pursuit of its own interest. An assessment in this area can help create a better understanding of the actual nature of the EU as a statebuilding actor.

We already know how failure to ensure local participation impacts the EU's ability to transfer knowledge to local institutions (Ejdus, 2017; Qehaja, 2017), but we do not know how this method of embedding its personnel in host institutions really works in practice For example, does the national background of the EU personnel embedded matter in knowledge transference? We know that technical assistance projects funded by the EU to provide capacity-building support present an important framework through which the Union diffuses norms and seeks to change governance which is a feature of EU's statebuilding approaches

which is not confined to enlargement policy, but also it is applicable in other parts of the world (Yang, 2016; Pojani & Stead, 2017). However, we know less about how this works in practice, particularly the role that sub-contracted experts play in the process of diffusing the norms. Their agency has not been fully captured in the existing literature related to post-conflict statebuilding interventions, although the issue of subcontracted experts is a significant part of development studies research. Furthermore, while we know that the EU engages in conflict mediation as well as we know how it does this through facilitation, dialogue and other instruments, we know less about how the EU embeds itself in the implementation arrangements of the agreements and about how they help compromise between parties.

The recent attention to the everyday and practices has allowed for deeper understanding of agency, or "to grasp otherwise uncharted experiences and practices that are crucial for the performance of European integration" (Adler-Nissen, 2016, pp. 87-103). As a framework for investigating and analysing statebuilding interventions, its holds great potential to expand our knowledge of how the EU practices statebuilding intervention and answer the above-mentioned questions. Scholars have already applied this framework in their investigations of the EU and have provided important alternative accounts of statebuilding interventions. For instance, Björkdahl and Gusic (2015) look at 'friction' as a practice to better understand local agency and norm diffusion in the case of Kosovo. Scholars have appealed for research that is not only focused on the "Brussels-based institutions, policies and procedures" but also unearths how the EU's statebuilding interventions are implemented in practice (Juncos and Blockmans, 2018, p. 132).

Accordingly this thesis examines the European Union's everyday statebuilding practices in Kosovo. The existing accounts on the EU's work in Kosovo primarily focus on the performance of institutions and instruments of the EU, such as conditionality in the accession process, and do not sufficiently engage with the micro-politics and the everyday dynamics that foreground the agency in the statebuilding process. This thesis examines the everyday practices and various actors that enable the EU to assert its power and influence over domestic decision-making processes in rule of law and public administration, and conflict mediation. This thesis finds that in the everyday there are practices and actors that play a bigger role in shaping and implementing EU's statebuilding interventions than the current research gives them credit for.

There is a strong connection between the everyday practices and how the statebuilding policies are implemented, which has received growing attention in peace and conflict studies in recent years, not just as a concept but also as a practical tool to better understand priorities of communities and asses and monitor external interventions (Heredia, 2017). For example, Christian Lequesne applied the concept of practice in analysing EU's foreign policy (Lequesne, 2015) and Jeffrey Lewis examined EU's decision-making process (Lewis, 2003). The concept of the everyday has also challenged the state-centric approach to statebuilding. Looking at Republika Srpska in Bosnia and Herzegovina, Annika Björkdahl investigates how states materialise through our imagination and "through the politics of elites and the everyday performances of citizens" (Björkdahl, 2018, p. 36). Aradhana Sharma and Akhil Gupta's analysis of the everyday in the context of interactions and relations between the state and the people (Sharma and Gupta, 2006) shows how crucial the everyday is to understanding agency in statebuilding interventions.

The work of Oliver Richmond and Roger Mac Ginty has been crucial in introducing the everyday as a unit of analysis in post-conflict interventions by the international community to install liberal democracy (Richmond, 2011; Mac Ginty, 2011; 2013; 2014). Their research has revealed the role of local agency in statebuilding interventions. They also engendered a deeper appreciation in academia for investigating the mundane in the post-conflict environment, which has exposed significant flaws in how international statebuilders operate— such as their tendency to copy-paste templates from one country onto another, ignoring the diversity and complexity among different societies. In this sense, their work offered an alternative view of why statebuilding interventions fail (Richmond, 2014). However, the growing body of literature on the subject lacks a comprehensive account of EU's everyday practices of statebuilding. Such an account would provide a deeper understanding of the extent to which the EU holds itself to the standards it seeks to export, examining for example, its respect for local ownership, which it defines as "appropriation by the local authorities of the commonly agreed objectives and principles" (Council of the European Union, 2005, p. 11). But, to what extent those objectives and principles are actually agreed with local authorities? Secondly, majority of the scholarship that examines local ownership does so with an underlying assumption that in externally sponsored statebuilding projects ownership ultimately lies with international actors such as the EU. However, the question is rarely asked: who actually within the EU holds that ownership?

1.1 The research puzzle

Post-conflict statebuilding interventions are a dominant trait of international actors. The EU uses statebuilding interventions to build future member states, to strengthen state resilience, to pre-empt threats and to expand its values, norms and interests (Visoka and Doyle, 2016). Literature shows that the EU does this by using a combination of instruments that are based on a certain set of principles, such as ensuring local participation (Skendaj, et.al. 2019; Ginty, 2018). However, despite the growing research, there is still insufficient information about what actually takes place with EU's statebuilding interventions in practice, and in the everyday context. Is there more to EU's engagement with local actors and domestic decision-making processes than we currently understand from examining instruments such as conditionality? Is there an ordinary, mundane and rudimentary aspect to EU's engagement with local actors?

The overarching research question of this thesis is:

- How does the EU influence statebuilding processes through the everyday practices?

We know how the EU is involved at the elite level in designing and deploying statebuilding interventions, but less attention has been paid to the practices that might be considered rudimentary or actors that could be considered mundane that are involved in the actual implementation of the statebuilding intervention. So, what are these practices and who are these actors? What role do they play and is it relevant? Another puzzle, has to do with the actual extent of the EU engagement with local actors in the everyday day context. How much the EU itself, which is to say EU institutions and personnel, more concretely the European Commission and its office in Kosovo, are actually involved with domestic decision-making process in the everyday context. When we hear the EU has supported a particular norm diffusion or policy change and implementation, who has actually done that in practice? In this sense, there is also a question of what gives the EU agency in the everyday context, and who does the actual work on its behalf? We know how the EU acquires agency through conditionality policy, financial assistance instruments and other tools, but how is this translated in practice – what happens in the everyday? (Blockmans, Woutters, Ruys, 2010). And lastly, the EU prides itself in being a different interventionist, an ethical actor driven by the normative. In other words, through these questions this thesis explores and presents a

different reality of the nature of the EU as a statebuilding actor, which is enabled by focusing on the everyday, which is to say looking at mundane set of practices and actors.

What would a more comprehensive account of the EU's statebuilding approaches in the everyday reveal about the Union's actorness and agency? This thesis provides some answers by exploring the micro-politics of statebuilding and how EU's everyday practices are implemented and by analysing how the implementation differs from the more institutionalized approaches promoted by elites. To do so this study focuses on three key priority-areas for the EU in dealing with other states: the rule of law – which is used also as a platform to diffuse norms and set priorities for the local institutions; public administration – to ensure legitimacy for EU demands and capacity to implement them; and lastly, conflict mediation – to resolve any disputes with neighbouring countries in order to establish interdependency and pre-empt any security threats or spill-over effects for the Union.

The rule of law is a holistic concept and an essential dimension of EU's approaches to statebuilding interventions. Alongside public administration reform, it is part of what the EU calls 'fundamentals first' in its external dealings, especially with countries covered by enlargement policy. Rule of law for the EU is translated as promoting anti-corruption, strengthening judiciary and police, and diffusing norms as well as standards and best-practices from member States in host countries. There a vast amount of literature on the EU and the rule of law. Scholars such as Olga Burlyuk have examined the coherence and uniformity in EU's understanding of rule of law and its promotion (Burlyuk, 2015). Other scholars have investigated how local perceptions interact with the EU and shape its ability to act as a rule of law promoter (Osland and Peter, 2019). We also know that capacity building/development support forms an essential part of how the EU seeks to promote and export rule of law (Ioannides and Collantes-Celador, 2011; Pech, 2012). However, what needs to be researched further is how the EU intervenes in practice in the promotion of rule of law, and in particular, how it utilizes its embedment in local institutions and subcontracted experts to interfere with domestic institutions and decision-making processes.

Public administration is equally important in EU's external dealings, because the capacity of the state to absorb EU norms and effectively implement them ultimately depends on how professional and effective the public administration of the respective government is. In existing research, public administration is largely ignored and it is seen as perhaps very technical. It is also ignored by the elite, because it is seen as highly technical or mundane

work, belonging to technocrats. Because of this, public administration reform, is rarely a subject of high-politics between the EU and local government. However as this thesis will show, it is a sector that is highly political, and of essential relevance to the EU. Existing research on public administration focuses primarily on the performance of civil service and the access and quality to public services (Batalli, 2011). But, we know less about how the EU actually manages its relations with the local technocrats. What needs further research is how the EU engages practically with domestic institutions in shaping the agenda of public administration reforms. How are government priorities shaped or influenced by the EU? We also know that from the EU's perspective public administrations of countries aspiring to membership in the EU seem to suffer from a chronic lack of capacities (The European Commission, 2019; SIGMA, 2017). We know about technical assistance projects that are funded by the EU to support capacity building, but how is that implemented in practice, and does it really lead to resolving capacity gaps in the administration?

Conflict mediation has become an essential aspect of EU's emergence as a global conflict manager. The EU defines its role in conflict mediation along the lines of the concept of liberal peace. The EU claims that it is an ethical and credible actor and seeks to "mediate, facilitate, or support mediation dialogue processes" (Council of the European Union, 2009, p. 2). Existing research suggests that the EU follows a comprehensive approach in mediating conflict. It promotes mediation as part of the Union's values of reconciliation and links other instruments of bilateral relations, such as accession processes and financial assistance, with progress in the mediation, in an effort to incentivize parties to compromise (Economides and Ker-Lindsay, 2015; Zupančič, 2019). We also know that the EU engages in creative adjustment of language in agreements to facilitate compromise, referred to as constructive ambiguity, which was dominant in the Kosovo and Serbia normalization dialogue. What needs to be further researched is how the EU's embedment in the agreements between Kosovo and Serbia facilitated compromise between parties, while at the same time creating a serious problem by bypassing the need for both countries to communicate and cooperate with each other.

We can explore EU's statebuilding approaches through comparative analyses vis-à-vis the UN or other actors. Such analyses hold that the EU needs to engage more meaningfully with "more sophisticated and locally relevant from of peacebuilding" and develop "a localized understanding of what peace might mean in the everyday context" (Richmond, et.al. 2011, p. 450). While such an approach, is certainly one way to understand EU's agency in accordance

with its normative framework, we are served again with the idea of *cracking the local code* as a panacea for how the EU can do better as a statebuilding/peacebuilding actor. Less attention is provided in the current research to the question of who constitutes the EU in reality, in the everyday. Who speaks or works for the EU in the everyday setting with the local actors?

We can also analyse the EU's statebuilding approaches from an institutional perspective. This refers to the concept of 'institutional turn' in peace research, which focuses on question of how the set-up and design of the institutional structures of statebuilding interventions affect the process of statebuilding (Eckhard, 2016). According to Andrew Radin, this is one way we can understand the failures of the EULEX Mission in Kosovo to fight corruption and organized crime (Radin, 2014). However, there are nuances that this approach does not sufficiently capture. For example, how does the national background of the EU's personnel and the different models of state organization in their home countries affect the process of knowledge transference and building local capacities? Also important is the question of the EU as a coherent and well organized actor. How do the EU's strategies and institutional set-up really work in practice in the everyday context? This thesis asserts that a deeper understanding of the EU' agency and actorness is possible if we look at the everyday, the so-called mundane, and the interactions between the non-elite. Accordingly, this thesis is about locating the EU's agency in the everyday and analysing how it affects overall the EU as a statebuilding actor.

This thesis illustrates how the EU exercise influence and implements its statebuilding objectives in practice, and how such approaches often undermine local agency, and prolong the ailing of the state. Additionally, this thesis illustrates an EU model of statebuilding, which seems to be based on two parallel tracks. The apparent, official and well established track – such as through the conditionality and enlargement policy – that explain how the EU intervenes in other countries to diffuse norms or achieve other statebuilding objectives. The other track is the unapparent, unsuspected, and informal track where different set of actors and practices take place to control and influence domestic decision-making process.

In doing so, this thesis provides a deeper understanding of how EU's statebuilding approaches work in practice, and contributes to the study of EU's actorness and agency. Furthermore, because this thesis predominantly focuses on the work of EU's representation in the host country (in this case Kosovo) it adds to the body of knowledge on how the Union's technocracy is involved in statebuilding process. Accordingly, through the lens of everyday,

this thesis draws attention to the distinct agency of actors and practices in supporting the EU to overwhelm local agency and secure desired outcomes in domestic decision-making processes. This thesis highlights the work of actors and of a variety of practices that are not sufficiently featured in the current analysis of EU's statebuilding interventions.

1.2 Conceptual framework and methodology

This thesis seeks to explore how the EU's everyday practices and actors create an enabling environment as part of its statebuilding interventions. This requires the thesis to also answer the question of what practices constitute the EU's everyday statebuilding approaches. Asking these questions and finding answers to them respond to the calls in existing literature to further investigate how the EU implements statebuilding interventions in practice by providing an empirical account of how the Union does statebuilding intervention in the everyday through an examination of the role of different practices and actors. Most importantly, it provides an alternative understanding of the EU's agency as a statebuilding actor by looking at how the highly scripted approaches by the EU and local elites and technocrats are translated in the everyday. To address the research question this thesis takes the approach of analytical eclecticism, which as an "intellectual stance" that is "consistent with an ethos of pragmatism in seeking engagement with the world of policy and practice" (Sil and Katzenstein, 2010, p. 411), and it adopts methodological pluralism in investigating EU's practices and actors in the everyday that give the Union statebuilding agency and influence.

With respect to the theoretical framework, this thesis is located in the nexus of the theories of peace and conflict studies and EU studies, as they inform processes, actors, approaches and the relations between them in the context of statebuilding interventions. Because the research of this thesis focuses on state institutions and bureaucracies as well as policy and decision-making processes, a qualitative interpretive approach is utilized that combines methods such as elite and expert interviews, document analysis, participant observation and policy ethnography. What makes these methods suitable is that to capture and investigate the everyday practices and actors is to understand encounters and interactions between local and EU actors that occur in the everyday. This is because the everyday can be a disorganised and chaotic space lacking proper protocols and dominated by informality. Therefore, to understand the encounters and interactions and what really takes place, it is essential to have direct experience in the everyday as an actor (policy ethnography), or be able to observe the exchanges and interactions between the EU and local actors in areas where you lack direct

experience, or interview individuals such as experts, technocrats and civil society representatives that dominate the everyday.

Finally, an investigation of EU's everyday practise and actors also requires a case-study, preferably one where the EU has a significant footprint, such as Kosovo. Since its independence in 2008, the governance of Kosovo has been shared between the EU and local actors. Police officers, judges and prosecutors from EU member states were embedded in local institutions to administer rule of law, especially from 2008 until around 2018. There is no other case where the EU has this level of involvement and stake in ensuring that the statebuilding process succeeds.

The methodological approach utilized in thesis, combines case-study with other methods. Primary sources consist of a) documents, such as those that establish contractual relations between the EU and local institutions, official policy documents or reports from the EU, government and civil society organizations; b) interviews with local government, officials from the EU office in Kosovo, experts, and civil society; and c) participant observation, which draws on my personal experience in dealing with the EU for 21-months as Deputy Minister for European Integration in the Kosovo government from January 2015-September 2016 --- which gave me access to observe the everyday dealings with between local actors and the EU, as well as the policy-making and implementation processes in local institutions).

While my experience as a deputy minister shaped and informed my choice of the level of analysis as well as the focus of my research, my observations and empirical findings, as outlined in the empirical chapters, are entirely based on the interviews that I have conducted and the official documents I have examined. My portfolio in the government did not include responsibility with respect to the three issues that are examined in the empirical chapters: public administration, rule of law and the EU-led dialogue for normalization of relations between Kosovo and Serbia. Ministry of European Integration was in charge of overall coordination of relations between the Kosovo government and the EU institutions, more concretely the European Commission and did not have any direct policy responsibility or authority on the areas examined by this thesis. Separate government ministries were in charge of those policy areas. Accordingly, my fieldwork was a balance between subjective views which informed my research questions and focus, while the findings are entirely objective and based on over 50 in-depth interviews with local and EU actors.

The role of the Ministry of European Integration where I worked was to coordinate the overall relations between the EU and the local actors. In this context, the everyday often was seen as an important track to facilitate and manage relations and clarify misperceptions between EU and local actors. This inspired led to a research interest to explore the agency of these practices and how they actually functioned. My investigation in the framework of this thesis unveiled an entirely new track of how the EU and local actors engaged with each other. My initial impression that the everyday would be largely limited to the interactions between the elites, was misguided. The research showed the everyday is all-encompassing, in the sense that it is widespread in different sectors and is especially present in the technocratic level of engagement and cooperation between the EU and local actors.

The existing research shows, ethnography is important to uncover features of the state structures and make sense of their agency (Dubois, 2009). Accordingly, my personal experience working in the government was an added value, as it helped me make sense of the empirical findings by linking them to EU's commitments and ethical and normative actor. Feminist scholars such as Cynthia Enloe hold that the "international is personal" (See: Magadla, 2013), and accordingly, the statebuilding is personal, and this thesis is a local attempt to investigate and bring into analysis practices, sites, actors, and show how the non-local actors overwhelm local agency as well as show the important aspect of complicity of the EU in such a process that is often no sufficiently accounted for in the existing research.

Most of the fieldwork in Kosovo was carried out during 2017, and at different intervals in 2018 and 2019. During the research period data was gathered on the encounters and interactions between the local technocrats and those working in the EU Office in Kosovo. The data collection focused on capturing practices established by both sides to negotiate positions and demands on the policy-making or implementation processes. This helps identify and locate what constitutes EU in the everyday context. The data collected also focused on how the discourse promoted by the local and the EU elites/leaders was translated into concrete actions to the units in the public administration who are expected to implement agreed arrangements. The three empirical chapters of this thesis are based on data collected during fieldwork through interviews, observations and official documents. These chapters provide an examination of different practices and actors that facilitate EU's agency or create an enabling environment for the EU to exercise influence, maintain relevance as an actor, and secure its desired outcome.

This thesis investigates how EU's everyday practices and actors influence domestic decision-making processes. Accordingly, the thesis conceptualizes the everyday as an enabling environment that shapes alternative agency, or alternative means of influence of the local decision making process, for the local and the EU actors. Alternative in the context is meant, as a bypass or a parallel to well established and transparent channels and instruments that enable the EU to exercise influence over domestic decision-making processes. This thesis is intrinsically focused on unearthing the complexities and dynamics of the decision-making processes by local institutions, and how the everyday shapes such a process. Accordingly, everyday, in the context of this thesis is understood as the mundane, unapparent, unregulated and sometimes routinized habits, practices, and actors that help the EU secure desired outcomes in domestic decision-making processes.

Domestic decision-making processes refers to the process how the decisions are made by the local actors, mainly the local public institutions, with respect to internal affairs such as in the rule of law or public administration, or vis-à-vis external issues, such as deciding to accept compromise solutions. Domestic decision-making processes also refers to how the local actors respond to EU's approaches of norm diffusion and knowledge transfer. In other words, this thesis understands the everyday to refer to myriad of practices, which are not considered to be part of the conventional approaches of how the EU exercises influence over domestic processes. Accordingly, it brings out alternative ways and means how agency is acquired by the EU to influence domestic processes. However, it also provides a new insight into the challenges that the EU faces, in the everyday context, to achieve statebuilding objectives. For instance capacity building and knowledge transference. The everyday, is about accounting for practices and actors that are do not registered in the conventional frameworks of investigating EU's statebuilding approaches, such as through the policy of conditionality.

The everyday in the context of this thesis means unearthing the unapparent, unofficial, and routinized aspects of the way the EU works and deals with the local actors. It is about shedding light into actors who do the actual work on behalf of the EU in the everyday. In this sense, the everyday is largely understood as the mundane practices of the interactions and exchanges between the EU and the local actors. Therefore it probes the work of actors, such as subcontracted experts, who are considered ordinary ingredients in the process of norm diffusion and knowledge transfer from the EU to the local actors, in order to unearth their agency, the extent of their actual role the process of norm diffusion.

Moreover, the everyday in the context of this thesis is about examining practices that are considered a commonplace in EU's approaches, such as supporting implementation of peace agreements, in order to understand their relevance in securing compromise solutions between former foes and how that impact sustainability of agreed arrangements. Accordingly, mundane in this sense is understood as practices and actors who are not suspected or seen to carry any significant relevance with respect to how the EU implements its statebuilding goals. For instance, how the norm diffusion is conducted in practice by the Union, or how the EU secures desired outcomes with respect to domestic decision-making process or when facilitating peace agreements.

In the framework of this thesis mundane elements of the everyday provide a better understanding of the EU's shortcomings as a statebuilding actor, as well as areas where it succeeds. In this context throughout these thesis, some of the type of the everyday practices and actors include:

- Practices that explain how the EU actually works in the ground in diffusing norms in the domestic processes of policy-making. These practices refers to mundane elements that explain how the EU ensures that local actors assume responsibility to deliver and implement particular statebuilding objectives. For instance, by controlling the process of drafting the conclusions from joint meetings;
- Mundane everyday elements, such as the country of origin of the EU's personnel deployed in local institutions, and how this affects the process of knowledge transfer and capacity building. Additionally, mundane everyday elements, such as how the EU judges deployed in local institutions have helped advance the justice standards in the judiciary by setting different example of drafting the verdicts of the Courts;
- Everyday practices, that provide a better understanding of how the EU statebuilding approaches undermine or overwhelm local agency;

The significance of mundane elements in securing compromise solution between former foes, such as the EU assuming responsibility for implementing a particular arrangements of cooperation between Kosovo and Serbia. Furthermore, how these mundane elements help us explain the shortcomings of EU's mediation approaches in confidence building between parties and sustainability of the compromise.

1.3 The argument and contribution of the thesis

This thesis examines the European Union's everyday statebuilding practices in Kosovo. The thesis shows that focusing an everyday lens on the EU's work in Kosovo contributes to a deeper understanding of the actual nature and agency of the EU as a statebuilding actor. Although ample research already exists on the EU's work in Kosovo, by focusing on micro-politics of the statebuilding process and by unearthing mundane and rudimentary practices and actors, this thesis adds a new and alternative perspective, especially on how successes and as shortcomings in statebuilding interventions are measured. The thesis finds that in the everyday, the politics of success and failure is different—it is negotiated, not objective or quantifiable as the EU claims it to be. In other words, as the work of Mac Ginty and Richmond has shown, the everyday can bring to light hidden accounts of statebuilding (Richmond, 2010; Chandler, 2010; Mac Ginty, 2011), and this is what this thesis seeks to do.

This investigates the agency and performance of different practices and actors that are not the 'usual suspects' in existing analyses of EU's approaches. Contrary to mainstream accounts on the EU, this study finds that the EU's statebuilding capacity in the field is shaped by prudent conduct, improvisation, and pragmatic navigation attuned more to serving the immediate interests of EU actors rather than those of beneficiary communities. The very process of statebuilding is organized around creating a role for a protracted and embedded involvement of the EU rather than empowerment of local institutions and enabling local ownership of the statebuilding process. It also finds that what constitutes the EU in everyday encounters is different from the perceived image of the EU as a normatively and organizationally consistent actor.

The everyday and practice turns have facilitated access to new information and offer a deeper understanding of the complexities and dynamics of the relationship between international and local actors, providing an alternative view of the local resistance (Heredia, 2017). Accordingly, this thesis provides an alternative view of what constitutes the EU in actual implementation of statebuilding intervention. Particularly relevant for this thesis is Mac Ginty's discussion of the so-called 'technocratic turn' which refers to professionalization of statebuilding interventions, and his assertion that "[t]he EU is, quite clearly, a technocratic institution" (Mac Ginty, 2018, p. 173). To local actors, what constitutes the EU are the subcontracted experts from technical assistance projects. They are norm entrepreneurs but lack proper supervision by the EU, and more often than not improvise their input. Ultimately, the intermeshing of political and technocratic actors among the EU enables the organization to exert power, but also exposes many flaws that tend to undermine its image and long term

impact. Thus, this empirical account of everyday statebuilding approaches of the EU makes an important contribution to the overall studies of the EU as an emerging global actor.

The everyday has provided an important method in 'rethinking power' when it comes to statebuilding interventions (Adler-Nissen, 2016). This thesis sheds light on how the EU utilizes mundane and rudimentary practices and actors to assert its power to the detriment of the local agency. It finds that in the everyday the EU imitates resolution of disputes through practices that create an illusion of agreement between parties in dispute when in reality they are each agreeing with the EU rather than with each other. Superficially, the EU's agency as a statebuilding actor is promoted through a myriad of transparent and well established tools and instruments (i.e., enlargement policy and CSDP) that emphasize its commitment as a normative and ethical actor, giving its behaviour an air of great certainty. Furthermore, the EU appears to work like a well-oiled machine in enabling local ownership and building partnerships for transfer of norms. However, when we dive deeper and examine the EU's approaches to the smallest of units that carry out day-to-day tasks and investigate the everyday, we see that the Union is highly uncertain, not well organized and prone to frequent improvisation. This principle of uncertainty in the EU's approaches that we can observe in the everyday also displaces the confidence that it projects.

For example, the set of elements that Ian Manners (2002) describes as giving the Union agency in norm diffusion, such as 'contagion' or the 'virtue of example', do not make a lot of sense in the everyday. The everyday shows a different nature of the EU as a statebuilding actor. It also shows that what constitutes EU is more diverse. For instance, to the local technocrats who manage the everyday exchange with the EU, to them the EU are the subcontracted experts, who define and translate to them what EU's norms and interests are in a particular domestic decision-making process. In this sense, the everyday provides an alternative "understanding of what principles the EU promotes, how the EU acts, and what impact the EU has" (Manners, 2008, p. 46). This thesis shows that the everyday provides the chain of information that shapes the EU's understanding, decision-making and action in relation to statebuilding, and that such information is dependent on the interests and motives of actors in the everyday, all of whom do not necessarily subscribe to the ideational power of the EU. This thesis holds that in the everyday, even the extent of the EU's involvement in the statebuilding process is exaggerated, as it relies heavily on external expertise to carry out statebuilding and support local institutions. In other words, the everyday reveals the true nature of the EU. There are three key elements to this argument.

First, the EU's agency and actorness in administering and delivering statebuilding intervention is shaped by an external network of actors contracted to perform statebuilding tasks on behalf of the EU. Mac Ginty's concerns relate to the implications that an increasingly technocratic institution such as the EU would have for relations with the local. This thesis probes deeper into how this technocratic nature of the EU works in practice. This is a particularly relevant contribution to the existing body of knowledge as most research focusing on technocracy largely relate it to the NGO sector. This body of research pays very little attention to the technocracy being an extended arm of intervention that facilitates interference in domestic institutions and decision-making processes. This thesis holds that the EU controls domestic policy-making and decision-making processes through a network of subcontracted experts. However, the EU itself does not seem to effectively lead and coordinate the work of these experts. Subcontracted experts enjoy substantial autonomy in their work, as will be further discussed in Chapter Four on rule of law and Chapter Five on public administration reform.

One way to look at this issue is through the principal-agent model, whereby agents are able to make decisions or influence local institutions and decision-making process on behalf of the EU. Tom Delreux and Johan Adriaensen hold that the principal-agent model "allows scholars to understand why, how and with which consequences certain actors delegate the authority to execute a particular task to other actors" (Delreux and Adriaensen, 2017, p. 3). Existing accounts insufficiently examine how the EU delegates its responsibilities to private consultancy companies who engage subcontracted experts to perform work on behalf of the EU through technical assistance projects to local institutions. Focus on the principal-agent model in the EU's case seems to be on relations between EU Member States and EU institutions, as well as policy experts from governments of Member States. The existing research based on the principal-agent model also seems to uphold one of the findings of this thesis—experts tend to have a negative influence on participation in decision-making processes of non-expert stakeholders because, once the expert speaks, it is difficult to change the substance (Coremans and Kerremans, 2017, p. 238). By applying the everyday lens, this thesis adds to these findings by revealing the EU's bias in favour of subcontracted experts to the detriment of the input from local actors in decision-making processes.

The existing literature discusses in great detail how the EU transposes or diffuses norms and best-practices in other countries through the instrument of conditionality. An equally relevant question is who actually decides what best-practices or standards from the EU need to be diffused and/or transposed in local legislation? The assumption in the literature is that the EU

is guided by EU acquis or that there is a system and a coordinated approach, but in reality, when we look at the everyday, we can observe that it is primarily subcontracted experts who make such decisions, with great autonomy and little coordination. This leads to much improvisation and experimentation that sometimes result in arrangements that cannot be implemented and needs changing. This thesis breaks down how EU's well documented lack of coherence and coordination as an emerging conflict manager works in practice.

Secondly, analysis in this thesis demonstrates that lack of local ownership is nurtured and maintained by the EU, creating an enabling environment for the Union to exercise unfettered influence. In the spirit of the first argument, what is more striking is that the unimplementable arrangements promoted by the EU at a certain point become problematized by the EU itself, which then pushes the local government to change a particular institutional framework or law. Once again the EU assumes responsibility to support the government in resolving the new issues, which were created in the first place by unchecked and faulty input by experts contracted by the EU to work with the local government on a particular law. Mostly this is a result of the EU subcontracted experts failing to include local input.

The EU promotes an image of itself an actor that relentlessly promotes local ownership, and the literature has established firmly that the Union has important challenges in this regard (Ejdus, 2018; Petrova and Delcour, 2020). However, a deeper discussion on how the EU defines in practice local participation in decision-making process is important to better understand the EU as a statebuilding actor. In this sense, this thesis holds, that in the everyday, for the EU local participation is equal with participation of non-government organizations (NGOs) in a process. Furthermore, the thesis argues that the EU works with NGOs that are perceived as belonging to the elite and the establishment, as well as detached from the wider context. In other words, the EU tends to work more with think-tanks, rather than community based, or grass-root organizations. This preference of the EU also shapes the preferences of the local actors, who imitate the EU to the detriment of the local agency.

The existing debates are centred on the notion of Europeanization with respect to the EU's external legitimacy vis-à-vis local stakeholders and they fail to fully capture the dynamic of the relationship between the EU and local technocrats (Yabanci, 2016). The EU often uses weak capacities to justify intervention or interference, but it is important to also ask: why do local actors and institutions accept obligations they do not have the capacity to implement? The EU seems to purposefully push local institutions to assume obligations that make EU

assistance a must and, accordingly, the EU integrates its role in the very contracts that local institutions sign to assume the obligations.

Third, this thesis holds that mundane practices by the EU that are observed in the everyday give the EU important grounds to be perceived as a conflict manager. It shows that sometimes neither hard power nor soft or normative power are well placed to facilitate compromise between parties, but creative practices of embedment by the EU in implementation arrangements provide the means by which parties can camouflage the extent of their compromise, making it easier to justify the agreements before their domestic publics while at the same time retaining the perception that the status-quo is protected. For instance, in facilitating a dialogue for normalization of relations between Kosovo and Serbia (or the Brussels Dialogue as this thesis will refer to the process as, for technical reasons), existing literature credits EU's success, largely, to creative language manipulation or constructive ambiguity. The EU has paraded the Brussels Dialogue[1] as a success of its foreign and security policy. However, that success came at a cost for both parties.

The essential component that enabled compromise in most agreements reached in Brussels seems to be the EU's embedment in the agreement and implementation arrangements, which is beyond the role of a supporter. This made it easier, especially for Serbia, to sign the agreements of the Dialogue as in practice Serbia was agreeing with the EU rather than with Kosovo. This can explain why the Brussels Dialogue is widely criticized for failing to build confidence between parties; essentially what the EU did was create a bypass between the two parties.

In summary, the EU as a statebuilding actor is highly disorganized and lacking a consistent approach. In practice, the extent of involvement of the actual EU in administering statebuilding tasks is dependent on third-party non-EU actors. It seems that EU's agency and actorness does not stem from normative power or even other instruments such as conditionality policy, but is largely shaped by its ability to become embedded in the processes themselves. In this way the EU nurtures a situation in which local institutions become

[1] Following the advisory opinion of the Internal Court of Justice (ICJ) of July 22, 2010 that the declaration of independence by Kosovo in 2008 was in accordance with the international law, the UN General Assembly adopted Resolution 64/298 in 2010 whereby it welcomed the EU readiness to facilitate a dialogue for normalization of relations between Kosovo and Serbia. The dialogue started officially in March of 2011, and while the EU refers to the process as Belgrade-Pristina Dialogue it has been commonly referred by media and civil society reports as the Brussels Dialogue. Therefore, the term Brussels Dialogue in this thesis it is used exclusively to refers to the dialogue for normalization of relations between Kosovo and Serbia that started in 2011 and it is facilitated by the EU.

dependent on the EU. Thus, the key argument of this thesis: to truly understand how the EU is involved in statebuilding interventions we need to look deeper at the micro-politics, the everyday, of the statebuilding processes. This is important in order to investigate the main underlying assumptions of the EU as a statebuilding actor, such as its commitment to promoting local ownership and participation and being a normative and ethical agent.

1.4 Thesis structure and outline

This thesis comprises seven chapters. The next, chapter 2, examines theoretical discussions on statebuilding interventions, and looks at how the EU developed its own model or approaches to statebuilding. It discusses emergence of the peacebuilding framework as a response to the growing number of conflicts around the world in the aftermath of the Cold War, and shows how from the very start the EU became an intrinsic part of the UN-led effort to promote peacebuilding. This required (re)building state institutions and capacities, reintegrating former combatants and creating the necessary power-sharing mechanisms between different segments of society, which was a especially relevant undertaking for ethnic conflicts, such as the one in Kosovo in the 1990s. The chapter analyses the EU's growing understanding of statebuilding as a relevant tool to advance its own interests as well as pre-empt any threats to itself stemming from an unstable neighbourhood. The EU became increasingly interested in statebulding as a means to expand its normative framework, thus creating more politically and economically friendly states towards the Union. The chapter shows that the EU has adopted an integrated approach to statebuilding interventions as it assimilated its intentions in different instruments and policies including enlargement, which covers Kosovo as well. The chapter also finds that much of the focus in examining the EU's statebuilding approaches has been on institutions of the EU and their performance, and on utilization of the conditionality instrument to ensure diffusion of its norms and standards.

Chapter 3 analyses existing literature on statebuilding and the EU approaches; identifies key missing points; provides a conceptual framework for accounting for EU's everyday statebuilding practices and actors; and investigates such practices and actors in relation to three issues: rule of law, public administration and reconciliation. The chapter examines the origins of the statebuilding approaches by looking at the UN and how it shaped the EU's understanding and development of its own statebuilding tools and instruments. The analysis shows that while the EU took a lot from the UN, it wanted to develop a unique model and

approach. It also demonstrates how the lack of a comprehensive account of everyday practices of statebuilding in the existing literature limits our understanding of the EU's agency as a statebuilding actor, and the extent to which the EU acts as an organized and coherent actor, while at the same time retaining the real ownership of statebuilding within the EU itself. In this regard the thesis views the subject of international interventions for statebuilding through the lens of everyday.

Three empirical chapters follow the theoretical and conceptual framework (chapters 4-6), exploring rule of law, public administration reform and mediation of the disputes between Kosovo and Serbia. In each empirical chapter we encounter situations that challenge conventional wisdom with respect to how the EU diffuses its normative framework in other states and influences the statebuilding agenda, and with respect to where the EU's capacity lies as a peace broker between conflicting parties. Additionally, each chapter identifies a number of shortcomings in the EU's statebuilding approaches that question its image as a normative and ethical agent as well as its commitment to local ownership. Chapter 4 provides an account of the everyday practices in the rule of law. In Kosovo, the EU deployed its largest dedicated civilian and police mission -- the EULEX. It effectively substituted the UN presence in Kosovo. EULEX was an unconventional mission for the EU in that it was vested with executive authority and, therefore, was part of the judicial system of Kosovo. This chapter analyses the shortcomings of the EU's practices of embedment of its personnel in local institutions, both through EULEX and other technical assistance projects for the purpose of knowledge transference and norm diffusion. It also captures how the deficiencies of the EU as a coherent and organized actor are manifested in the everyday and how they affect the mandate of the EU's missions.

Chapter 5 provides an account of the EU's everyday statebuilding practices in public administration, with a special focus on the EU-led reforms in this sector. Public administration is commonly overlooked in existing literature, perhaps seen as a domain solely for technocrats and policy experts and, therefore, mundane vis-à-vis the big goals of the statebuilding interventions. However, public administration reform is a major priority area for the EU and one where much of the practical statebuilding takes place. Furthermore, examined from the perspective of the everyday, bureaucrats are important in two ways: they are an important unexplored dimension of local resistance to external dictation, and their agency stemming from the partnership with EU technocrats and sub-contracted experts is fundamentally shaping statebuilding outcomes.

Chapter 6 looks at the last pillar of the EU's statebuilding approaches: conflict mediation. Since 2011 the EU has been facilitating a dialogue for normalization of relations between Kosovo and Serbia. In this process, a number of so-called technical agreements have been reached between the two parties, but not a conclusive peace treaty. We are told by the existing scholarship that the success of the EU in negotiating these agreements is due to the EU's unique position of leverage over parties, conditionality and the concept of constructive ambiguity in wording the agreements. However, this chapter analyses the impact of the seemingly mundane practices of the EU such as embedment in the agreements in facilitating compromise between the two parties. This chapter shows that the EU is most effective as a peace-making actor when it is directly involved in the process and implementation of agreements; unlike existing accounts that tend to show the EU as an impartial and detached actor.

Chapter 7 concludes with important observations related to theoretical and policy implications of the findings from this thesis for the EU's approaches to statebuilding as an emerging global actor. The chapter finds that the EU managed to agreements between Kosovo and Serbia in the framework of the Brussels Dialogue by imitating compromise solutions through its own involvement in its implementation. This concluding chapter also provides several important findings with policy implications including a better understanding of the—perhaps unintended—consequences of the EU's heavy reliance on subcontracted experts in working towards local ownership of statebuilding process.

Chapter 2: Statebuilding interventions

The everyday turn in peace and conflict studies has allowed researchers to capture critical agency in peacebuilding interventions that was not apparent through other conventional means of investigation, such as with regards to local resistance (Heredia, 2017). Practice-based examination of statebuilding interventions enables a deeper understanding of the relations between the local and international actors and illuminates alternative means of power emanating from the mundane aspects of everyday. This chapter unpacks theoretical discussions of statebuilding interventions, with a focus on the EU's approaches. It addresses two key questions: how and why did statebuilding interventions become a preferred method of peacebuilding for the international community? How did the EU develop its own understanding of statebuilding interventions and how was it assessed by academics and practitioners? This chapter holds that in the existing literature, the missing link is the lack of a comprehensive account of the everyday practices in the EU's statebuilding approaches. The chapter starts with an overview of the scholarly discussions on statebuilding interventions, analysing the UN's role and relations with the EU. It then continues with a discussion of how the EU's approaches to peacebuilding and statebuilding have evolved, and concludes with a discussion of the missing link in existing research.

2.1 An overview of conceptual investigations into post-conflict statebuilding interventions

The end of the Cold War marked a period in the 1990s considered to be one of the deadliest after the Second World War, with intrastate conflicts constituting '94% of all conflicts' (Paris, 2004; Chopra, 1999). This is also evident in the UN peacekeeping operations. For example, the UN deployed 35 peacekeeping missions between 1990 and 1999, which represents 50 percent of the entire peacekeeping missions deployed between 1948 and 2017.[2] A major difference was that most of these missions deployed during the 1990s were beyond peacekeeping, and represented a holistic statebuilding intervention in order to achieve peace. The Cold War era peacekeeping missions of the UN were limited in what they could do and mainly focused on monitoring implementation of cease fire agreements and standing between

[2] See the United Nations (UN) list of peacekeeping operations from 1948 until 2017, available at: https://peacekeeping.un.org/sites/default/files/unpeacekeeping-operationlist_1.pdf

warring parties in order to prevent escalation of conflict. These, 'first generation approaches' were not adequate to respond to the asymmetric civil wars that were widespread in the 1990s (Richmond, 2002). A particular concern for the international community, even after a conflict had ended was to create the necessary conditions for preventing relapse of the conflict through reconciliation, reconstruction of the infrastructure, and creating institutions to provide security and services to citizens. Mark Webber maintained that the lack of governing experience of the new states in post-Cold War era could potentially explain their failure or fragility (Webber, 1997, p. 24).

These developments gradually led to an emerging consensus that responding effectively to the new crisis and civil wars required a doctrinal shift at the UN from a Westphalian and state-centrist approach to international peace and security where keeping peace was seen as sufficient, to peacebuilding that required structural changes to prevent relapse to conflict. This new understanding was integrated in the 1992 'Agenda for Peace' presented by Secretary-General of the UN Boutros Boutros-Ghali which talks about the UN assuming responsibilities such as disarming warring parties, reforming security sector, protecting human rights, monitoring elections, as well as "rebuilding the institutions and infrastructures of nations torn by civil war and strife;" (The UN, 1992, para.15). This is what Richmond referred to as third generation approaches which aimed at creating liberal-democratic states, which meant free-market economy, political pluralism and elections, civil society, free media, and growing interdependency through trade (Richmond, 2002). The EU also accepted the necessity of this approach for sustainable peace (Richmond, et.al. 2011).

Achieving these goals required from the UN a more interventionist approach to other causes of violence – structural – rather than territorial wars. In other words, the UN had to aspire to achieve in post-conflict states both 'negative peace' in order to stop direct violence and also 'positive peace' in order to transform the structural causes of the conflict (Galtung, 1969). John Lederach defined peacebuilding as a comprehensive integrated process of transformation of cultural, political, social and military contradictions, attitudes, and behaviours (Lederach, 1995). The quest for building peace became increasingly connected with governance capacity, economic growth and human rights, among others. Although the UN claimed it was not suited for governing responsibilities as well as statebuilding in post-conflict societies (The UN, 1995), the United Nations Interim Administration Mission in Kosovo (UNMIK) deployed in 1999, and similar missions in Cambodia, Bosnia and Timor Leste did exactly that: it governed the territory while simultaneously managing a statebuilding project.

The UN further strengthened the liberal statebuilding intervention doctrine with the introduction of the concept of human security in its 1994 report on Human Development. This paradigm shift highlighted the holistic nature of threats stemming from attacks against 'security of the people' including poverty, famine, terrorism, and pollution, among others, and their consequences which would 'travel the globe' (The UNDP, 1994). In this sense, the new approach highlighted the need to see statebuilding beyond the technical tasks of restoration of institutions and order, and into checking if such institutions function properly and effectively, if the government exercises authority in its territory, and if citizens have access to good public services. This emerging realization that state performance was linked to peace, and that peace at home depended upon peace in other countries, was proven in the terrorist attack against the United States on September 11, 2001. Literature on statebuilding considers this event to have propelled state fragility and state failure as a key threat to international peace and security, and accordingly engendered the dominant peacebuilding response (Fukuyama, 2004; Hameiri, 2010). In 2001 the International Commission on Intervention and State Sovereignty published its report titled "The Responsibility to Protect" that further expanded on the human-security concept, by holding that that:

> "In an interdependent world, in which security depends on a framework of stable sovereign entities, the existence of fragile states, failing states, states who through weakness or ill-will harbour those dangerous to others, or states that can only maintain internal order by means of gross human rights violations, can constitute a risk to people everywhere" (ICISS, 2001, p. 5).

This new consensus formed the liberal-peace thesis, which traces its origins to the work of Immanuel Kant, who saw perpetual peace as dependent upon the character of the government, and saw the state as a 'moral person' (Holland, 2017). Kant argued that a republican system of government that ensured representation and participation in decision-making processes was one of the three key conditions for sustainable peace, because people would not vote for leaders who would go to war. Michael W. Doyle added an argument to Kant's moral conceptualisation of republicanism, that democracies do not go to war with each other, but tend to be conflictual with non- democratic states, forming the democratic-peace (Doyle, 2005). This emerging consensus of how to achieve international peace formed a normative context for interventions as well as a template for post-conflict statebuilding, starting with what Sutter (2009) calls *the era of interventionism*.

This liberal-democratic formula on how to achieve peace informed UN's blueprints for (re) building states in the aftermath of the conflict. These interventions were based on "the assumption that the surest foundation for peace, both within and between states, is market democracy, that is, a liberal democratic polity and a market-oriented economy" (Paris, 1997, p. 56). In this sense, countries hosting statebuilding interventions are in transition, and moving towards democratization and marketization where the UN and other organizations are the facilitators of such processes, supporting the local population to break the cycle of conflict and lift themselves out of poverty and backwardness (Doyle and Sambanis, 2006). The European Union (EU) played an important role in shifting the UN towards peacebuilding as well as being an integral part of peacebuilding missions, providing personnel and also leading particular objectives of the missions.

The UN established the Peacebuilding Commission in 2005, with a mandate to provide more coordinated and focused support to peacebuilding and institution-building (statebuilding) by the UN in post-conflict societies (The UN General Assembly, 2005a; The UN Security Council, 2005). The establishment of this commission was based on the recommendation of the 2005 Report of the Secretary-General of the UN which appeals for the human-security dimension of UN's peacebuilding approaches, as well as the need to promote rule of law, human rights and democracy (The UN General Assembly, 2005b). Both of these documents link statebuilding with peacebuilding and make reference to state fragility and state failure as major sources of concern for international peace and security. The EU strongly supported the establishment of the UN Peacebuilding Commission, including by providing most of the needed funds (Biscop and Whitman, 2013).

Scholars or practitioners are not on the same page with respect to the diagnosis of the consequences of state failure and state fragility. State fragility and state failure can come as a result of the lack of consensus among the members of the society to uphold state institutions as poor performance erodes public confidence (Einsiedel, 2005, pp. 14-15). Rosa Ehrenreich Brook holds that failed states "lose control over the means of violence, and cannot create peace or stability for their populations or control their territories. They cannot ensure economic growth or any reasonable distribution of social goods" (Brooks, 2005, p. 1160). Accordingly, one of the main concerns was how to ensure monopolization of violence in post-conflict societies, as well as to create the conditions for economic growth and democratic governance that is accountable to citizens. The Brahimi Report in 2000 has led to important reforms of the UN peace operations, acknowledging the failure of the existing approaches to

effectively respond to conflict zones. The report calls for the UN to expand its scope of activities in post-conflict countries.

> "… a doctrinal shift in the use of civilian police and related rule of law elements in peace operations that emphasizes a team approach to upholding the rule of law and respect for human rights and helping communities coming out of a conflict to achieve national reconciliation; consolidation of disarmament, demobilization, and reintegration programmes into the assessed budgets of complex peace operations in their first phase; flexibility for heads of United Nations peace operations to fund "quick impact projects" that make a real difference in the lives of people in the mission area; and better integration of electoral assistance into a broader strategy for the support of governance institutions" (The UN, 2000, p. ix).

This renewed commitment to peacebuilding through a reformed approach created an enabling environment for the UN to share the burden with other actors, particularly regional actors (Grimm and Weiffen, 2018). Accordingly the EU became an important part of international statebuilding interventions, creating an opportunity for the EU to contribute to international security and make a case for deeper cooperation among Member States on foreign and security policy. The EU wanted status as a global security actor, and UN's new reforms towards peacebuilding missions provided this opportunity. The EU's approach to peacebuilding was promoted as a supplement to the UN (Krause and Ronzitti, 20012). The cooperation between the EU and UN on peacebuilding missions was seen as natural (Tardy, 2009). The key features of UN's statebuilding interventions included: disarmament, demobilization and reintegration of former combatants, reforming security sector to ensure inclusiveness as well as commitment to human rights and democratic norms, creating public institutions including rule of law structures, privatization of state owned and public companies and establishing a market-oriented economy, supporting the creation of new political parties, non-government organizations and media to facilitate democratization. Examples of such interventions include Cambodia (1992), where the UN for the first time assumed governing responsibilities, Bosnia and Herzegovina (1995), Kosovo (1999), and Timor Leste (1999), among others. These cases show that to some extent the UN managed to stabilize the countries, establish order and start a democratization process.

However, the UN-led statebuilding interventions have drawn criticism for their 'adverse impacts' that often fail to reach the desired outcome, even sometimes exercising their

authority in a manner that violated the very liberal-democratic norms they proclaimed to be promoting (Visoka, 2016). The UN efforts to achieve peacebuilding intentions were hindered by ideological arrogance, the underlying assumption of liberal-democratic supremacy for durable peace, as well as ineffectiveness of planning and executing statebuilding interventions in complex and diverse societies. The UN approach seems to follow a Lego-mentality on how to build post-conflict or fragile states. Simon Chesterman holds that "UN peace operations were ad-hoc and the organization was reluctant or didn't have support to effectively engage in governance related activities in post-conflict societies" (Chesterman, 2005, p. 342).

The UN approaches were top-down, elitist, often in defiance of local diversity and context, and ignored or even diminished local agency by insisting on diffusion of ready-made templates. These approaches failed to nurture a democratic political culture, which is the key underliying precondition for statebuilding interventions (Richmond, 2008). For example Barnett, et al., (2007, p. 35) found that "72 per cent of peacebuilding operations leave in place authoritarian regimes." In this sense, the UN often became part of the problem in the framework of statebuilding interventions (Pugh, 1997). To tackle the unsustainability of statebuilding interventions, the UN often prioritized stability over democratization by focusing on building the hardware of the state while ignoring the democratic commitments of the occupants of the state institutions. This also influenced the EU's approaches to statebuilding, framed as 'stabilitocracy' referring to "semi-authoritarian regimes in the region [Western Balkans] which receive external support, in particular from EU Member States, for the sake of the (false) promise of stability." (Bieber, 2017, para. 3).

These externally sponsored statebuilding interventions by the UN were largely based on a framework influenced by the institutionalist approach from the work of Max Weber whereby the state is seen as the sum of its institutions and the authority of the state is dependent upon the performance of such institutions, ergo collapsing or weak institutional performance leads to the failure/fragility of the state (Lemay-Hébert, 2013). This is a highly western conception of the state, and it entailed copy-pasting western models in other parts of the world as a panacea for weak and failing states. In other words this was about creating "institutions associated with ''modern'' states as a driving force for building ''peace''" (Newman, etl.al. 2009, p. 3). In the words of Shahrbanou Tadjbakhsh (2011) these are inherently linked to a specific western lifestyle. This approach, according to Lemay-Hébert (2013) excludes from the state the traditional or indigenous structures that provide services and goods, and secondly, it separates state-building from nation-building. Statebuilding interventions in this sense were

platforms for westernization of post-conflict societies, rather than meaningful projects of building peace (Richmond O. P., 2010). This critical scholarship emerged as a consequence of the shortcomings of liberal statebuilding to achieving intended peacebuilding objectives in other countries, but also from the problematic underlining assumption of supremacy of the liberal doctrine in ensuring durable peace. In the words of Oliver Richmond (2013, p. 130): "Statebuilding, like liberal or neoliberal peacebuilding, is failed by design." The everyday lens illustrates how this happens in practice, and can shed light into how the local input is undermined or controlled, therefore preventing the organization, such as the UN or the EU from learning from their experiences.

Accordingly, scholars have criticised the organizational and normative aspects of UN-led statebuilding interventions and have argued for a conceptual shift in how their performance is assessed, and to better understand and account for local agency (Chesterman, 2007). These new approaches initially focused on hybrid forms of statebuilding, arguing for a certain compromise between international and local norms, in order to broaden legitimacy as well as to ensure sustainable peace. The challenge with such approaches included the extent to which negotiations of liberal norms with a local worldview should be accommodated because of different interests (Richmond, 2015). The work of Richmond and Mac Ginty (2013) has been essential in introducing a 'local turn' into statebuilding literature. Richmond (2013, p. 133) talks about 'peace formation' that describes the efforts of local and international actors "to design their own versions of peacebuilding relevant to their own locations, states, cultures, histories, needs, and expectations."

On the other hand Mac Ginty (2014) has explored the agency of mundane practices to maintain everyday peace in divided societies. Visoka (2016, p. 44), has put forward 'peace figuration' as a different framework that accounts for "discourse, events and outcomes that shape peace after violent conflict" in order to make better sense of the wider impact of statebuilding interventions. This new take on statebuilding interventions promotes a 'transformatory peacebuilding' that works with communities in a bottom-approach, and does not ignore local agency but engages with it, and in doing so "can make peace building more legitimate and sustainable." (Newman, 2009, p. 47). Among others, some of the main takeaways from critical scholars on external statebuilding interventions include: creating an enabling environment for local participation and ownership of the statebuilding process, not being dismissive of locals norms and practices, creating a partnership in the process, not viewing statebuilding as a sum

of institutions and laws, adopting a bottom-up and adopting a community based approach to identify and address structural violence that impedes peace.

To sum up, the UN-led statebuilding interventions were driven by a belief that (re)building states in the aftermath of wars and civil conflicts required the imposition of a western-model of the liberal-democratic state to resolve structural violence and ensure durable peace. However, these efforts have failed to yield the aspired transformation and sustainable democratic emancipation, because of, among other reasons, major shortcomings in the very design of such interventions and their disregard for local context and agency. Often statebuilding arrangements are experimental and failing to account for local context, they become un-implementable and are ignored by local leaders. In other words, imposed statebuilding by external actors is not good for peace or for improving governance capacity (Aggestam and Björkdahl, 2013). Putting in place the technical and legal infrastructure of the state is not in itself sufficient to diffuse the liberal-democratic model. It takes time for the society to develop relations with new structures and for local ownership to take hold of decision-making in order to adapt the institutions and laws to their context. Alan Whaites (2008, pp. 4-5) holds that states "never finish enhancing their ability to function. States are never 'finally' built, they change and adapt over time, State-building is an iterative process, it is shaped by elite interaction, and by state-society relations" (Whaites, 2008). From this perspective regional actors often play a crucial role in taking over the next step of the statebuilding process, which is bringing the states into shape by supporting them to change and reform existing structures as well as to add new ones (Grimm and Weiffen, 2018). This is where the EU comes in, utilizing a variety of instruments and tools to tackle deeper issues that impede democratic governance, rule of law, and lack of reconciliation between former warring parties that can lead to state fragility. EU-led interventions approach state fragility through more subtle tactics. This has led to a number of concrete actions, including the 1992 Petersburg Declaration and the 1998 Anglo-French summit in Saint-Malo (Shearer, 2000). The next section focuses on this subject.

2.2 The EU's approaches to statebuilding

The previous section provided a conceptual discussion on post-conflict statebuilding and the UN-led interventions as a response to the growing threats to international peace and security emanating from civil wars in the 1990s and the state failure and state fragility that dominated

post 9/11 security concerns. It established that statebuilding interventions are seen as important undertakings for upholding liberal-democratic order and pre-empting threats to international peace and security, and that the UN and the EU closely cooperated in designing and implementing statebuilding interventions. This section now turns to the EU and the research pertaining to its emergence as an autonomous security actor, adopting statebuilding interventions as a strategy to expand its interests through assimilation of other countries as well as to pre-empt threats. There are four key questions this section examines: How did the EU develop its statebuilding approaches? What are the EU's statebuilding approaches? How does the EU intervene in statebuilding? And what is missing from existing accounts of EU's statebuilding interventions?

The EU sees itself as a peacebuilding project, and therefore there is almost a prophetic assumption of responsibility to expand itself. This self-assumption of being a peace project, instilled a sense of responsibility to 'help' other countries achieve the same aspiration. For instance, in the Programme for the Prevention of Violent Conflicts in 2001, the EU states that it:

> "has a political and moral responsibility to act to avoid the human suffering and the destruction of resources caused by violent conflicts. The European Union is a successful example of conflict prevention, based on democratic values and respect for human rights, justice and solidarity, economic prosperity and sustainable development. The process of enlargement will extend this community of peace and progress to a wider circle of European states" (The Council of the European Union, 2001, p. 2).

In 2012 the EU was awarded the Nobel Peace because "for over six decades [it] contributed to the advancement of peace and reconciliation, democracy and human rights in Europe" (The Nobel Foundation, 2012). From the EU's perspective this was made possible because the Union managed to assimilate other European countries into its system of values, and in line with the democratic-peace theory, these countries no longer saw each other as threats while economic independency and trade ensured that they saw value in cooperation. Simon Duke and Aurelie Courtier (2009, p. 14) hold that: "[a]rguably the idea of the European integration as a peacebuilding project informs the outlook of the EU in its external peacebuilding efforts since the EU sees itself as exemplar." The closer the countries are to the EU the more compelling the need on the part of the EU to "'EU-ize' the periphery" through "economic

incentives and teaching. In EU jargon, the EU builds 'structured relationships'" (Kornprobst, 2015, p. 275). In other words, the EU is deeply committed to intervening in shaping states in other parts of the world, and particularly its neighbourhood. It does this for two main reasons: first it sees such interventions as intrinsically linked to its security and economic growth; and secondly, because it promotes itself as a normative power and, therefore, statebuilding interventions present the most suitable method to demonstrate this proclaimed commitment.

How did the EU develop its approaches to statebuilding interventions? The EU was an essential part of the UN's doctrinal shift to peacebuilding, and was deeply involved in designing as well as implementing UN-led statebuilding interventions such as in Kosovo, Cambodia and Timor Leste. Hence, the EU approaches to peacebuilding, in the early stages, have been heavily influenced by the UN. The 1996 "The European Union and the Issue of Conflicts in Africa: Peace-Building, Conflict Prevention and Beyond" (European Commission, 1996) and the 2001 "European Commission Communication on Conflict Prevention" (The European Commission, 2001) are some of the earliest EU policy documents pertaining to peacebuilding that highly reflect or complement the UN approaches. For example, the 2001 Communication on Conflict Prevention states that "[t]he Commission is closely following the implementation of the Brahimi Report and fully subscribes to the peace-building approach set out in the Report." (Ibid., p. 26).

In addition to the policy level synchronization with the UN, the EU has been an essential component in all UN peacebuilding and peacekeeping operations on the technical and political levels, as evident by the fact that major portions of the UN peacebuilding operations have been staffed by experts and officials from EU Member States. The UN Department of Peacekeeping Operations since its establishment in 1992 has been traditionally managed by French diplomats, bar a brief period between 1993 and 1996 when Kofi Anan was Under-Secretary-General for Peacekeeping Operations.[3] The EU's experiences as an embedded institution in the UN peace operations provided an important experience for the Union to develop an autonomous capacity as well as a distinct approach to using statebuilding as a peacebuilding measure.

[3] The Department of Peacekeeping Operations was created in March 1992 by then Secretary Genera; Boutros Boutros-Ghali. In 1997 when the first French Mr. Bernard Miyet was nominated to the position, all subsequent Under-Secretary-Generals for Peace Operations were French: Jean-Marie Guéhenno (2000), Alain Le Roy (2008), Jean- Hervé Ladsous (2011), Pierre Lacroix (2017).

João de Deus Pinheiro, former Commissioner for Development of the EU, outlined four principles with respect to EU's peacebuilding approaches:

> "The first was ownership: local governments and communities bore the primary responsibility for conflict management and peacebuilding. The second was a long-term approach based on prevention and a focus on root causes. The third was a coherent approach at all points in the conflict cycle to the integration of EU instruments that might enable an environment of peace. The fourth was a concentration on improved analysis, decision-making and a culture of conflict prevention. The fifth was more effective coordination" (Miall, 2007, p. 36).

But the trigger for deeper cooperation among EU Member States on foreign and security policies emanated from their failure to respond to the Balkan wars in the 1990s. The emerging foreign policy competence of the EU at the time was shared between different Commissions, which added to the challenges of coordination and cohesion. Furthermore, while Member States had agreed to assign new competences on foreign and security related issues to the EU, they also remained committed to the assertion of their own actorness and promotion of their agendas. Lequesne (2015, p. 354) argues that this sort of arrangements reflect old practices in the Commission since 1952 which has to do with the assumption "that belonging to a supranational institution requires a claim of autonomy from the member states." Glasius and Kostovicova (2009) hold that the lack of proper coordination within the EU can be understood as a conflict between high-politics and low-politics. High politics are the domain of the Council of the European Union and EU Member States that deal with other governments in order to promote stability and maintain good relations through negotiations and intervention (Ibid.,). Low politics is about promoting development and is the domain of European Commission which works with societies by providing aid and trade (Ibid.,). Grimm (2014, p. 256) argues that "the positions of the Council are likely to be more security-oriented, whereas those taken by the Commission (DEVCO and ECHO) would be expected to be oriented towards development and humanitarian assistance; the positions of the Parliament would presumably reflect human rights and parliamentary independence." Despite the shortcomings, the main positive takeaway from the Lisbon Treaty is that it has renewed the emphasis on a peacebuilding strategy for the EU (Major and Mölling, 2010).

It seems that while there is consensus that the EU needs to integrate peacebuilding in its policies, they are not well defined and largely understood in the conflict-prevention context

(Major and Mölling, 2010, p. 4). Accordingly, unlike the UN which mostly finds itself responding to the escalation of conflicts, the EU is heavily invested in prevention, for its own interest. For example, the Syrian war caused a massive influx of refugees into the EU in 2015. This created serious domestic problems for the EU institutions, such as the European Commission and the Member States creating serious disagreements, among others, also about the refugee quotas that each Member State would be expected to take in. Also, the refugee crisis were abused by the populist's politicians, especially from the far-right to further question the domestic consensus on the European integration project. So, to prevent the instability in the countries that surround the Union, the EU institutions and especially the European Commission are increasingly engaging in statebuilding intervention projects. One way the EU does this is to expand itself or export its model to other countries (Visoka and Doyle, 2016). This is about replicating the success of regional integration in other parts of the world and becoming an agent of diffusion of its norms and practices in other states. This the main approach in EU's statebuilding interventions.

Thus, unlike for the UN, for the EU statebuilding interventions seem to have a hierarchy of motives and interests that determine the level of involvement and intervention. For instance, for the immediate neighbourhood, the EU deploys statebuilding intervention to maintain stability and expand its zone of institutional/political and economic interdependency. For countries further in the periphery, the EU is mainly concerned about the potential of spill-over effects in security deteriorations and, therefore, a majority of CSDP military and police missions seem to be deployed in the periphery.

What has necessitated EU's engagement in statebuilding interventions is the increasing recognition of the security threats stemming from fragile states. A significant number of the fragile or conflict affected states border the EU (Castillejo, 2015). Mark Furness (2014, p. 1) notes that "prominence of fragile states in EU development policy discourse has also risen in recent years." Castillejo (2015, pp. 1-2) argues that fragile states present a long-term security challenge for the EU because "the global goods that the EU seeks to promote – for example in the areas of security, climate and environment or economy – cannot be achieved while a significant proportion of the world's states remain weak, conflict prone and unable to effectively manage their own affairs or participate in collective multilateral action." Safeguarding and advancing peace and prosperity in the EU depends very much on the success of the EU to support effective and stable functioning of the states, because of the conviction that unstable, fragile or weak states are detrimental to Europe's security architecture.

So, then the question is: what are the EU's statebuilding approaches? Nathalie Tocci (2010, p. 55) holds that the overall purpose of the EU's approaches is to establish "the conditions for a durable peace following the end of violent conflict through policy actions aimed at state-building and political, social and economic development, which branch out beyond the specific items on the crisis of management and conflict settlement agendas." Existing accounts add that the EU focuses its statebuilding interventions mainly on strengthening states that are 'ailing' or are weak (Glasius and Kostovicova, 2009). In this sense, statebuilding intervention for the EU is not only relevant in a post-conflict situation, but it constitutes an overall framework for the Union's external dealings. And one of the most important tools in this regard has been EU enlargement (Blockmans, 2010). In their interventions the EU's approaches prioritize rule of law, civil society development, and resolution of bilateral disputes and establishment of a professional and capable public administration (Juncos and Gross, Introduction, 2011). This is also seen as an important intervention to ensure that any problems in neighbouring countries do not spill-over into the EU. For instance, the migration crisis of 2015 showed that weak rule of law in countries bordering the EU can have a profound impact on domestic issues in the EU as well.

Other scholars such as Duke and Courtier (2010) frame the EU's statebuilding approaches in the context of interest. They explain that there are two components to the EU's peacebuilding approaches: the internal and external dimensions and the short-term and long-term dimensions. The internal dimension of peacebuilding has to do with the EU's enlargement policy while others such as the European Neighbourhood Policy belongs to the external peacebuilding dimension. CFSP is short-term oriented while Community's policies and programs are long-term oriented. They argue that internal and external "should be treated alike in the sense that the EU should promulgate the same principles and values to candidates or non-candidates." (Duke and Courtier, 2010, p. 27).

Having examined what the EU's approach to statebuilding is, it is relevant to examine the existing literature on how the Union implements intervention and what constitutes its actorness and agency. There seems to be an overall driver for the EU, which is the desire to "make an international difference" which includes "playing the role of market actor, security actor, and diplomatic actor." (Pomorska and Vanhoonacker, 2015, p. 216). Three key features provide a flare of uniqueness to the EU's approaches: its "clear preference for multilateralism over unilateralism" and being "more interested in the use of civilian power than in the use of military power" (McCormick, 2011, pp. 411-413) as well as the proclaimed commitment of

the EU to human-security concept or to the promotion of the 'Global Public Goods.' (Biscop, 2005). Nevertheless, scholars seem to agree that the emerging 'Peacebuilding Framework' of the EU still largely falls within the third-generation framework of liberal peace albeit with an aspiration on the part of the Union to set more ambitious fourth-generation agenda (Richmond, Björkdahl and Kappler, 2011). The Petersberg tasks that were initially agreed upon in 1992, and subsequently expanded with the 2009 Treaty of Lisbon are largely similar to UN peacebuilding missions. What set the EU apart as a statebuilding actor, however, are 'integrationalist logic' (Ibid., p. 457) and a more strategic outlook of statebuilding intervention as a platform. For example, the European Security Strategy of 2003 states that the task of the EU "is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations" (The Council of the European Union, 2003, p. 10). The EU's 2015 Global Strategy meanwhile prioritizes regional governance in its external dealings because it can "offer states and peoples the opportunity to better manage security concerns, reap the economic gains of globalisation, express more fully cultures and identities, and project influence in world affairs." (The Council of the European Union, 2016, p. 10). This echoes the early neo-functionalist hopes for a spill-over effect of the European integration process (Visoka and Doyle, 2016).

There are inherent challenges in conceptualizing EU's agency as a statebuilding actor, emanating from the Union's nature as a supranational entity. Accordingly, perhaps Manners' (2002) theorisation of the EU as a normative power provides a starting point on how to examine EU's statebuilding agency. This is to say that the EU places its own process of formation and norms as conditions in its external dealings as a foreign security and policy actor, and seeks to diffuse them in other countries (Official Journal of the European Union, 2012, p. 17). In other words, the values upon which the EU has been founded are key policy objectives that the EU 'relentlessly seeks to export' outside its domain (Pech, 2012, p. 10). As a normative power, promotion of human rights, democracy and good governance are core priority issues for the EU's statebuilding approaches, particularly in relation to fragile states. The EU's Global Strategy states that the Union will "pursue tailor-made policies to support inclusive and accountable governance, critical for the fight against terrorism, corruption and organised crime, and for the protection of human rights." (The Council of the European Union, 2016, pp. 25-26). The EU incorporates this commitment in a variety of instruments in the Union's external dealings.

A particularly interesting aspect of the EU's approaches is the 'contractual relations' that the EU establishes with countries it intervenes in statebuilding, which ensures more legitimacy for the interference and increases the chances for diffusion of norms and delivery on democratic and rule of law reforms by local governments. This feature is common across EU's approaches, and sets it apart from other statebuilding actors. More importantly, the statebuilding contract is signed between the EU and local elites and in doing so overshadows the necessity for the state to have a contract with the society (Zaum, 2013). For example, in the framework of the development aid instrument, the EU has developed three sets of contractual relations to ensure that countries that receive financial aid from the EU adhere to the norms of human rights, democracy and rule of law: the Sustainable Development Goals Contracts, the Sector Reform Performance Contracts and the State and Resilience Building Contracts (SRBC). Most SRBCs are in Central and Western African countries. The European Commission conditions disbursement of financial aid upon fulfilment of agreed conditions, which are designed to tackle weaknesses in key government institutions. These conditions are structured through the so-called Country Strategy Paper prepared by the European Commission that outlines the priorities that the Union pursues in its relations with other countries in the framework of development aid.

In this context, EU's statebuilding approaches are viewed as technical and administrative interventions, or statebuilding through strengthening governance. This has been criticized from the methodological perspective, which raises questions regarding how the EU reached the conclusions it did in the Country Strategy Paper, that define in practical terms the areas of interventions by the EU institutions, respectively the European Commission. But, current research suggests that the EU approaches in defining statebuilding intervention priorities, ignoring deeper underlining causes of state fragility (Hout, 2013). Additionally, Hout (2013, p. 372) holds that statebuilding through "technical and managerial means" ignores fundamental structural problems, and this is a manifestation of the western bias of what constitutes a good-state. David Chandler (2010b, p. 70) refers to it as "the way of rule", which focuses on administrative and capacity issues but overlooks "the representative legitimacy of policy making or its derivational author." As Hout (2013, p. 372) puts it, "[t]he question, therefore, is not so much whether the fragile state 'works', but rather *for whom* it works." In this sense, as also demonstrated by policy research (i.e., Bernardi, Hart and Rabinowitz, 2015), the EU has a problem in the discrepancy between short-term stabilization concerns and statebuilding objectives which requires longer as well as deeper engagement and

understanding of the local context. Ready-made technical solutions that do not address deeper structural challenges are inadequate responses to the statebuilding aspirations of the EU. This approach speaks to the EU's efforts of seeking to translate into technical solutions challenges that are deeply political (Visoka and Doyle, 2016).

There is also a geostrategic aspect to the EU's statebuilding approaches. The EU seems less concerned with the failure to reach statebuilding objectives in the outer rim of its periphery compared to within its neighbourhood. This geostrategic component to EU's statebuilding approaches determine the level of intervention and interference. For instance, Richmond, Björkdahl and Kappler (2011, p. 9) argue that "the quality and quantity of EU peacebuilding interventions depend on whether the post-conflict state in question is a potential membership candidate (as is the case in the Western Balkans), or whether the EU is pursuing strategic long-term interests further afield (such as in the Middle East)."

From this perspective, the EU's statebuilding approaches can be observed as concentric circles comprised of three layers. The inner circle would represent countries that the EU seeks to assimilate and integrate and therefore constitutes the highest level of statebuilding interference; the outer layer refers to the neighbourhood, which consists of 16-countries in the east and south of the EU such as Georgia, Ukraine, Armenia, Israel, Lebanon and Egypt among others. The third most outer layer of the circle is the periphery. SRBCs, for example, are used to structure statebuilding interventions in the periphery, in Central and Western African countries. The European Neighbourhood Instrument (ENI), worth over €15 billion for the period of 2014-2020, structures the statebuilding interventions to address democratic and governance challenges (The EU). Within this circle, however, there are differences in the extent of EU involvement. For instance, only Ukraine[4] and Georgia[5] have been granted an 'association' agreement, seen as a precursor to including them in the enlargement policy in the future. Enlargement policy represents the highest level of statebuilding interference on the part of the EU.

Looking at the case of the Western Balkans, the main host of EU's statebuilding interventions over the last two decades, David Chandler (2007) holds that the EU is building an empire through statebuilding interventions in the framework of the enlargement policy. John

[4] See the Association Agreement with Ukraine, available at: https://trade.ec.europa.eu/doclib/docs/2016/november/tradoc_155103.pdf

[5] See the Association Agreement with Georgia, available at: https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:22014A0830(02)

O'Brennan (2008) disputes Chandler's argument on the grounds that enlargement is about integration, and not about reshaping the countries in a 'neo-colonial fashion', in addition to the fact that countries covered by enlargement policy want to join the EU. Drawing on 'The Balkans in Europe's Future', a report by the International Commission on the Balkans, which postulated the EU's dilemma as being a a choice between 'Enlargement or Empire', Chandler (2010b, p.71) holds that a 'third way' has enabled the EU's "interventionist practices and conditionalities to be posed as capacity building in the South-eastern candidate states rather than as impositions denying or undermining their sovereignty." From Chandler's point of view, statebuilding for the EU is about 'capacity for good governance' which enables separation of this process from the concept of sovereignty (Ibid.). In this sense, according to Chandler, the EU understands hallmark features of state fragility as emanating from weak 'institutional frameworks' not in line with the liberal-democratic thesis (Ibid.).

One of the areas problematized in the EU's statebuilding approaches includes the asymmetry of the relationship between the Union and its aspiring members. That is to say the countries aspiring membership in the EU constantly feel compelled to comply with the EU's demands, or are strong-armed into compliance. O'Brennan (2008, p. 510) rejects this assumption and maintains that it is an agreed obligation of societies that want to join the Union to assimilate the EU's body of laws into their national legislation. He also points to as evidence cases where local actors asserted their authority in the negotiation processes that produced "variance in the compliance regime." From this perspective an important question emerges: is statebuilding intervention a platform for the EU to manage other states, or is it about assisting states to address their weaknesses and realize their full potential in a framework of liberal-democratic institutions and laws? To answer this question, a growing body of literature has responded to the 'practice turn' and the 'everyday' in order to have a deeper understanding of EU's agency and actorness in statebuilding interventions, which is the subject of the next chapter.

2.3 The missing aspect of EU statebuilding studies

Historically the everyday has been the study of the noninstitutional and the nonelite in politics. But this thesis holds that it is important to also investigate the institutional part because it brings to light hidden accounts of exercise of power and power relations between local and the international. This section therefore discusses aspects missing in existing accounts of the EU's statebuilding interventions.

In the existing literature we are told of the success of the EU's statebuilding interventions in terms of quantifiable elements, such as the statement that "EULEX has had approximately 2 500 staff working on capacity building and carrying out some executive functions" (ECA, 2012, p. 6). But there is a gap between such reports and the reality on the ground. There needs to be deeper analysis and investigation of this gap. For instance this thesis finds that in the everyday the mere deployment of personnel to help with capacity building of local institutions does not mean it leads to the desired results. On the ground there are other mundane and rudimentary elements that determine the success of such interventions. The case of Kosovo illustrates how the national backgrounds of the experts play an important role for local actors. In addition, exactly what capacities are accounted for as weak and how to build them is complex and, more often than not, there is a mismatch between the claimed needs of the EU and the terms of references for its capacity building personnel. There are different levels of analysis of the success of statebuilding interventions. In the current research there seems to be a mismatch in how the institutional analysis assess success of statebuilding interventions, and the reality in the ground, which can be captured through the everyday lens. The everyday reveals that the politics of success is negotiated; it is not objective or quantifiable.

As already noted, the EU has adopted the liberal statebuilding approach which dominated international responses to post-conflict situations in the aftermath of the Cold War by seeking to install a Western model of state through its interventions (Richmond, Björkdahl and Kappler, 2011). Such interventions represent an integrated and norm-driven framework through which the EU seeks to export its own internal model and understanding of a well-functioning and democratic state to other countries (Visoka and Doyle, 2016). The purpose of these approaches is informed by expectations stemming from the EU's emerging global role in conflict management and resolution. At the same time they are also driven by the Union's own interest in pre-empting any threat from the outside. This understanding of the EU approaches to statebuilding has revealed shortcomings in practice. As already noted, in some cases the EU tends to prioritize stability and institution building over democratic norms. Translated into practice, in the case of the Western Balkans, this has meant cooperating or tolerating corruption and favoring so called 'strong' leaders in order to resolve open issues from the conflict and maintain stability—or the 'stabilitocracy' approach, as some critics have dubbed it. However, this critique is liberal-centric and stems from an understanding of the EU through the principle of certainty which accepts the EU's self-promoted nature as a global actor, particularly as a normative actor, as a given. This approach leaves unexamined the issue

of whether the true nature of the EU as a statebuilding actor is what it claims to be. This raises the question: what would the everyday reveal about the nature of the EU?

The current state of research on post-conflict statebuilding studies everyday practices at an insufficient level despite the growing literature and interest in the subject. For instance, the current studies do not clarify the role of subcontracted experts in exercising agency and influence on behalf of the EU in the process of norm-diffusion. They seem to be a necessary part of the statebuilding process, but their agency is insufficiently understood or they are seen as mundane service providers who consequently do not appear on the conventional radar of statebuilding actors. This is important, because while we know that norm-diffusion is a central aspect of the EU's statebuilding interventions, and we also know how it does so through variety of instruments, there is much less clarity on who does the actual norm-diffusion on a day to day basis; how this process works; and who defines what norms and best-practices from the EU are incorporated into local policies and laws. In this context, who are the local actors that are involved and what is their agency?

The existing research tends to link EU's statebuilding interventions with lack of capacities in other countries and concludes, therefore, that the EU provides technical assistance to address capacity gaps. What is less clear are the processes that lead to a situation where local governments face capacity gaps. How does a local government assume obligations from the EU for which they lack capacities to deliver? To clarify this it is necessary to investigate how the EU negotiates with local governments. This is important because technical assistance projects that are deployed by the EU to address capacity gaps provide an important channel of agency for the EU to ensure compliance of the local government as well as to diffuse its norms in the process. The existing literature does not provide sufficient clarification of the role that informal encounters between the EU and local actors play in shaping and determining decision-making processes in relation to the EU's ethical and normative commitments. Finally, conflict mediation is an important aspect of the EU's actorness and agency as a global security actor. In this context, it is particularly important for the EU that states closest to its border resolve their bilateral disputes.

This is also important for the EU's aspiration to incentivise regional cooperation, ensure there are no external threats to peace, and ascertain that the focus of the domestic agenda is oriented towards reforms and approximation with the EU. Accordingly, the EU has been actively engaged in resolving bilateral disputes in the Balkan countries and, to some extent, has been

successful in facilitating agreements between former foes such as Kosovo and Serbia. Existing accounts miss an important link that gave the EU agency to ensure compromise, which can also explain recorded shortcomings in the implementation of agreements. This refers to the practice of embedding the EU in the agreements themselves, which deflects the need for direct cooperation between parties as the EU assumes much of the responsibility for implementing the agreements. As a result, confidence between parties fails to improve negatively affecting long-tern goals of reconciliation.

2.4 Conclusion

This chapter examined statebuilding approaches of two main actors, the UN and the EU. It showed that statebuilding interventions are very closely linked to the ideological ambition of assimilating other countries into liberal-democracies as the most certain foundation for sustainable peace, while ignoring local knowledge and participation. It began with a conceptual discussion of the statebuilding interventions deployed in the aftermath of the Cold War, especially after the 9/11 terrorist attacks on the US, that sought to address structural causes of conflicts and pre-empt threats emanating from weak and failing states. Statebuilding interventions generally aspired to build a Weberian state that diffused liberal-democratic norms. These approaches are often equated in the literature with efforts of modernization which is used as an euphemism for westernization. While UN-led liberal statebuilding interventions that emerged during the 1990s often contributed to stabilization, restoring institutional structures, building legislation to promote free media and civil society, they often failed to ensure sustainable peace (Visoka, 2017). Statebuilding approaches were characterized by their interventionist nature, and they seemed to impose a particular political and economic order while applying western templates on diverse societies, which drew criticism for being akin to colonialism. Scholars have pointed to the inherent ‘western bias in what constitutes a good state’, and how the EU relentlessly seeks to export that model, regardless of the context.

Critical scholars maintain that statebuilding interventions are top-down, ignore local context and usually fail to ensure sustainable peace, emancipation or democratic transformation, with some countries backsliding to authoritarianism. Majority of statebuilding interventions were led by the UN, but in recent years, an emerging literature recognized the important role that regional actors play both as part of the UN and as independent actors. In this context, this

chapter analysed the EU's peacebuilding framework that emerged out of the failure of the Union to effectively respond to the crisis in the 1990s in the Balkans. The analysis showed that with the adoption of the European Security Strategy in 2003, the EU also adopted a state-centrist understanding of threats to international peace and security, linking state weakness and failure to the Union's wellbeing and growth. Accordingly the EU increasingly engaged in statebuilding interventions, integrating its variety of instruments to serve jointly a common purpose, that of building resilient states.

The chapter showed that the EU was an important actor both in promoting a doctrinal shift towards peacebuilding at the UN as well as helping design and implement statebuilding interventions. The EU developed its own instruments of peacebuilding, as a result of concerns for its own security. Failure of the EU to react to the Balkan crisis of the 1990s directly led to deeper cooperation among Member States on foreign and security policy, resulting with the Common Security and Defense Policy (CSDP), which has been utilized to deploy missions with statebuilding scope in other countries, with the most comprehensive being in Kosovo (EULEX). Both the EU and UN share similar overall approaches to statebuilding interventions. A strong partnership between the two is recognized in their respective policy documents. However, there are differences that make EU approaches somewhat unique. This chapter showed that the EU's level of statebuilding intervention and investment depends upon interest, and it follows a highly technocratic approach to statebuilding. The closer a country is to the EU, the more involved it gets. The EU adopts an integrated approach to statebuilding, linking all of its instruments with statebuilding objectives. In this context, the EU seems to prefer contractually sanctioned statebuilding interventions, which increase legitimacy but also add to the obligations of local institutions to maintain satisfactory relations with the EU in order to benefit from financial aid instruments, which in turn gives the EU the ability to manage and influence government priorities and policies.

From this chapter it can be concluded that existing accounts on EU's statebuilding interventions fail to conceptualize the true nature of the EU as a statebuilding actor. This missing knowledge can be acquired by investigating the agency of the everyday in the EU's statebuilding interventions. The next chapter provides conceptual clarity and a methodological framework to do so.

Chapter 3: Everyday Statebuilding

The previous chapter covered existing literature on external statebuilding interventions, deployed as a peacebuilding measure. It showed that these statebuilding intervention projects sometimes seem to be a façade that masks both self-interest and even sometimes illiberal intentions such as establishing a civil society that is vibrant but fosters the role and agenda of the international community without question (Williams, 2006). That is to say statebuilding can be deployed as a strategy of containment and control rather than as an effort towards genuine democratic emancipation and development of post-conflict societies. Additionally it showed that regional actors such as the EU have played an essential role both in shaping statebuilding approaches of the UN as well as leading their own statebuilding interventions.

We know that for the EU key statebuilding priorities include rule of law, good governance and reconciliation. While there is significant literature pertaining to how the EU utilizes conditionality and aid development to intervene in these areas, there is less clarity in determining if these sufficiently explain the EU's agency and how they are actually implemented in practice. We also know that one of the ways the EU intervenes in these areas is through technical assistance support, which is designed to facilitate norm diffusion as well as build capacities of the government to absorb and implement diffused norms. And, while we know the EU relies heavily on external expertise to implement this support; we know little about how the everyday—the micro-politics of this support works—in practice, and what it means for EU's agency. It is clear that the EU seeks to diffuse norms and best-practices from its Member States in other countries in an effort to build a 'good state', but it is not that clear who decides what constitutes a best-practice on behalf of the EU.

The EU seems to present subcontracted expertise as a service provider, but to what extent is the case? The EU claims it provides support to a government to address capacity gaps, but how those capacity gaps are created is not seen as relevant. The EU claims it provides support to implement government priorities, and it does not interfere in priority setting. How accurate is this account? And, the EU claims that one way it engages in reconciliation is by supporting implementation of peace agreements, but to what extent is the Union's involvement in facilitating agreements between former foes a simple support element? How does this support work in practice? These are all important questions that need to be answered to better understand EU's agency and actorness. To answer these questions and acquire a deeper

appreciation for the significant role that the everyday plays in the EU's interventions, it is imperative that we turn to the everyday as a conceptual and methodological concept to capture and investigate statebuilding practices and actors. This chapter starts with a discussion of the introduction of the everyday turn in peace and conflict studies in order to understand from the existing literature how it is understood and how it was deployed.

3.1 Statebuilding interventions and the everyday turn

The literature on post-conflict statebuilding interventions examined in the previous chapter shows that there is a certain dichotomy in what was investigated by scholars. According to Lemay-Hébert this is largely divided between those who are concerned with the "performance issues" of the interventions and those who are "more inclined to question the values and assumptions underpinning the liberal peace." (Lemay-Hébert, 2014, p. para. 2) For Visoka (2016, p. 17), this is a debate between the 'problem solvers' and 'critical scholars' or "liberal-interventionist and critical-emancipatory epistemologies of peace." Critical scholarship emerged out of the analytical deficiency that resulted with incomplete explanations for post-conflict statebuilding interventions. Critical emancipatory scholars have addressed this gap in a context of so called 'turns', the 'local turn' and the 'practice turn' which helped unearth hidden agency by investigating the 'everyday', that is largely ignored or seen as a space for the mundane and therefore lacking in agency. Of particular interest for this thesis is a recent shift in the literature investigating EU peacebuilding approaches towards a 'practice turn' which assumes that deeper understanding of statebuilding interventions is enabled by looking at what would be conventionally seen as mundane practices and actors. This section blends discussions of the everyday, practice theory, identifies the missing link in the exiting literature, and offers a conceptual road map on researching EU's everyday practices of statebuilding.

From the detailed discussion of the previous chapter on peacebuilding approaches of the EU, a key concept emerges that theorizes EU's agency and actorness. To understand how the EU influences statebuilding, it is necessary to examine the conditionality approaches, which largely refers to the strings attached to EU's development financial aid vis-à-vis other countries in its periphery. For countries tagged for potential membership, this conditionality is also utilized in the political dialogue in a process referred to as 'member-state building'. In this sense, the EU's agency is seen as a *quid pro quo*. Fulfilment of the EU's demands is rewarded, while noncompliance is punished by withholding aid as well as freezing closer

relations. The underlying assumption is that the EU's actorness and agency can be explained by how the EU utilizes the carrots of membership and financial aid to get other countries to undergo statebuilding (Keil and Arkan, eds, 2014; Juncos, 2012). Statebuilding is deployed as a means for democratization and Europeanization of a whole region, which is an important feature of the EU's approach of having a regional context in statebuilding interventions (Keil, 2013). Europeanization is often understood as an euphemism for modernization, which itself is a synonym for westernization. In practical terms, Europeanization is seen from the local perspective as being about diffusing EU's normative framework in other countries, and in doing so building states in the EU's image (Personal interview with senior civil servant in Ministry of European Integration of Kosovo, Prishtina, November 20, 2017).

An alternative view of statebuilding interventions and understanding agency is possible. It requires unearthing less visible sources of power to better understand agency in statebuilding interventions. This refers to the concept of the everyday utilized in anthropology, sociology, agrarian studies, and has in recent years been deployed in studies of post-conflict peacebuilding. Henri Lefebvre is credited with "denaturalizing" the term (Cavalcante, Press, & Sender, 2017). It is understood as "the dynamics of repetition and familiarity, it is a routine sequence of taken-for-granted experiences." (Ibid., p. 4). Feminists are the pioneers of the everyday approach of research in social sciences, with the slogan 'Personal is Political', applied it to examine the causality of patriarchal systems (Pouliot and Cornut, 2015, p. 301). The phrase was coined in the 1970s by Carol Hanisch to denote "the close relationship between public and private aspects of feminist struggles" (Schuster, 2017, p. 647). Cynthia Enloe calls the international personal and the personal international and in doing that it shows that demarcation of the mundane from the established processes is important to have better understanding of the power structures and relations (Magadla, 2013). In this sense, the feminist contribution of the everyday has been significant, in highlighting the agency of variety of unsuspected, unapparent and mundane practices, sites, and actors and how they hold of patriarchal system. In this context, bringing the everyday into the political analysis of how the EU does statebuilding intervention in practice, creates an opportunity for deeper understanding of how local agency is undermined.

Feminist scholars argued that the conventional standards for "good research" were discriminatory "against" or empower[ing] specific social groups" (Harding & Norberg, 2005, p. 2009). Feminists maintained that the way the knowledge was being produced in the social sciences, was not accounting for "disadvantaged groups" and was detached from the everyday

life (Ibid). Focusing on everyday allows researchers to capture and understand hidden agency of coercion and domination by institutions, as well as local resistance. From the feminist perspective changing the standards of research in social science was about enabling research to "contribute to producing a liberatory, transformative subjectivity in an oppressed or marginalized group […]" (Harding and Norberg, 2005, p. 2011).

In anthropological studies it has been an important methodological and conceptual framework for uncovering hidden agency and power, as seen in the work of James C. Scott (1985) on resistance against domination from subordinated groups. The origins of the practice theory can be traced to the research of French philosopher Pierre Bourdieu's work on the Kabyle peoples in Algeria (Bourdieu, 1977) and his subsequent book "Outline of a Theory of Practice." This hidden aspect gives the everyday an important relevance in illuminating alternative power-relations and agency (Certeau, 1984).

The works of Richmond and Mac Ginty have been particularly relevant in introducing the everyday into statebuilding literature and showing how investigating the everyday is fundamental for grasping agency and "exposing the flaws of the liberal peace" which "opens up the need for a pluralist reflection on who peace is for, and what it means" (Richmond O. P., 2009, p. 558). From this perspective, the everyday is a space where hidden sources of power and local agency are illuminated. The everyday, according to Richmond, "requires an engagement with not just the currently fashionable and controversial issues of local ownership or local participation, but the far deeper 'local-local' (that is, not merely a veneer of internationally sponsored local actors and NGOs constituting a 'civil' as opposed to 'uncivil' society), which allows for genuine self-government, self-determination, democracy and human rights" (Ibid., p. 556). In this sense, the everyday approach requires rethinking not only how statebuilding is deployed, but also how state itself is understood in this localized context, freed from the hegemony of the Weberian model as the ultimate peacebuilding objective of the western sponsored statebuilding interventions. In doing so, the everyday creates an enabling environment for a different set of actors and practices to take shape that exercise influence over the statebuilding intervention.

The everyday is a site of practices of different elite and non-elite actors (Cooperation and Conflict, 2019). This is not manifested as a resistance against the ideological underpinnings of statebuilding interventions, but against the manner in which dictation is manifested in practice that seeks the subjugation of subordinate groups. In this context the everyday is the

site of local efforts to challenge the underlying assumption of external interveners that local actors lack the necessary capacities to engage at their level in the statebuilding process. As a result hybrid arrangements are produced as a form of compromise to appease the local in what Richmond (2010) would refer to as, 'post-liberal peace.' Additionally, Richmond (2010, p. 668) maintains that these 'struggles' would potentially "herald a more realistic recognition of the possibilities of, and dynamics of, contextual and local peacebuilding agencies within international peacebuilding, development and institutional architecture and policies." This exchange 'modifies' the local and the international (Ibid.). The everyday is a space where this modification can be observed between the local and the international as a form of common interest. The subsequent empirical chapters in this thesis shows both local and international experts subcontracted by the EU, who implement much of the actual statebuilding in practice, have a shared interest in maintaining the local institutions' reliance on external support. This 'economy of peacebuilding' (Pugh, 2011) intentionally extends statebuilding intervention and feeds fragility of state institutions and their capacities.

The 'tactics' that 'represent the everyday' Richmond (2011, p. 128) holds, are "unencumbered by hegemonic institutions; they are unencumbered by their material weight, and indeed are often too transient to even acquire labels." Part of what makes these tactics more difficult to detect is also their ability, in Richmond's view, 'to adapt more quickly' (Ibid.,) It is important to note that the everyday tends to be mainly conceived of as a site of hidden practices of local resistance to external dictation, but it is insufficiently explained as a potential site of unapparent and unorganized forms of participation and cooperation. The everyday can be more than just actions against the international statebuilding agenda. In this sense, the everyday serves as a platform of actual hybridity, not as an outcome of compromise but as an enabling environment for combined input of statebuilding measures into local challenges. The perceived binary of the local and the international is mitigated in the everyday. Meaning resistance is not the only agency that can be found in the everyday but also active participation. In the words of Björkdahl et al. (2019, p. 125), "agency is at the heart of the everyday." And since the main focus of this thesis is to deepen our understanding of the EU's agency, the everyday is the most suitable approach to the investigation and analysis of this research.

The everyday is not just a 'terrain' of 'opposition' and 'modification' but also a site of active participation (Björkdahl et al. 2019). The everyday should not be grasped only as a site that illuminates the deprived local trying to resist but also as a site for the local's ability to constructively engage and contribute to the statebuilding process. In other words, it should

not be just about illuminating how the locals are against something, but also how they are for something (Kappler and Richmond, 2011). In this sense, through everyday practices, the "constant confrontation and transformation" of the locals and internationals can be adequately captured (Björkdah and Höglund, 2013, p. 292). Particularly relevant in this context is the relationship between the local and international subcontracted experts, which this thesis investigates.

These hybridized statebuilding practices that represent forms of local and international cooperation have been well established in the literature. For Mac Ginty (2010, p. 397) 'hybrid peace' is about a balance between local and international norms and approaches that are determined by their ability to yield results i.e., local approaches can be more effective on reconciliation efforts. However, hybridity in practice seems to be prioritize adjustments of statebuilding templates that were tested in other countries, rather than enabling a meaningful locally generated solutions to state fragility. Therefore this conditions critical local agency in a post-factum context. Often this hybridity leads to so-called 'lessons learned' for the international community, to be repeat in future interventions. Mac Ginty (2014, p. 551) holds that the everyday is therefore an important alternative view to the 'standardized and professionalized' peacebuilding. Hybridity provides significant insights into understanding the agency of statebuilding actors and is also connected to the conceptual framework of everyday practices of statebuilding. For example, Björkdahl and Höglund (2013, p. 290) discuss the concept of friction which "recognises the inherent conflictual elements" of external peacebuilding interventions.

All these investigations provided important insights into the question of where the agency lies in post-conflict statebuilding, how to capture it and better understand it in order to improve the design and intentions of peacebuilding interventions. In this context, the EU has become "increasingly interested in realizing its global ambitions by engaging with bottom-up and local dynamics." (Ejdus and Juncos, 2018, p. 5). The concept of 'local ownership' has become a dominant part of the discourse and policy of statebuilding interventions, for the purpose of increasing legitimacy of external dictation and acceptance. For the EU in particular this is important because its approaches are centred on norm diffusion. In this sense, as Gergana Noutcheva (2009, p. 1081) explains, "non-normative basis of some of the EU's demands has turned into a political tool in the hands of unwilling players, who have challenged the EU line and given preference to domestic sources of legitimacy." This carries serious implications for voluntary norm diffusion and increasingly turns the EU into an actor that seems to force

compliance. Consequentially, Nicolas Lemay-Hébert and Stefanie Kappler (2016, pp. 895–914) hold that society becomes "reluctant to take ownership of a version of peace that seems distant from the realities of everyday life at local level." The critique from the scholars to this proclaimed 'local turn' is the gap between rhetoric and practice (Ejdus and Juncos, 2018). This gap often becomes a comfort zone for both international and local actors, to avoid responsibility and deflect the need for a meaningful statebuilding process that addresses the structural causes of conflict and paves the way for sustainable peace. Looking at the case of Kosovo, Visoka holds that peacebuilding was adopted only as a 'rhetorical and symbolic gesture', and as a result of an 'ungovernable peace and state capture' which entirely deify the proclaimed normative intentions of the UN as well as the EU (Visoka, 2017, pp. 221-223).

However, often local ownership is equated with technocratic methods of consultations with well-established non-government organizations whose agency is crippled by their dependency on foreign donors for financial survival. The everyday expands the scope of what constitutes agency by illuminating a spectrum of actors and practices not registered by conventional methods of research. The absence of a comprehensive account of the everyday is prevalent in the studies of EU's statebuilding interventions. As previously elaborated, the main research perspectives suggest that the EU's agency lies primarily in the Union's ability to utilize conditionality in a variety of instruments, including membership and development aid, to dictate changes in other countries. While these rationalist arguments do certainly explain the EU's agency to some extent, they do not do so fully. Conditioning development aid and accession process in the EU are no sufficient to understand the extent of the EU's statebuilding intervention, or local agency. What we do know is that while resistance and friction exist (Björkdahl and Gusic, 2015), the EU often achieves what it seeks to regardless.

The everyday has the potential to unmask the practices that allow the EU to achieve this compliance. Rebecca Adler-Nissen (2016, p. 87) holds that the existing literature seems to "often ignore routines and habits that are integral to making the EU what it is" and, similarly, existing approaches to the EU's statebuilding agency do not sufficiently chart the extent of influence practices and actors assumed to be mundane—such as informal encounters, embedment, and subcontracted experts—that enable the Union to exercise intervention and dictate the statebuilding process. In this context, everyday agency consists of practices that are "multiform and fragmentary, relative to situations and details, insinuated into and concealed with devises whose mode of usage they constitute" (Certeau, 1984, p. xv). This thesis explores EU's statebuilding agency from an alternative, non-conventional point of view

"'from above' and 'from below'." (Adler-Nissen, 2016, p. 88). On the other hand, Pouliot and Cornut (2015, p. 301) explain that "[p]ractice theory is not a singular framework…" but incorporates 'post-structuralism' 'symbolic interactionism', 'actor-network theory' and 'field analysis'." This provides a framework to look at the EU from a different perspective.

The added explanation in the existing account about EU's statebuilding approaches accounts for overlooked actors and practices in the everyday that are essential to having a deeper understanding of how the EU exercises statebuilding influence, because everyday practices are about unearthing the spaces where power is deep at work but yet not apparent. (Enloe, 2011, p. 447). As Xavier Guillaume (2011, p. 446) maintains, "the everyday can be read as a text that illuminates central practices at the heart of the production of ''international'' representations, the reproduction of relations of domination—gendered, economic, social—at the international ''level,'' as well as the consumption of ''international'' goods, ideas and norms." Thus the everyday is where actual statebuilding dictation occurs. Charting this field is therefore important for an alternative explanation of both the EU's performance as a statebuilder and the extent to which it commits itself as the normative agent it proclaims to be, both of which are essential for the legitimacy and sustainability of the statebuilding outcome.

For instance, existing research seems to show that the EU's mode of influence is "most effective in precisely those cases where it linked up with domestic factors." (Epstein and Jacoby, 2014, p. 8) Focus on the everyday can help uexplain the extent to which this is accurate as well as how it is manifested in practice. This is recognized in the exiting literature that utilises the everyday turn in investigating EU agency. For example, Jérémie Cornut (2015, p. 386) researched diplomatic practices in embassies by examining the 2011 revolt against the former President of Egypt, Hosni Mubarak. Cornut unearthed the practices that give diplomats agency, including their status as "knowledge producer, representative of their country, and bureaucrat in a hierarchical institution." Christian Lequesne (2015) examined how practices have and continue to shape the work of the European External Action Services (EEAS) and highlights the tension that long-lasting practices have created in the relationship between the EEAS and the diplomatic representation of EU Member States. The everyday has been deployed in investigating statebuilding interventions (Björkdahl & Buckley-Ziste, 2016). Particularly relevant to understanding how the power of the EU is constituted with respect to statebuilding interventions is the investigation into the relationship between "the EU as a norm-maker and recipient countries as norm-takers", which is central to understanding EU's

agency through its normative power (Björkdahl, Chaban, Leslie, and Masselot, 2015, p. 2). This thesis contributes to the body of knowledge engendered by such investigations by providing deeper insights into where power and critical agency lie.

The existing literature recognizes the centrality of norm diffusion to EU's statebuilding interventions and provides important insights into how the EU does this through top-down institutionalized mechanisms. For instance, Claudio M. Radaelli (1999, p. 758) holds that the EU is "an organization possessing knowledge as its main resource" and diffusing that knowledge and its norms is central to the intentions of EU's statebuilding interventions. This is in line with the dominant conception of the EU as a normative power in the international community. The underlying assumption of this theory is that the EU 'exerts positive influence' in other countries, also by example-setting, which "should lead to the diffusion of the European norms that should, at least theoretically, subsequently entail progressive changes in the behaviour of both sides of the conflict" (Skolimowska, 2015, p. 114). From this perspective statebuilding interventions are technocratic and "does not require local agency" (Björkdahl and Gusic, 2015, p. 269). However, there is less clarity on how norm diffusion works in the everyday context. What gives the EU agency in the everyday? Pech (2012, p. 14) holds that the EU does norm diffusion by a variety of instruments such as "developing special 'partnerships' or by making them an 'essential element' of a contractual relationship'." Manners (2002, pp. 235-258) on the other hands proposes a framework of six factors that 'contribute to the way in which the EU norms are diffused': contagion, informational diffusion, procedural diffusion, transference, overt diffusion, and cultural filter. Nonetheless, as Alexander Strelkov (2016, pp. 505-506) explains, the EU has become self-aware that the pressure on reforms has only resulted in "formal compliance with EU norms and rules." We know from the research of Björkdahl and Gusic (2015, p. 268) that norm diffusion can lead to "frictional encounters between global norms and local agency" and that "[g]lobal and local are not ontological entities but the result of exchanges and engagements." This account needs further expanding in order to include a spectrum of actors and practices that are not established in the literature. We need to dive deeper into understanding who these 'locals' and 'internationals' are in the everyday context, and who does the everyday norm diffusion. Who defines what norms should be diffused?

In other words, in order to grasp the extent of EU's statebuilding agency and actorness, a closer investigation of actors and practices is required. Everyday practices, as already explained, are seen as mundane and irrelevant to account for agency. There needs to be an

examination of the EU's practices beyond those established by the literature in order to properly locate the agency of the EU in the everyday. Focus is required, therefore, on how the EU negotiates with local actors' acceptance of obligations, how the EU outsources knowledge transfer and capacity building and how the EU micro-manages policy-formulation and implementation. Most post-conflict statebuilding interventions are investigated by focusing on a set of actors that represent the key decision-makers, an intuitionalist-centered and top-down approach. But there are different levels of agency and, therefore, current accounts need to expand the scope of actors that play an important role in statebuilding interventions. Existing literature has already shown how development assistance is increasingly subcontracting private companies to provide services normally covered by state institutions, (Steele and Shapiro, 2017) and how international organization subcontract NGOs to do peacebuilding (Richmond and Carey, 2005). However, neither covers extensively the agency of subcontracted experts who are often embedded in institutions even though they are only supposed to provide capacity development assistance. As this study will show, they do more than that by shaping the EU's as well as the government's agenda. These features provide a deeper understanding of the extent of the EU's interference and micro-management in other countries. It clarifies where the EU's agency lies, the extent to which the EU itself is truly a part of norm-diffusion and the asymmetry between proclaimed commitments of the EU and its practical behavior. It unveils a set of actors that are not part of the group of 'usual suspects' of statebuilding actors, but yet carry significant agency. This conceptual framework is applied to the case of Kosovo.

3.2 Research design

This section provides an overview of the various segments that constitute the research approach adopted by this thesis. This research design is outlined as an intensive embedded case study analysis, focused on a single case, Kosovo, with additional three individual within-case analyses targeting three key statebuilding objectives of the EU, using qualitative data methodology as the most suitable strategy to meet the research aims. While the growing body of literature on post-conflict peacebuilding has benefited from the everyday turn, contemporary research is yet to provide a more comprehensive and empirical account of everyday statebuilding, particularly with respect to regional actors, such as the EU. Additionally the everyday is an important space to explore how the local and international actors influence and transform each other. This thesis aims to help fill this gap. Accordingly,

the research guide of this thesis is to examine EU's everyday practices and agency in advancing its statebuilding agenda.

To answer this question through the lens of the everyday requires focusing on the mundane, the rudimentary and the ordinary in the EU's approaches towards the local actors. It also requires an elaboration of what this thesis means by 'the EU'. This research has focused largely on the EU Office in Kosovo and on the European Commission. As is further explored in the empirical chapters, other actors also considered as indirectly 'the EU' include subcontracted experts from technical assistance projects funded by the Union that—as the research will show—are the EU's norm diffusers. Furthermore, to answer the research question this thesis investigates the everyday as a space of mundane and rudimentary elements that create an enabling environment for the EU to assert its power over domestic affairs to ensure norm diffusion and maintain stability. This necessitates making subcontracted experts and the EU technocrats, and their interactions, the primary focus of this investigation. Doing so helps unveil the everyday of the EU's approaches to asserting power over local processes and capture the mundane and rudimentary elements that give the EU its power. The analysis is undertaken through an examination of particular EU instruments and mechanisms with statebuilding scope in Kosovo.

In the absence of a unified methodological approach to studying the everyday, methodological pluralism becomes a necessity. Existing research has utilized a variety of methods, including: discourse analysis combined with document analysis, case-study and ethnography. Ethnography in particular has been seen as an important method to investigate the everyday and is widely used by Oliver Richmond (2011). Lequesne (2015, p. 363) calls for a research methodology "capable of capturing the relationship between the actions (decisions, policies, etc.) and the agents." Accordingly, this thesis adopts a qualitative interpretative approach that combines a case study approach with participant observation and in-depth interviews in order to unearth EU's everyday practices of statebuilding and examine their agency. Analytic eclecticism helps bring together different experiences to address the complexity of the problem (Sil and Katzenstein, 2010). This is important as it focuses on the everyday, capturing the agency of mundane and rudimentary elements in the EU's statebuilding interventions in domestic affairs.

Participant observation is an essential method for accounting everyday practices as it enables access to unscripted interactions and the day to day work of actors. It is therefore a suitable

approach to studying everyday practices as an "ethnographic quest" in order "to capture the point of view of social actors, to see the world as they see it, and to uncover the meanings that provide the context for their actions" (Pawluch, Shaffir, and Miall, 2005, p. 157). It is important because it allows one to have "a grasp of the situations, structures and artefacts in which meaning is situated." (Bueger and Mireanu, 2014, p. 124). There is a close relation between participant observation and institutional ethnography. Dorothy E. Smith (2005, p. 29) holds that it "is a method of inquiry into the social that proposes to enlarge the scope of what becomes visible from that site, mapping the relations that connect one local site to others […] making visible how we are connected into the extended social relations of ruling and economy and their intersections." This thesis seeks to illuminate everyday practices of statebuilding and show their connections to the 'extended' statebuilding intervention by the EU. Participant observation allows to properly capture the complexities and dynamics of the everyday work, decision-making process, and hidden meanings of interactions in institutions between local actors and the EU. It holds great potential to truly capture the everyday and account for as well as critically engage with the empirical findings because it is sensitive to context (Fox and Miller-Idriss, 2008, p. 556).

Participant observation formed a key part of my field work and was a major source for the analysis that followed. I served as a deputy minister for European integration in the government of Kosovo from January 2015 until September of 2016 which allowed me access to observe how the EU and local actors interact in an everyday setting. However, while this experience allows me to better situate developments, understand context and conduct analysis, the information utilized in this thesis is largely from personal interviews with decision-makers, and I do not divulge any information or analyse situations arising directly from my work as a deputy minister. According to Bueger and Mireanu (2015, pp. 123-124) "[p]articipant observation has come to be understood as one of the most promising means for studying the problematizations, practice, actions and objects that constitute it." I was allowed to be present in the offices of the Department for Management of Public Administration Reform in the Ministry of Public Administration, as well as to observe meetings of different forums between the local institutions and the EU, such as the Special Group on Public Administration Reform, Ministerial Committee on Public Administration Reform, and the ad-hoc coordination group for implementation of the Sector Reform Contract for Public Administration Reform signed between Kosovo and the European Commission. Additionally,

my interviews with lawyers who worked closely with EU judges and prosecutors provided valuable insights into the workings of EULEX and the EU in the area of rule of law.

Case study research is suitable for tracing and deconstructing practices and also for testing and developing further contingent generalizations useful to broader theoretical debates. Bryman (2012, p. 74) holds that case studies are an important method for critical scholars "because the intensive nature of most case studies enhances the researcher's sensitivity to the factors that lie behind the operation of observed patterns within a specific context." Given that this thesis focuses on the everyday, critical scholars such as Visoka (2016, p. 63) maintain that "[c]ase study research provides the opportunity to account for embedded practices, and capture their meaning in a specific social context." Additionally there are three within-case studies that represent the three pillars of the EU's approaches to statebuilding: rule of law, public administration and reconciliation. There are three interrelated individual within-case studies that represent three pillars of EU's statebuilding approaches: Rule of Law (RoL), Public Administration (PA) and Conflict Mediation (CM).

The selection of Kosovo as a case study was guided by the criteria of the extent of the EU's involvement in the country. Kosovo, indeed, presents the most intriguing case of the EU's statebuilding interventions. When the country declared its independence in 2008, the EU effectively replaced the UN mission in the country (UNMIK) and was vested with executive competencies to implement legislation, a first for the EU. Furthermore, the EU deployed the largest CSDP mission, the European Union Rule of Law Mission (EULEX), also a first for the EU. EULEX personnel became judges, prosecutors and police officers in Kosovo, embedded in the institutional framework, another first for the. There is no other country with the same magnitude of EU involvement and the same scope of responsibilities as it assumed in Kosovo. Kosovo presents the only complete case of an EU statebuilding intervention mission and, because of the myriad of actors and instrument, it is the most suitable to capture the agency of everyday practices and actors. Kosovo is truly a realm of EU's governmentality. With more than €2.3 billion Euros in assistance since 1999, and with the EULEX as the largest CSDP mission with executive competencies, Kosovo is indeed a realm of the EU's diplomacy.

Aidan Hehir (2010) holds that Kosovo is a case study of profound importance for international relations. Selecting Kosovo for an account of the EU's everyday statebuilding approaches does not aim to generalize, but to better understand what constitutes agency in the framework of the EU's statebuilding intervention and what it means for the Union as a global security

actor. The common perception of Kosovo as a corrupted country with the EU coming to its rescue, has inspired researcher to examine the effectiveness of the EU's approaches. However, in most cases the current research does not sufficiently captures the complex aspect of the everyday in EU's approaches.

To analyse the EU's statebuilding approaches, this thesis views everyday as a conceptual framework. The everyday is about uncovering agency and forms of power. (Richmond O. P., 2009). The everyday enables deeper understanding of the micro-politics of international actors, such as the EU, and how the norms and ideas it promotes are consumed by local institutions in the context of statebuilding. These aspects of the everyday can be illuminated through a focus on practices and actors (Guillaume, 2011, pp. 446–462). Accordingly, there are two key components to the analysis of this thesis: everyday actors and everyday practices.

Actors refer to the elite and non-elite officials from the EU as well as local institutions and civil society capable of exerting influence and shaping the statebuilding agenda. On the EU side, these everyday actors consist of primarily task-managers and sub-contracted experts of EU origin, as well as embassy staff from EU Member States. Locally, it consist of mainly bureaucrats, such as heads of departments and EU sub-contracted experts of local origin. The intergovernmental nature of the EU implies that senior leadership, such as the Head of the EU Delegation and Ambassadors of EU Member States, are the key actors because of their decision-making power. Similarly, Government Ministers, Members of Parliament, or political advisers are also seen as key actors on the local side because of their authority. At this level the actorness of the EU depends upon sources of power such as control over financial aid to the country, and leverage over the country's aspiration to join the EU.

However, in everyday statebuilding activities, actorness is relational and relies on informality. It can depend on the relevant knowledge and experience of the actor and their ability to negotiate local and EU interests as well as improvisation. For instance, EU and local sub-contracted experts dominate the everyday and they are a source of information for the EU to verify and understand the reality behind well-written government inputs on a variety of issues. National background is a currency for credibility and matters for many local actors when they host EU personnel in their institutions. While the everyday has been traditionally a site to study the none-elite and the noninstitutional aspects of politics as a category of analysis, it is also relevant to provide an alternative account of what actually takes place in the institutional and the elite.

The second component of the everyday—practices—are about unearthing actions and spaces where power is deep at work but yet not apparent (Enloe, 2011, p. 447). Practices are informal, but they are also "regular in their irregularity" (Marsden, Ibañez-Tirado, and Henig, 2016, p. 3). In this sense, to capture practices we need to look at the informal ways and means through which the EU and the local cooperate, exchange and shape statebuilding. In this sense practices are actions that are often, but not always, outside the institutional framework and formal channels. This carries two important implications: first, everyday practices are about the elite and the non-elite, and also include sub-contracted experts who would not entirely qualify as EU or local personnel. Therefore, everyday practices carry agency. This thesis holds that practices of everyday statebuilding in the EU approaches are determined by elements of patterns and acts, which can be contextualised in larger political agenda of statebuilding objectives. In this regard, for the EU's everyday practices of statebuilding to have analytical value for this thesis, it needs to be linked to agency. Practices, thus, are about alternative agency not provided by the strict confines of mandates, rules and structures on the side of the EU, making it about how the EU acquires additional power. But it is also about the mundane aspects of everyday communication exchanges within formal structures between the EU and local institutions, and how the latter often uses the EU as a whip when it is pursuing particular outcomes with political decision-makers. So, is it often an arrangement of mutual benefit?

These components together interact and create the framework for examining the EU's statebuilding approaches. Application of this framework means considering four major questions: a) how the EU acquires agency and actorness through everyday practices and actors, and influences the decision-making process; b) how everyday practices and actors affect ownership of the statebuilding agenda as well as local resistance to external dictation; c) the extent of cohesion in the EU's statebuilding approaches; and, d) how the everyday affects the EU's normative commitments. Through everyday practices and actors the EU exercises influence on local institutions and decision-making process in order to ensure norm diffusion or secure a particular outcome that reflects the EU's interests. This is mostly done outside the normal scope of formal instruments of exchange, for example, through informal coffee meetings between local bureaucrats and EU technocrats to convey a threat, or utilizing sub-contracted experts to shape the process in order to reflect EU's demands. In this process often local bureaucrats become an important source of local resistance to the EU's dictation. Often, however, their resistance is squashed by local senior leadership in order to avoid being percieved as anti-EU. These practices often disrupt ownership of the statebuilding agenda

with local and EU sub-contracted experts displacing and appropriating ownership from the EU and local institutions, escaping detection on both sides. In this sense, the everyday poses a challenge for the EU's ability to ensure coherence and a strategic approach to particular issues leading to improvisation, often enabling sub-contracted experts to serve as an indicator of 'what EU standards and best-practices' mean in practice. This framework consisting of two components that seeks to analyse the agency of everyday actors and practices, is applied to the study of EU's approaches to statebuilding in the three individual within-case analysis: rule of law, public administration, and conflict mediation/facilitation

The Rule of Law

Rule of law is an all-encompassing concept that is central to the EU's statebuilding interventions. It forms a comprehensive normative justification framework that enables the Union to interfere and micro-manage policy-making and policy implementation in other countries, in order to ensure norm diffusion. According to Isabelle Ioannides, when it comes to rule of law the EU seeks to promote good governance, strengthen accountability and fight against corruption and build a 'strong judiciary that is independent and adequately empowered.' In other words rule of law is a normative undertaking for the EU related to exporting its system of values outside of the EU (Manners, 2002).

While the general role of the EU in promoting the rule of law in other countries through different instruments and mechanisms, including development aid or CSDP missions, has been extensively studied, the everyday practices of the EU in promoting rule of law are not adequately addressed in existing literature. Some scholars have, for example, analysed the performance of EU rule of law missions and criticized inherent flaws such as the mandate, organisation and overall methodological approaches which affect the ability to deliver. This is particularly the case in building local capacities (Radin, 2014). Tilmann Altwicker and Nuscha Wieczorek (2015) have, for example, highlighted legal problems surrounding the deployment of EU civilian missions such as EULEX, and the duplicity in of their very nature as they end up violating the very norms they seek to diffuse. However, in addition to these legal and institutional issues, there are other important empirical questions with respect to rule of law. The EU's poor track-record in promoting rule of law, including in its ability to ensure local ownership is, for example, of particular concern (Burlyuk, 2015; Hertogh, 2016).

While the existing research has asked how effective the EU has been in achieving its intentions in other countries with respect to rule of law and norm diffusion, there are two equally

important questions yet to be asked: who practically defines what norms are incorporated in the national policies and laws? Who does norm diffusion in reality? Answers to these questions can offer alternative explanations with respect to the EU's failures and successes, and this thesis uses the everyday lens to search for those answers. Studying the EU's everyday practices of statebuilding in rule of law requires looking at the extent to which proposed norms embraced by the EU also represent preferences and interests of the EU itself or of Member States. In practical terms it requires exploring the role of the EU's sub-contracted experts in diffusing norms while writing policies and laws, as well as in practices such as embedment of EU personnel in institutions. It is important to understand how much input the EU actually has into the everyday work of subcontracted experts in norm-diffusion and the extent to which the work is coordinated and implemented following a particular strategy. In a process of norm diffusion norms and interests often collide. Everyday practices facilitate and create an enabling environment to reconcile such differences.

This thesis analyses how everyday practices enable the EU to push forward government actions and decisions and norm diffusion; how it is used to create a synergy between the local actors and the EU; and the extent to which the EU itself is practically involved in norm diffusion compared to the subcontracted experts. The analysis also examines implications of the EU's everyday practices of statebuilding in rule of law with respect to ownership and local participation

The main fieldwork was carried out for a year from September 2017 to September 2018. Additionally, notes from subsequent participation in a number of policy conferences in the EU capitals and in the Western Balkans were fed into the empirical chapters. Conversations with former practitioners, experts and scholars in these events expanded my perspectives and enabled me to have access to high-level EU officials, as well as officials from EU Member States. The choice for the field work was based on the criteria of accessibility and familiarity (Hammersley and Atkinson, 2007). Majority of interviews with EU and government officials took place primarily in Prishtina, Kosovo, including some interviews with think-tanks from the EU Member States. Given that my research focused on the everyday and sought to capture practices and the roles of actors in largely informal spaces, almost none of the interviewees wanted to be recorded. They did, however, allow me to take notes during the interviews. Some interviewees preferred questions to be sent in writing, via email, and they responded in kind. In total I conducted 61 semi-structured elite and non-elite interviews with officials from the

Kosovo government, the EU Office in Kosovo, civil society, and think-tanks from EU capitals.

I followed a criterion-based sampling, targeting EU and local individuals for interviews on the basis of the frequency of the interactions, exchanges and portfolios, which required their constant consultation or communication with the EU. The interviews were semi-structured, with preselected questions reflecting the interviewees' area of policy. Interviewing senior EU officials was more difficult because they were reluctant to discuss the everyday, and they provided generalized answers that reflected the official positions. Elite interviews included Minister of Public Administration of Kosovo, former Minister of European fund in an EU Member State, chief of staff to the President of Kosovo, chief of cabinet of the Prime Minister of Kosovo, senior adviser to the Deputy Prime Minister of Kosovo, and Spokesperson of the EU Office in Kosovo. Non-elite interviewees included Task-Managers in EU Office in Kosovo, team-leaders for technical assistance projects, subcontracted experts, heads of departments and junior staff in Kosovo institutions, and civil society leaders. Questions were related to the personal experience of the respective interviewees to capture their everyday work and exchange with the EU.

Public administration

The second dimension of the analysis examines the EU's everyday practise of statebuilding in the area of public administration. Increasing demand for public services and a functioning state has led to an increased relevance of public administration and bureaucrats, oddly though this dimension is largely overlooked in post-conflict statebuilding scholarship. In particular, bureaucracy and bureaucrats are ignored as a source of local resistance to external statebuilding agendas. Bureaucracy is generally as flawed and is associated with ineffectiveness and red-tape. Existing literature on public administration is mainly dedicated to the inherent tension between democracy, populism and bureaucracy (Green, 2019;Ariely, 2013). In this context, relevant questions include the extent to which elected leaders have or should have influence over public administration. For those countries seeking membership or partnership with the EU, this tension is often about reconciling public demands with requests and standards from the EU, and the capacities of the public administration to deliver and implement these changes. In this sense researchers are increasingly looking at the applicability of the concept of resilience in public administration in order "to better understand the

conditions for effective and legitimate governance in a complex, interconnected, and volatile world fraught with a new class of poorly understood systemic." (Duit, 2016, p. 364). Another approach applied to the study of public administration is the focus on relations between state failure, political leadership and bureaucracy (Meier, Compton, Polga-Hecimovich, Song, and Wimpy, 2019). This approach is particularly relevant, because it shows that public administration is not simply a service delivery machine but is also about governance.

We know that although the EU doesn't have *acquis communautaire* for public administration, promotion of effective, transparent and accountable public administration is a key objective in the EU's statebuilding actions for a number of reasons. The EU understands public administration also as a space of rule-making and rule-implementation, and it is the first point of contact between the citizen and the state. A good and resilient public administration can carry on state functions, even if the politics in the state are unable to lead. Also, while politicians change, bureaucrats—widely referred to as civil servants—remain constant. Public administration therefore provides a predictable and sustainable platform for implementation of the statebuilding agenda and for agents of norm diffusion. This can also help explain the emphasis the EU places on a key norm of public administration, which is de-politicisation of the civil service.

We also know that from the EU's policy standpoint, public administration 'reflects the institutional foundations of how countries are run,' and it is also a normative project, because "[i]t influences social trust and moulds the conditions for creating public value", that is shared by all actors." (European Commission, 2017, p. 1). Accordingly the engagement of the EU in PAR (Public Administration Reform) process is widespread. What further helps EU's leadership of the PAR agenda is that most Member States view it as a 'domain of experts' and are reluctant to engage, leaving the European Commission with a lot of freedom and space to truly act as EU in this domain. The most established among the number of instruments the EU employs to promote reforms in public administration is the Support for Improvement in Governance and Management (SIGMA), a joint initiative with OECD (Organisation for Economic Co-operation and Development) that works closely with governments to tackle governance capacities and public administration reforms.

SIGMA has developed tailored principles for EU candidate countries and potential candidates, which serve as benchmarks against which the EU measures the progress of said countries through Monitoring Reports (SIGMA, 2017). It should be noted that the EU doesn't have a

similar instrument for its own Member States. For the EU, public administration is synonymous with good governance, which in this context and in practical terms, largely refers to how the government delivers services to citizens and the business community, how it develops and implements policies, how public sector employees are recruited, and the inclusion of citizens and civil society in the decision-making process (European Commission, 2014).

In addition to SIGMA, the European Commission provides direct support through technical assistance projects, which in practical terms means funding local and EU experts to work with local institutions to write policies and laws. One of the most recent such instrument is the so-called direct budget support, where the EU negotiates with the local government a set of objectives to be achieved under PAR and signs a reform contract which, once fulfilled, is rewarded with financial aid deposited directly into the government's treasury to be disbursed at the discretion of the government for funding reforms. Each objective is given a particular financial amount. This monetization of reforms is interesting given that EU reports highlight widespread corruption and government abuse in some of these countries at the same time (European Commissio, 2019). Also, the underlying assumption of this approach is that the EU plays a supporting role only, and remains at a safe distance from the process to safeguard its impartiality and enable local participation. In practice, while this instrument is designed to strengthen local ownership, it transforms the relationship between the EU and the local government from the desired partnership to one more akin to an employer-employee arrangement. In other words, this makes the extent of the EU's actual extent of involvement in the process less defined and blurs the demarcation between agency and structures. The participation of subcontracted experts in this process raises particularly important empirical questions concerning the extent to which the EU itself can claim ownership of the reform process.

The analysis of the EU's everyday statebuilding approaches in public administration considers these various aspects of EU agency. In particular, this thesis analyses local bureaucrats as sources of local resistance to external dictation and examines their agency stemming from relations with EU technocrats. It also investigates the role and power of EU's sub-contracted experts engaged in the public administration reform agenda. Applying the perspective of the everyday, this thesis holds that public administration is an important dimension when exploring external statebuilding interventions that can help untangle the EU's role and unearth the interrelationship between the EU, sub-contracted experts and local bureaucrats. Through

this framework we can also examine the extent to which the EU promotes its own interests; the extent to which sub-contracted experts are coordinated by the EU; and clarify whether they reflect the EU's normative commitment or if their engagement is driven by self-centred interests.

Conflict mediation

The EU is actively engaged in mediation and reconciliation efforts in post-conflict societies. The 2009 Concept on Strengthening EU Mediation and Dialogue Capacities conceptualizes mediation as "a tool of first response to emerging or on-going crisis situations." (Council of the European Union, 2009, p. 4). The EU has been conceptualised as 'multi-mediator' referring to the capacity of the EU to be engaged simultaneously in different tracks of reconciliation dialogues, including the formal and informal actors in the society (Davis, 2018). Current research seems to suggest that what makes the EU a unique mediation actor is that it engages in areas where it had prior involvement (Haastrup, et al., 2019). The EU defines the goal of mediation as […] "to enable parties in conflict to reach agreements they find satisfactory and are willing to implement." (Council of the European Union, 2009, p. 2-3) Also the EU recognizes that it carries its own expectations as a mediator (Ibid). The EU highlights four types of approaches to mediation efforts: 'promoting mediation'; 'leveraging mediation'; 'supporting mediation'; and 'funding mediation' (Ibid). Interestingly, existing research seems to portray these approaches as mutually exclusive, meaning that the EU is either a lead or co-lead mediator, or is engaged in a supporting role be that through funding, leveraging or other instruments. However, this understanding overlooks the aspect of how the EU integrates all four approaches and utilizes them to push forward compromise, particularly when it is the lead mediator. The EU's approaches are also based on a set of principles that put emphasis on coherence, coordination, transitional justice and reconciliation, and the participation of women.

The EU's track record as a mediation actor has been under substantial scrutiny from scholars and practitioners. Common critiques in the literature focus on its lack of consistency, coherence and coordination. Some research points out that sometimes the EU's definition of mediation success is a 'mere signature of a political agreement' while ignoring local context and implementation (Coibion, 2017, p. 15). Furthermore, looking at the case of North Macedonia, Coibion (2017) notes the EU's preference for stability over sustainability, which shows the EU's reluctance to insist on meaningful reforms in the government that would

address structural problems feeding a conflictual situation. In this sense, what we might understand as 'EU pragmatism' can also yield to what scholars from the Western Balkans called 'stabilitocracy' where leaders that are perceived as pillars of stability by EU and the West are prioritized over rule of law and democratic functioning of state (Pavlović, 2016).

This raises serious questions over the EU's normative commitment. Existing literature also notes the issue of whether parties to the conflict perceive the EU as impartial or biased in its role as a mediation actor (Elgström, Chaban, Knodt, Müller, and Pardoe, 2018). This is a problem not just for the EU's external dimension, it often creates problems for the EU internally as well. For example, a senior member of a think-tank from Berlin/Germany, stated that in the normalization dialogue between Kosovo and Serbia, the EU—the EEAS in particular—did not include Member States in the process, creating deep distrust towards the EEAS approaches in the dialogue (Personal interview with a representative of a think-tank from Berlin/Germany, April 18, 2018).. This exclusion caused irreparable harm to the EU's reputation and credibility as a facilitator in the process among local actors (Ibid). Furthermore, despite its stated commitment to cooperate with civil society organizations, the EU was also criticized by NGO community for lack of transparency in the Brussels dialogue between Kosovo and Serbia. However, this research does not fully account for the EU's agency as a mediation actor because it is often confined to institutional concepts of mediation (Bergmann and Niemann, 2015).

Part of the current research suggests that the EU's agency in mediating conflict resolution lies in the ability to adopt innovative approaches in sidelining key disagreements between parties, or as it is commonly referred to in diplomatic jargon dealing with the 'the elephant in the room.' One such approach is constructive ambiguity, which was utilized significantly by the EU as a facilitator of the normalization dialogue between Kosovo and Serbia in agreement text (Beysoylu, 2018; Gashi, Musliu, and Orbie, 2017; Gashi and Novaković, 2017; Bieber, 2015). Recent studies, on the EU's mediation work increasingly focus on practices and indicate that a practice-oriented approach is more suitable for capturing the EU's agency and actorness (Brandenburg, 2017). Brandenburg's (2017) work shows that through practices the EU acquires agency. Accordingly, this thesis investigates the agency of practices with a focus on reaching compromise between parties, implementation of the agreements, how practice affects confidence-building between parties, and the extent to which these practices strain the EU's normative and ethical commitments.

3.3 Conclusion

The analyses in this chapter showed that the everyday turn in peace and conflict studies revealed deeper flaws in statebuilding interventions. This shift from institutionalist and top-down approaches to the everyday perspective in statebuilding interventions highlighted flaws in design and organizational aspects, which led to improvisation and lack of sustainability. It showed the discrepancy between the EU's proclaimed normative commitments to local ownership and partnership with civil society and the practice, unearthing a patronizing attitude on the part of the EU. More importantly this chapter illustrated how, through the lens of everyday practices and actors, a deeper understanding of the EU's agency can be acquired. This chapter outlined a conceptual and methodological framework to account for and analyse the everyday practices and actors to be applied to the case of Kosovo.

The 'practice turn' and 'local turn' have provided a much needed and useful alternative focus to the research assessing the EU statebuilding interventions, however it does not adequately capture the extent and magnitude of the involvement of actors and practices that carry significant responsibility in the everyday implementation of the EU's statebuilding objectives. There are three overarching pillars that define the EU's statebuilding approaches: strengthening rule of law, which encompasses a variety of interventions in law-making processes; the judicial system and the police that diffuse its normative framework; promoting good governance, which entails interventions in public administration to ensure that the recipient country has capacity to implement diffused norms; and reconciliation, which aims to resolve outstanding bilateral disputes with neighboring countries. The EU deploys a variety of instruments to achieve reforms in these three areas, integrating conditionality in aid and development policy, trade association mechanisms (closer economic ties) and accession processes. The analysis of the literature on EU statebuilding interventions in the previous sections shows there is insufficient investigation of the everyday practices that can capture the less apparent sources of power and agency. Consequently, inadequate analysis of the EU's everyday practices of statebuilding limits understanding of the EU's agency and actorness, and limits the assessment of a wide range of factors that can alternatively explain both failures and successes of the EU in statebuilding interventions.

Chapter 4: Strengthening the Rule of Law in Kosovo

> *"When the EULEX started the work in Kosovo they did not have a clear idea what they wanted to do and had no strategy on what and how to achieve what the political level in Brussels was stating were the problems in Kosovo. This also allowed individuals within the mission to invent projects and ideas." (Personal interview with a senior official from Kosovo Police, March 15, 2018)*

The rule of law is a prevalent theme in the post-conflict statebuilding literature and it has become the epitome of West-led interventions to build liberal democracies (Richmond, 2013; Lemay-Hébert, 2013; Newman, Paris, and Richmond, 2009). The 1992 UN Agenda for Peace states that there is direct connection between "the rule of law and transparency in decision-making - and the achievement of true peace and security in any new and stable political order." (UN Secretary General, 1992, para. 59). The European Union (EU) considers rule of law a 'foundational value' (Pech, 2012) and a key foreign policy objective that the Union "relentlessly seeks to export." (Ibid, p. 13). Rule of law is fundamental to EU's efforts to export its norms as an internal model to other countries, especially those aspiring membership in the Union. The EU sees promotion of rule of law externally as important for its internal security (Metais and Thépaut, 2013). EU's Global Strategy sees rule of law as a strategic challenge for EU's external relations, while in the framework of enlargement policy, the Union maintains that strengthening rule of law is the first condition (European Commission, 2018). For the EU promotion of rule of law externally means: independent judiciary, fight against corruption, removing elements of state capture, and untangling public and private interests (Ibid, p. 3). Rule of law it is therefore one of the fundamental pillars of the EU's official policy for enlargement that is carried out through membership negotiations. The EU actively upgrades benchmarks and strengthens assessment methodology, but the impact in the ground has been limited (Marović, Prelec, and Kmezić, 2019). This chapter seeks to understand why this is the case through the lens of the everyday.

The EU "utilizes (sometimes simultaneously) various tools" in promoting rule of law in other countries (Ioannides, 2014, p. 14). According to Pech (2012), the EU integrates the rule of law

into other policies in external dealings, and it is not only concerned if countries comply with the EU's standards and norms, but it is actively involved in the process of making the laws. However, this role of the EU, in the current research, is largely understood in the framework of technical assistance to local institutions, an approach that does not fully capture the extent of the engagement of the EU's institutions. In this sense, we have a limited understanding of EU's technical assistance is implemented in practice, and how it affects local institutions. This chapter seeks to reveal and understand this. This is driven from an underlining assumption that EU's role is not a mere facilitator guiding the rule of law process in other countries seeking to achieve local acceptance, but it can also be imposing, though in a 'soft' way, through an official conditionality policy that is pursued coherently by both EU institutions and Member States as co-decision-makers.

The track record of the EU's approaches in exporting the rule of law to other countries is at best mixed. For example, scholars have observed serious democratic backsliding across the countries of the Western Balkans even in 'frontrunner' countries, manifested with widespread corruption, political interference in the judiciary, and government efforts to curb media freedom (Kmezić, 2018). We know how local resistance and lack of local participation, institutional design and mandate of the EU missions are some of the factors that help explain the EU's failures (Ejdus, 2017). However, we know less about the everyday, what actually takes place in the ground with the efforts of the EU to promote rule of law. For example, who defines what norms and best practices from the EU Member States are suitable for diffusion in local contexts? What is the role of subcontracted experts in the process of law-making? How conducive is their expertise to making institutions in the receiving states sustainably internalize EU norms without creating a 'path dependency'? How is local agency affected?

Central to understanding the EU's approaches in promoting rule of law in Kosovo through the lens of the everyday is to examine how the EU engages with the government in the decision-making processes. How did the embedded EULEX personnel in local institutions perform, and what is the role of subcontracted experts in the process of law-making? The everyday shows that institutional tools and means available to the EU to exercise influence in the rule of law sector in Kosovo are not sufficient, and in the everyday we can observe practices that provide alternative ways of engaging the local actors and influencing the domestic decision-making process on issues that are considered relevant to the EU's image as a normative actor or threaten stability. Accordingly, this chapter finds that the everyday exposes actors, practices and mundane elements that shape EU's agenda in the rule of law, and have an important

impact, negatively and positively, on diffusing norms, transferring know-how to local actors and maintaining the EU as a relevant actor. The chapter holds that the EU's everyday approaches of statebuilding undermine local agency in rule of law, which can explain the lack of sustainable transformation in the sector and the limited impact that the EU has had. The chapter argues that while technical diffusion of norms in the rule of law occurs through the process of law-making, their implementation in practice is not effective, and the reasons for this seem to be connected with the dominant role that subcontracted experts assume in the process. The chapter also finds that diffusion of norms or best practices from the EU in practice is determined by the personal experience of the subcontracted experts' countries of origin and there is no institutionalized approach to determine the EU's practices vis-à-vis the local context.

The chapter starts by analysing everyday practices of encounters between senior officials from Kosovo and those from the EU, and how informality is utilized by the EU to create a trusting environment for local interlocutors in order to push forward particular decisions. The second section examines the EU's practice of embedment in domestic institutions, with a particular focus on EULEX. The third section analyses the role and impact of subcontracted experts in norm diffusion, and encounters between local and EU bureaucrats. This section investigates how the background of embedded individuals affect EU's norm diffusion. The concluding section of this chapter establishes a lack of coherence and strategic vision in the EU's engagement and shows that the EU's actions do not necessarily reflect EU's normative commitment, but are interest-based and dependent upon individual preferences.

4.1 Understanding EU's priorities and approaches in the rule of law sector in Kosovo

When Kosovo declared its independence in 2008, despite having been subject to a massive international statebuilding project led by the UNMIK, it faced significant shortcomings with respect to the rule of law. UNMIK had not only failed in establishing rule of law, but it was criticised by local actors for 'tolerating' organized crime structures and for their "connection to politics." (Rosenthal, 2008, para. 13). The EU's annual report on Kosovo in 2007 stated that "[d]ue to a lack of clear political will to fight corruption, and to insufficient legislative and implementing measures, corruption is still widespread and remains a major problem" (European Commission, 2007, p. 13). A similar conclusion was drawn in the 2008 report (European Commission, 2008, p. 15). The situation was clear for Kosovo that improving the

rule of law record was vital for advancing its relations with the EU, and for the Union it was clear that Kosovo needed significant support in establishing rule of law. Besides the law-making and implementation aspect being highlighted in the EU reports as reasons for the corruption, from an institutional point of view, police, prosecutors and judges were seen as the weakest links (Crisis Group Europe , 2010).

EU had been part of UNMIK administration in charge of Pillar IV for reconstruction and economic affairs. The Declaration of Independence of Kosovo on February 17, 2008 included an invitation for the EU which read: "We invite and welcome a civil international presence to oversee the implementation of the Ahtisaari Plan and a Rule of Law Mission run by the European Union" (BBC, 2008, para. 19). The EU had planned for this mission and was well aware of the challenges with the rule of law. In 2008 it deployed the European Union Rule of Law Mission (EULEX) as the largest civilian mission under the Common Security and Defence Policy (CSDP) with planned personnel of 3,200 people (1950 international and 1250 local) and an initial budget of 265 million euros. While EU and EULEX always emphasized they were in Kosovo to 'assist' local authorities, the Mission had 'executive' powers to independently investigate and prosecute cases of corruption, organized crime and war crimes, including annulment of operational decisions by local institutions.

In broad terms EULEX's mission was divided into two categories: support tasks that included monitoring, mentoring and advising local institutions, and 'executive' tasks which accommodated EULEX judges, prosecutors and police. EULEX was also promoted as a mission that would go after the so-called 'big fish', referring to high-level politicians and government officials. UNMIK and international community at large had been criticized by local actors for failing to do so out of concern for the consequences that would have for political stability. As political stability is a key precondition to EU accession, EULEX provided hope that things would change (Personal interview with a director of local NGO in Kosovo monitoring rule of law, August 8, 2018). EULEX is also considered the "EU's first integrated mission, addressing three pillars of the security and rule of law system - police, justice and customs – simultaneously." (Derks and Price, 2010, p. 11). In other words, EULEX had personnel embedded in institutions in all three areas. The police component of EULEX was the largest, with 1,400 personnel, as analysed further in the follow-up sections of this chapter. The EULEX also made efforts to improve coordination with local rule of law institutions. For a period of two years, the Joint Rule of Law Coordination Board (JRCB)

functioned as a platform to facilitate communication between rule of law stakeholders. The final Meeting of the JRCB was held in November 2018.

The EU Office in Kosovo (EUOK) / European Union Special Representative in Kosovo (EUSRK) also play an important role in promoting rule of law. The EUOK's role is particularly important in the implementation framework of the Stabilisation and Association Agreement (SAA), which entered into force in April 2016. SAA contains specific provisions on rule of law and the Kosovo Government's obligation to approximate and transpose EU acquis into national legislation. In 2016 the EUOK negotiated with the Kosovo Government the European Reform Agenda (ERA), with the objective to create a focused approach for implementation of the SAA (Government of Kosovo, 2016-a). ERA contains short term priorities in three key areas: Good Governance and the Rule of Law, Competitiveness and Investment Climate, and Education and Employment. Through the Instrument of Pre-Accession Assistance (IPA), the EUOK provides additional support to different sectors, including rule of law. In most cases IPA targets capacity gaps in public institutions and funds technical assistance projects that are mostly implemented by EU companies from the consultancy industry in partnership with local companies and, less directly, by Member State administrations. IPA projects are very important as they enable the EU direct access into the law-making process through subcontracted experts.

Through IPA projects the EU has also funded infrastructure rule of law projects. In 2011 the EU provided 26.1 million Euros and the Government of Kosovo 5.4 million Euros to build the Justice Palace that provided office space for the Supreme Court, district courts, and others. The EU also provided funding for building border crossing points between Kosovo and Serbia, which will be discussed in more detail in chapter V. In the framework of IPA, the EU also implements the so-called twinning project which is an instrument for institutional cooperation between officials from administrations of EU Member States and partner accession countries. In the context of the EU's rule of law support, another important mechanism is TAIEX-Technical Assistance and Information Exchange, which provides support for implementation of EU legislation in other countries, effectively a technical norm diffusion instrument of the EU. Support from TAIEX includes providing experts from EU Member State to be embedded in local institutions to enable norm diffusion. The next section will investigate how the EU supports norm diffusion in rule of law with a focus on three major issues: How does the EU shape the local decision-making process in order to ensure desired outcomes? How does the

EU ensure norm diffusion through embedment of EULEX judges, prosecutors and police? Finally, what role do subcontracted experts play in the process of norm diffusion?

In order to answer these questions this chapter investigates three different examples of how the EU asserted its power over domestic affairs through mundane and rudimentary elements that are visible through the lens of the everyday: informality as a practice of micromanagement; the embedment of EU police officers, prosecutors and judges with local rule of law institutions and the law-making process through subcontracted expertise. It shows that practices of informal interactions are an important enabler for the EU as well as the local actor in managing spoilers and ensuring desired outcomes of domestic decision-making process. What constitutes the realness of EU engagement with local actors is revealed here. Therefore, it is important to examine because it is conducted outside sanctioned instruments of interaction and communication, thus lacking transparency and accountability. Also, important is to investigate how the EU's approach of embedding personnel from Member States in local institutions actually worked. This section finds that rudimentary and mundane elements can have an important impact on the ability of the EU as a whole to reach its statebuilding goals. It illustrates how both the EU and local actors have limited engagement stemming from lack of proper understanding of the role of embedded EU personnel, and from local prejudices and stereotypes against particular EU Member States. Lastly this chapter looks at how the EU truly controls the domestic policy-making process through subcontracted experts. It illustrates how local agency is undermined through projects aimed at developing local capacities. The information in these sections is based on personal interviews with local and EU technocrats, local lawyers, civil society activists, and political leaders.

The main finding of this chapter from the everyday perspective is that sometimes the EU's interventions in rule of law serves the purpose of maintaining EU involvement more than helping local actors. The analysis shows very limited knowledge is actually transferred as there is much less need for it than the EU claims there to be. The chapter also finds that when the mandates of independent rule of law institutions are threatened by politics, the EU's everyday practices often make it a very effective actor in defence of their performance and functions.

4.2 Informality as a practice of micromanagement

When it comes to how the EU exports rule of law to other countries the primary focus of the existing literature is on the concept of conditionality, which habitually promotes a highly technical role of the EU's involvement through capacity building, monitoring and evaluation of laws and policies (Nicolaidis and Kleinfeld, 2012). However, this provides an incomplete picture of the extent the EU's engagement in the process of rule of law as it only shows what is transparent about the EU's role. Less attention is paid to the everyday of how the EU interacts with the domestic decision-making process on issues pertaining to rule of law. This section expands our understanding of the extent to which EU technocrats are involved in the domestic rule of law decision-making process by unearthing the practices of informal encounters and exchanges between the EU Office in Kosovo and local actors and elite.

Informal encounters are a very important feature of the everyday communication and exchanges between local and EU officials. These encounters are utilized to shape a particular outcome in the domestic decision-making process and/or prevent potential frictions between the EU and local institutions becoming a public display. Informal encounters in this context refer to practices of meetings and exchanges in informal settings or through unconventional channels for conducting official business. They may include events such as weekend getaway, house dinners and drinks in bars. (Personal interview with a senior adviser of Kosovo Assembly, December 20, 2017). The EU officials use these encounters to carry out certain actions—such as handing over a particular document, or address a concern not entirely in line with a publicly proclaimed EU position—they would not carry out in an official space. Providing local officials with an advanced a copy of the annual Country Report before it is published and officially presented to the institutions is an example of such an act. It helps local institutions prepare any reactions to the findings of the report and helps them manage any potential embarrassment, and is seen as a mark of respect for local institutions and a means of confidence building for the EU.

It is not a new discovery that the EU uses informal approaches in its external dealings. We know that there is a certain 'normative transformation' in the EU's external dealings whereby the Union resorts to informal procedures in dealing with non-EU states. Ramses A. Wessel (2020) has written about the consequences of such an approach. Natalia Shapovalova (2016) also examined how informality facilitates cooperation and participation of non-state actors and civil society in the EU's Common Security and Defence Policy (CSDP) often helping with particular interventions in foreign crises. Informality seems to be also a preferred method

of communication among local actors in Kosovo. “Ninety percent of the exchange process between EU and Kosovan officials is based on informal communication first. 10 percent is formalities’, a senior adviser to the Kosovo Assembly said in an interview. “Kosovars love to discuss important things over a nice macchiato,” he added (Personal interview with a senior adviser of Kosovo Assembly, December 20, 2017). The reason, explained the adviser, is that from the local actors’ perspective encounters with the EU in informal settings convey a message of respect (Personal interview with a former minister of the government of Kosovo, December 8, 2017). Another senior government official, also explained that “informal relations were often the only option of communication with some international organizations or states” because of the lack of recognitions of the EU as an independent state (Personal interview with senior government adviser, December 11, 2017). In this sense, what can be observed at the formal encounters and channels of communication is only a small part of the EU’s extent of involvement.

Based on personal accounts of senior public officials in Kosovo, this section illustrates how these practices of informal meetings and exchanges are conducted and what their impact is on the domestic decision-making processes. To understand how informal practices of meetings and exchange are utilized by the EU Office in Kosovo to influence the government’s decision-making process, this section finds that:

1. The EU utilizes practices of informal meetings with the local actors to micromanage rule of law enforcement when it threatens stability;
2. The EU utilizes practices of informal exchange with local actors to influence domestic decision-making process and to counter efforts by the political elite to undermine norms diffused by the EU; and
3. The EU utilizes practices of informal meetings and exchanges to define conditions set by the formal process;

From the EU’s perspective, the rule of law is the primary responsibility of the local institutions (Personal interview with a senior official from the Ministry of Justice of Kosovo, September 12, 2018). However, in practice, the EU Office in the country often sees itself micromanaging law enforcement efforts on the part of the government in divided areas. This is illustrated by an incident in the ethnically divided city of Mitrovica in the north of Kosovo in 2016. The Ibar/Iber river divides the city into two parts, the north Mitrovica populated by Serbs and the

south populated by Albanians. A bridge exists that connects the two parts, but it has been closed to major traffic since 1999 when NATO troops entered Kosovo. It remains a symbol of division and a site of tension. By 2016, however, important progress had been made to reopen the bridge within the framework of the Brussels Dialogue, which is explored in more detail in Chapter-6. To counteract potential consequences of the bridge re-opening, local Serbs in the north of Mitrovica began building a wall in an area leading to the bridge, creating a new blockage to entering the city. Albanians in the south of the city reacted fiercely to as construction work began on the wall, resulting in heightened ethnic tension. The Kosovo government publicly denounced the project and vowed to deploy the police to stop the work. Both the institutional framework in the north and the Serbs who live there refuse to recognize Kosovo laws and institutions, and they vowed to oppose Kosovo police.

The efforts to build the wall undermined Kosovo government's authority as it effectively meant it could not exercise rule of law across its territory. While in practice it is a recognized that the Kosovo government does not exercise effective control in the north, both local institutions and the EU publicly maintain that it is Kosovo laws that are applicable in the north. However, when the government is openly challenged, and the public takes note, the situation changes. With regard to the Mitrovica bridge, public pressure for the Kosovo government to intervene was high (Personal interview with senior adviser from Kosovo Assembly, December 20, 2017). The EU's position was delicate: officially they recognize Kosovo laws and institutions have the right to operate throughout the territory but, had it said as much, the government would have interpreted it as a green light to intervene in the north. A formal process of resolving this matter would have been for the government to invite a meeting with the local actors in the north of Kosovo. However, the two sides communicated on the issue mostly through the media, and leaders from the north would have neither accepted a government invitation to meet nor respected any outcome of such meeting. Informal meetings thus became necessary to build the necessary momentum and capital for the formal process to take place and legitimize what was agreed through informal exchanges. Against the background of growing tensions in the north of Kosovo, therefore, informal meetings and exchanges began to take place, a common practice in similar crisis situations. One such meeting took place between the EU Office and a government leader over dinner at a Prishtina restaurant where key aspects of a potential compromise were discussed (Personal interview with senior adviser from Kosovo Assembly, December 20, 2017).

This informal dinner meeting allowed both sides to discuss details that would not have been possible in a more formal setting. Furthermore, it allowed the EU to play the role of micromanager in the relations between Kosovo's north and the central government. This represents a sharp contrast to the EU's public claim that it only plays a supporting role in the conflict. Discussions over dinner included potential solutions to the dispute such as lowering the planned wall so much that it would no longer look like a wall. If the wall did not resemble a wall, it could not become a structure that made the division permanent. In this case informality was a practice that served the purpose of bypassing normal government-sanctioned actions against violations of rule of law. The informality paved the way for the proper official channels to start work. In this sense, a meeting between leaders from the central government and the Mayor of the north Mitrovica was held, where the EU's role was largely portrayed as simply supporting the process, although in practice they were intimately involved in every detail, including setting the conditions where the official meeting could take place. The practice of informal meetings was a success, resulting in an agreement whereby the wall was lowered so much that it no longer resembled a proper wall (Morina, Kosovo Demolishes Controversial Serb-Built Wall, 2017). This allowed the government to proclaim that it had upheld rule of law in the north of Kosovo as well, helping the party in power to make a political case. While this example reads more like conflict management, it shows how an issue that local actors saw as a case of rule of law was seen by the EU as a question of stability and thus intervened to find a solution that achieved this goal rather than address rule of law.

The example shows how normative commitments of the EU, including the rule of law, are in practice subject to interpretation, and lose relevance when it threatens stability. Indirectly, the informal communications also created a space to conveniently bypass the need for direct exchanges between Albanian and Serbian leaders in Kosovo on matters of rule of law. The case also demonstrates how the practice of informal meetings geared towards finding a compromise solution, while diffusing tension, creates dependency and legitimizes tools that can be instrumentalized to maintain the status-quo in the north of Kosovo. Also, this practice of informal meetings helps the EU to mask the extent of its engagement and deal-making with the country's elite. The EU portrays its relations with local actors and institutions as being conducted at a safe distance and does not want to be seen as being intimately involved in particular domestic issues, to avoid the perception of micromanagement. This is especially relevant when dealing with a country like Kosovo where perception of corruption is high. But

the reality is that the EU often engages in micromanagement, including with the local elite, and sometimes circumvents their agency in favour of independent anti-corruption institutions.

This brings us to the second feature of the informal practices that can unearth the extent of the EU's involvement in domestic decision-making processes on issues it considers to be fundamental to the Union's image as a normative actor, such as the fight against corruption. Based on interviews with former senior anti-corruption officials, the EU Office in Kosovo has not been very interested in discussing the overall status of its anti-corruption efforts but takes note when particular issues are raised that threaten certain norms it seeks to diffuse. Within this framework, the EU has promoted norms that seek to mitigate corruption by supporting the creation of a dedicated anti-corruption body and by instituting policies that make it illegal for politically affiliated persons to be on the boards of independent institutions such as public companies. The goal of such measures is to strengthen meritocracy and professionalism in their functioning and management. The EU Office in Kosovo monitors appointments to the boards and reacts when it observes that politics played a role in particular appointments. However, the EU does not actually keep a safe distance on this issue as a mere observer but utilizes informal practices to get involved in the micro-politics of the process in order to influence the decision-making.

There are two examples that illustrate this. One involves efforts by the government of the time to curb or weaken the mandate of the Kosovo Anti-Corruption Agency (ACA), which was established in 2007 by the Kosovo Assembly as an independent body. The ACA was established with the support of the EU which included assistance in drafting the law that created the agency. The ACA was based on the Slovenian model, an EU Member State. Creating the ACA was important to the EU's anti-corruption agenda in Kosovo to which the public officials must report their wealth and assets also giving the agency the mandate to investigate discrepancies or suspicions in their reporting. The EU's demand that a new and separate law regulating declaration of wealth and assets anti-corruption law include a provision to make the wealth and assets of government and political leaders transparent became a thorny issue for those in power.

The government was working on the new law in 2009/10 but the final draft was not shared with the ACA, which strongly suspected the reason for such secrecy was that it contained provisions that would significantly weaken the agency's mandate. Although the ACA

formally requested that the government share the draft legislation, it refused to do so with the aim of mitigating any negative public reactions (Personal interview with former adviser in the Anti-Corruption Agency of Kosovo, March 9, 2018). The ACA then turned to an informal channel to obtain a copy of the draft-law. It met with the EU Office to share their concerns and asked for their assistance. The EU Office acquired a copy of the draft from the Government of Kosovo and shared it with the ACA, which concluded that their suspicions were accurate: if approved, the new law would indeed jeopardize its anticorruption efforts. The EU Office then formally expressed opposition to the law and requested that the government withdraw the law from the Kosovo Assembly, implying that if it did not comply, the EU would publicly criticize the government as well as cut funding for some projects (Ibid.,). This approach worked, the law was retracted by the government and it was replaced with a new draft that reflected the ACA's concerns.

The second example involves a more concrete anti-corruption case. The government had been largely ignoring both EU calls not to appoint politically affiliated persons to the boards of public companies, as well as the findings of the ACA which showed that conflicts of interest arose in relation to several board members. This information was presented to the government in an official letter from the ACA which named the individuals concerned and provided legal justifications for its assertion that their presence on the boards of public companies raised conflict of interest issues. Investigating such cases and making recommendation to the government based on its findings was within the ACA's legal mandate. The law also made it obligatory for the government to comply with the ACA's recommendation. However, the government ignored the ACA's formal efforts to ensure compliance by asking the government to dismiss a number of political appointees in public positions were ignored. Having failed to secure government support, the ACA again turned to the EU Office for assistance (Personal interview with a senior official from Kosovo's Agency-Against Corruption, August 24, 2018).

This is an informal practice as the ACA only reports to the Kosovo Assembly. Taking the matter to the Assembly would therefore have been the formal and appropriate way to raise the issue of government non-compliance. However, the ACA calculated that its desired outcome would not be possible given that the government had majority control of the Assembly. The issue, connected to its anti-corruption agenda, was relevant to the EU. The EU Office thus used the ACA's letter and request for help to strengthen rule of law conditionality vis-à-vis the government and also to uphold power-relations. Accordingly, contents of the ACA's letter

were used to form the key conditions of the European Reform Agenda (ERA) subsequently negotiated between the Kosovo Government and the European Commission approved by the government in 2016 (Government of Kosovo, 2016). Reports by EU-funded think-tanks on implementation of the ERA, including on the issue of conflict of interest, show that recommendations contained in the ACA letter were implemented to some degree, although this did not change the government culture which created the problem in the first place. This, however, did not mean that the government was unwilling to fulfil the obligations necessary for maintaining its image as a constructive partner of the EU in the fight against corruption.

A more decisive step in this direction did not come from the EU Office but a Member State. In 2017 the British Embassy in Kosovo signed a Memorandum of Understanding with the Kosovo Government and the Kosovo Parliament whereby the process of recruiting senior management positions in the civil service and boards of public enterprises was practically outsourced to the British Embassy (Government of Kosovo, 2017). The EU Office was very subtle about its dislike of this arrangement which inadvertently undermined its authority. During informal meetings with civil society or government officials, the EU Office would sometimes express their displeasure at what appeared to be a Member State usurping a role traditionally played by the EU in the peacebuilding framework. However, even the involvement of an EU Member State did not make significant changes in the process as the government continued to appoint political party members in senior positions of independent institutions. But, it did make the EU more coherent in its approach vis-à-vis local institutions in the fight against corruption. For instance, in 2019 the Kosovo Assembly appointed as the head of the Kosovo Property Comparison and Verification Agency a person with ties to political parties. This led to public criticism by the British Ambassador, the EU Office, other EU Member States and even the US Embassy (Kastrati, 2019). In the eyes of citizens and civil society this involvement of the EU Office and a Member State, was a demonstration of incompetence of the local institutions, which further eroded public confidence.

The informal practices of exchange and interaction between the EU Office and the anti-corruption officials in Kosovo illustrated above shows how the EU gains actorness through political mediation between different local institutions. However, while this approach creates a positive anti-corruption influence, it is a substitute for the transformative power of the EU. The EU Office in these cases indirectly encouraged local institutions to see them as whip vis-à-vis the local government, diminishing the need for local institutions to develop the necessary maturity to communicate and cooperate with each other, which is also part of what the EU

promotes and asks from Kosovo. Informal practices in these cases replace the relevance of formal structures and procedures put in place by the EU support, in order to ensure that there are proper channels to ensure government accountability and transparency.

The third feature of the practices of informal meetings and exchanges shows that they are utilized to perpetuate conditions on the part of the European Commission vis-à-vis local institutions, giving the EU agency. At the formal level, the EU often uses vague language to put forward its conditions. A case in point is the visa liberalization dialogue between the EU and Kosovo, which started in 2012. The EU put forward around 100 conditions which Kosovo required to fulfil to be considered positively for visa liberalization. These conditions were part of a document called the Visa Liberalization Roadmap. Anti-corruption measures were a major part of the conditions, and when in May 2016 the European Commission conditionally recommended visa liberalization, "strengthening the fight against corruption" was stated as a requirement (The European Commission, 2012; The European Commission, 2016, para. 3). Having framed the condition in such vague language, without details, European Commission officials used informal meetings to interpret for local actors what it actually meant. These interpretations created a whole list of new conditions Kosovo had to meet. A former adviser to a senior government official who participated in such meetings explained how, on one occasion, a senior EU official told the Kosovo delegation that the EU would consider the condition met if the government adopted new legislation in some anti-corruption policy areas (Personal interview with a former senior adviser at the Ministry of Foreign Affairs of Kosovo, January 17, 2018). The EU official transmitted this as advice to local actors, making it look as if they were doing them a favour (Ibid).

There are three important takes from this section. First, these seemingly mundane practices of the everyday show that in reality the extent of the EU's involvement in domestic decision-making process of the local government is far more extensive than stated in the formal and established statebuilding approaches of the Union. Informal meetings and exchanges are very important for the EU in safeguarding its norms, maintaining stability and extending their relevance to local actors by interpreting conditions from the accession process. The existing literature talks about how the EU is a 'moving target' for countries that are covered by enlargement or neighbourhood policy (Hayoz, Jesień, and Jesien, 2005). The everyday shows that the "lack of clear understanding of what is meant by conditions"—as discussed by Kliewer and Stivachtis (2007, p. 150)—seems to be intentionally maintained by the EU. As

explained by a senior government adviser working in the justice sector, “there are written and unwritten criteria with the EU”, meaning that in contrast to the official line that the EU knows exactly what it wants, in the everyday the EU can be unpredictable (Personal interview with a former adviser of the Ministry of Justice of Kosovo, August 23, 2018). This analysis of the everyday thus shows how the target is moved through these practices of informal meetings and exchanges between the EU and local actors. It helps extend the agency and actorness of the EU on a particular area, and provides the EU with the opportunity to rationalize the dangling of ‘carrots’ to fulfil its conditions.

Secondly, everyday practices of informal communication and exchanges suggest that for the EU Office in Kosovo, the most important local counterpart is not necessarily the senior officials of the government. The EU seems to side with the norms even at the potential expense of good relations with those who hold the power, in this case the prime-minister and government ministers. But the account also shows that the EU’s role is often reduced to a mere whip in relations with decision-makers. While norm diffusion did occur through the law, such norms were not conducive to the transformation and positive changes aspired to by the EU. From this perspective, norms are formed and negotiated between the EU and local actors. On the one hand the EU seeks to shape decision-making processes at the senior level through informal encounters, while on the other hand the EU also had, simultaneously, the necessary authority and power to undertake independent actions to strengthen rule of law through the EULEX Mission.

Thirdly, in principle, local actors see the role of the EU as supporting domestic institutions “to do ‘the right thing’ through suggestions and recommendations.” (Personal interview with a senior official of the Office of the President of Kosovo, August 15, 2018). However, the everyday shows the EU is not confined to its role only as a supporter but pro-actively engages and influences the government’s decision-making process, often by undermining formal processes. In so doing, although arguably motivated by the right reasons, the EU was also weakening the agency of the local actors by creating shortcuts to the formal process of implementing democratic principles of accountability and transparency. For instance, instead of going before the Kosovo Assembly and the Kosovo public to discuss the challenges it faced in implementing its mandate, the ACA leadership chose a shortcut through the EU Office to get what it wanted from the government.

Similarly, instead of supporting the necessity for direct communication between the central government and municipal authorities in the north of Kosovo, the EU Office created a comfort zone and a shortcut for both sides. This harms democratic principles and creates a culture of dependency on the part of some public institutions, which at the same time lose the confidence and support of the local political elite. The everyday has allowed the EU to create a parallel set of means to influence and shape local processes, in addition to the more institutional and formal approaches. While this is often done for a good cause, it gives the EU unchecked power and greatly advances the power-relation balance in favour of the EU. This points to a rather patronizing approach of the EU in relation to local actors.

Accordingly, as the discussion in this section has shown, the practices of the informal meetings and exchanges is only one aspect of how the everyday unearths the EU's actual extent of involvement with the local actors and the challenges with such approaches. The everyday can also provide a deeper understanding of how the formal involvement of the EU in rule of law is actually implemented in practice and of where the problem lies. In this context, Kosovo presents an opportunity to examine a unique approach of the EU that involves embedding police officers, prosecutors and judges from EU Member States in local institutions of rule of law to support a stronger, more effective and independent judiciary able to fight corruption and organized crime. They were deployed in the framework of the EU rule of law mission, the EULEX, which has been unparalleled both in size and mandate.

4.3 Embedment of EU police officers, prosecutors and judges with local rule of law institutions

Unlike the previous section where the focus was on the EU's informal practices to influence government's decision making, the focus here is to acquire a deeper understanding of the formal approaches of the EU in addressing shortcomings with institutions of rule of law in Kosovo, such as the police, courts and prosecution. In this context, the EU's flagship initiative is the EULEX-Kosovo, which was the first of its kind to be deployed by the EU both in terms of the size and the scope of the mission. The EU outlined corruption and organized crime as key challenges for Kosovo, and implied that local institutions were not prepared to effectively tackle these issues, which was another way of saying that the EU did not trust local institutions. This message was rather positively received by the local civil society organizations and the general public, who had for years demanded more results in the fight against corruption by the international community, and hoped the EULEX would bring about

change (Personal interview with a director of local NGO monitoring rule of law, August 8, 2018). There were to main components to EULEX's role in rule of law in Kosovo. The executive component involved direct responsibility for implementing legislation against corruption, organized crime and war crimes. Here, the EULEX personnel could independently investigate, prosecute and judge a case. The EULEX could take over existing cases from local institutions or initiate new ones. The second component which was about empowerment and strengthening capacities and independence of judiciary and police, and was implemented through the so-called MMA approach, which stands for mentoring, monitoring and advising.

The EU's solution through EULEX was to bring judges, prosecutors and police officers from Member States, vest them with the necessary authority and embed them in the local institutions. EULEX was seen by the public as an organization set on a mission to bring 'European justice' to Kosovo (Personal interview with a local lawyer, March 10, 2018). The EULEX mission was promoted as tailor-made for challenges that Kosovo faced and as important for the accession process in the EU—primarily the fight corruption, organized crime and war crimes. EULEX was going to help Kosovo reach European standards. (Council of the European Union, 2008). This was, however, the first time the EU was planning a mission of such wide scope and executive mandate as the EULEX with major differences from the traditional CSDP missions. With the EULEX the EU was charting new territory. Fighting corruption and organized crime while working together with local actors, who in the opinion of the EU were not capable of doing so, presented a more complex task than required by the more conventional missions deployed by the EU. This difficulty was manifested differently in practice once the EULEX became operational.

Challenges related to the mission's institutional set-up, management, and legal obstacles are well covered by existing literature (Spernbauer, 2010; Koeth, 2010; Muharremi, 2010). However, there is less attention paid to the mundane, to how the EULEX mission unfolded in practice with regard to the relations between its personnel and local actors. Accordingly, this section investigates how this approach of supporting rule of law through embedding police officers, prosecutors and judges from the EU Member States in local institutions actually worked in practice. Through the lens of the everyday, it examines the performance of EULEX personnel embedded in local institutions and captures mundane issues that impacted on and inhibited their everyday work. In so doing, this section illustrates how the everyday can help gain a better understanding of both the shortcomings and gains of EU engagement. There are two key findings from this section:

1. Capacity building support to local rule of law institutions is improvised by the EU; and
2. Results of capacity building support in the everyday are not accounted for and are different from those reported in official documents.

In relation to the first point, the focus is on how EULEX personnel embedded in the Kosovo police performed in the everyday issues that characterized the relations with their local colleagues. Despite being a holistic rule of law mission including the judiciary, a majority of the EULEX personnel were police officers (Personal interview with an embassy staff of an EU member State, August 29, 2018). Their mission in Kosovo was threefold: to provide a security element for the international presence; to provide a force for the implementation of the executive mandate of the EULEX; and, to support the local police— both through the MMA methodology and by working jointly on cases.

At the start of the EULEX cooperation with the Kosovo Police, it seemed to lack a clear idea of what it wanted to do, nor did it appear to have a strategy for achieving the goals prescribed by the EU papers (Personal interview with a senior official from the Kosovo Police, March 16, 2018). This resulted in a rather improvised practice of coming up with some creative projects that would provide embedded EULEX police with a roadmap for moving forward. These projects were developed with Kosovo police but lacked any meaningful results (Personal interview with a senior official from the Kosovo Police, March 15, 2018). Local actors, who expected the EULEX to set new standards in rule of law were disappointed by the mission's lack of clear plans and goals, and by its subsequent improvisations through projects that often failed to address underlying issues in the fight against corruption and organized crime (Ibid.,). This approach had an acutely negative impact on the local actors' confidence in the EULEX personnel, which is particularly important with respect to mission's goal of providing advice and mentorship.

Another practice by the management of the EULEX police personnel that undermined confidence in the mission is related to how the EU rotated its personnel embedded in the police. For instance, a case against corruption or organized crime usually takes the police up to 2.5 years to investigate, while court proceedings can take up to 5 years (Personal interview with a local lawyer, March 10, 2018). However, the EU planned its EULEX personnel, with few exceptions, to return to their home country after only a year or two with the mission. This was especially the case with more experienced police officers, judges and prosecutors who

stood to lose their jobs back home had they stayed longer. This practice harmed both the EU's ability to be an effective actor and utilize its executive mandate to show strong results in the fight against corruption and organized crime. It also negatively affected the way their local colleagues came to view the mission. Senior Kosovo Police officials interviewed for this research explained that the practice weakened local police confidence in the EULEX and in their EU colleagues (Personal interview with a senior official from the Kosovo Police, March 15, 2018). Senior local police officers can account for 15 successful cases of joint cooperation with the EULEX police personnel (Ibid.). They also note that sometimes they did their own investigations separately of each other (Ibid.).

However, sometimes prejudices on the part of the local police officers also weakened confidence in the EULEX and normalized practices of pretending to cooperate with and support its personnel. Based on the interviews, Kosovo Police officers had a rather discriminatory approach in general, and harboured prejudices towards the embedded EU police officers. For instance, many saw police officers from western EU Member States, such as Germany, as being more effective, professional and competent and, therefore, expected more from them. But they did not engage as effectively with police officers from the eastern EU Member States. To these officers only western EU Member States truly represented 'EU standards.' (Personal interview with a senior official from the Kosovo Police, March 16, 2018). In practice, based on the accounts of local police officers, their counterparts from neither western nor eastern Member States were truly invested in mentoring or advising the local police. For instance, a senior Kosovo police officer described his experiences with two different police officers embedded with the EULEX at different periods of time as devoid of any meaningful support, stating that "more than support the EULEX was interested in finding problems to extend the mandate." (Personal interview, March 16, 2018). According to the Kosovo officer, in one case his EULEX counterpart was primarily motivated by economic interests, a fact he was quite open about. In the second case, two weeks into the assignment the EULEX police officer told his local colleague that he had nothing to offer in terms of advice because 'everything seemed to be in order' (Personal interview with a senior official from the Kosovo Police, March 15, 2018). As stated by an official from the EU Office in Kosovo, from the EU's perspective Kosovo requires support with experts and this has no signs of stopping any time soon (Personal interview with an official from the EU Office in Kosovo, March 24, 2018). According to this official, this is the case because "if all expert would be

gone tomorrow the speed with which Kosovo aligns the legislation with the EU acquis will decrease significantly." (Ibid).

Although the end the result was the same in both cases, as in there was no knowledge transference or support, the latter was taken as a compliment and validation by local police officers, because of who it came from. It also seems that, in some cases, EULEX personnel used flattery of locals as a practice to minimize or reduce their own workload. However, officially, both the EULEX personnel and local police officers needed to report that the embedment was working well and that both support and knowledge transference existed. In order to appease higher authorities, therefore, when the time came to report results, both sides put into motion the practice of pretending whereby a particular project, issue or case was selected to show the desired results. In other words, the national background of the EU embedded personal appears to have been an important factor for local actors and their perceptions of EULEX capacities. From an everyday perspective this means not all Member States were seen as EU by local actors, a fact which reflects local prejudices more than anything else. Yet, when the said Kosovo police officer recounted his experience with two embedded police officers from different parts of the EU, the common denominator was that neither actually helped. The EU could have done more in this context by understanding and acknowledging the local prejudices in order to better prepare its personnel in how to work with the local institutions.

The focus of the second part of the argument is on capturing practices that both helped develop local capacities and those that inhibited the EULEX mission's objectives for the judiciary, chief among them being strengthening the capacities and independence of the judiciary. As with the Kosovo Police, the EULEX also embedded personnel in the judiciary (judges and prosecutors). According to senior officials from the embassies of the EU Member States in Kosovo, the European Commission faced challenges in recruiting good judges and prosecutors from Member States, especially for periods longer than one year to serve in Kosovo (Personal interview with an embassy staff of an EU member State, August 29, 2018). As a result, there were prosecutors working for EULEX who had never actually served as prosecutors in their home countries (Personal interview with a local lawyer, March 10, 2018). Initially the EULEX mission preferred its own staff to conduct all judicial proceedings through what is commonly referred to as the 'EULEX exclusive track', which usually consisted of three EULEX judges and one prosecutor. EULEX used this track to deal with most sensitive cases of organized crime and corruption and, because it did not trust the locals,

this exclusive track was safe from hybridisation. A second track started by the EULEX experimented with the practice of 'hybrid trial panels' which initially consisted of one local judge and two EULEX judges and, in some rare cases, two local judges and one EULEX judge. The mixed panels aimed at facilitating the training of local judges, through mentorship, in the hope they would repeat the conduct and practices of the EULEX judges.

Based on the interviews with local lawyers in Kosovo, one particular positive result from the practice of embedding EULEX judges and prosecutors with their local colleagues is how local prosecutors and judges became better at preparing indictments and verdicts (Personal interview with a local lawyer, March 10, 2018). While it may be considered mundane, this is an important development as in cases against corruption or organized crime, a badly written indictment can be used by a judge under pressure to dismiss the case, leading to a culture of acquittal and impunity (Ibid.). Similarly, guilty verdicts that do not properly clarify the legal reasoning behind the judgement could be used by the appellate court to cancel the verdict or change it significantly (Ibid.,). The embedment of local counterparts with EULEX personnel improved the local judiciary's capacity to properly draft their indictments and verdicts, with reference to human rights protections and other legal jurisprudence. However, this positive impact is not registered in existing literature as the mission was largely examined solely for the success it had in prosecuting and punishing elite corruption. The EU also chose not to promote it as it was unremarkable and did not fit its narrative of how the mission was justified. Nonetheless, this case shows that sometimes the EU's agency and actorness in supporting rule of law and diffusing norms in this sector can be discreet and located in the everyday where the means are usually unexceptional, and are not recorded by other methodological approaches.

There were also different mundane elements that negatively impacted the mission in transferring knowledge to local colleagues and in establishing a more effective and independent judiciary in Kosovo capable of fighting corruption and organized crime. First, it seems that as in the case of Kosovo Police, prejudices and belief in certain stereotypes prevented local judges and prosecutors from accepting that they stood to gain anything from judges and prosecutors coming from eastern Member States of the EU. This was especially true where the judges and prosecutors came from EU Member States such as Bulgaria and Romania seen as struggling with corruption and organized crime themselves (Personal interview with a local lawyer, March 10, 2018). This is connected with the wider issue of local actors' confidence in the EULEX, and vice-versa.

Another such issue that directly affected the ability of the mission to deliver on its mandate was the local perception that some EULEX prosecutors did not make the effort to learn and understand local laws and largely based their work on their own experience and legislation from their home countries (Ibid.,). It is unclear if the EULEX judges and prosecutors had to go through any special training to prepare them for the local legal infrastructure before deployment. But this rather mundane element had a substantial negative impact on the mission as it resulted in EULEX cases being overturned on the grounds of procedural errors (Ibid.). For example, in 2015, EULEX judges sentenced two individuals to 15 months in prison for exercising undue influence in the process of privatization of the public properties, a sector in which corruption is considered to be endemic (Zenelaj, 2015). They were later acquitted, mostly on the grounds of procedural errors by the EULEX (Ibid.,) Similarly, the biggest anti-corruption case heard by the EULEX, in which a government deputy prime minister was indicted in 2012 for abusing public tenders, concluded in 2017 with the accused being acquitted of all charges (Morina, Kosovo Court Acquits Limaj of All Charges, 2017).

Another practice that undermined confidence in the EULEX and raised ethical question towards the EU's approach in the rule of law, was the revolving door between EULEX personnel and the consultancy industry. In one particular case, a former EULEX prosecutor whose time with the mission had ended returned as a European Commission consultant to assess Kosovo's rule of law standing in the framework of visa liberalization process. As consultant he ended-up assessing a case he himself had prosecuted and left behind without a result (Personal interview with a senior official from the Kosovo Police, March 16, 2018). While the revolving door between EU technocracy and consultancy is not new, and it is not unusual for EU personnel to return as consultants in countries where they had previously been deployed, in this particular case in Kosovo where the EU has an executive mandate to fight corruption, it did not resonate well with local actors who consequently saw the EU as an unethical actor. It undermined their perception of the EU as a normative actor with the ability to fairly judge the progress of rule of law in the country. As a result, local institutions became less enthusiastic about accepting that rule of law norms and conditions put forth by the EU originated from a goal to Europeanize and modernize the sector. This arguably impacted the cooperation and confidence between local and EU actors, an important factor in ensuring the sustainability of EU norm diffusion.

This section makes two important points. The EU's approaches in the judiciary created a comfort zone for local judges and prosecutors in which the locals transferred to EULEX any

case they thought was difficult or dangerous for them. This turned the EULEX into a mechanism for doing the 'dirty laundry' of local judges and prosecutors. In this regard the EULEX had a negative effect in building the judiciary's capacities to independently prosecute and adjudicate crimes and corruption cases. The EU's approach further eroded public confidence in the local justice system because it confirmed public perception of it as being chronically unable to fight corruption and organized crime. And, whenever the EULEX decided to transfer a case to local members of the judiciary, both the public and judicial technocrats saw it as confirmation that the EULEX did not see the particular case as serious, thus undermining the 'local' engagement. This practice was also abused by officials indicted for corruption to escape judgement, as all they had to do was ensure an administrative decision to transfer their case from a EULEX judge to a local judge (Personal interview with a local lawyer, March 10, 2018).

Existing literature shows that vesting the EULEX mission with executive authority was not a panacea to support Kosovo effectively root out corruption and organized crime (Proksik, 2018). It is also a mismatch between what the EU declares publicly as a success and what actually happens in practice. The everyday thus provides a more reliable and realistic measure of success than such declarations made on the basis of vague and unclear indicators. Independent assessments also state that while no one expected the EULEX to eradicate corruption it was possible to provide the necessary support to create capabilities to fight corruption (Capussela, 2015). This section has shown how mundane elements contributed to the bigger picture of the EULEX mission we have today, particularly to its successes and the shortcomings. How mundane elements impeded building capacities because of local prejudices and lack of meaningful efforts to engage local actors on the part of some EULEX personnel, was illustrated with the case of Kosovo Police. In other situations, EULEX judges and prosecutors working with their local colleagues did develop their capacities by improving the way their verdicts and indictments were prepared, but this impact is not registered in the existing literature as it might be considered mundane.

The second important point this section makes is that the relations EUELX personnel developed with local actors are important for making sense of the mission's wider failures. Clearly local prejudices as well as economic motifs on the part of the EULEX were an important factors on how they approached their responsibilities vis-à-vis the local institutions. As illustrated, a combination of local prejudices and lack of interest on the part of some EULEX personnel resulted in limited transfer of knowledge to local institutions. From local

accounts it also seems that shortcomings in the rule of law in Kosovo—especially with respect to the institution of police—were perhaps exaggerated intentionally in order to justify the need for the mission's presence in and authority over the police which itself stemmed from the EU's lack of trust in local decision-makers.

The EULEX mission was the most visible instrument of the EU's approaches towards engagement with the rule of law in Kosovo. However, the lens of the everyday reveals that the extent of the engagement of the European Commission in rule of law through its office in Kosovo is far deeper, and penetrates the very process of making laws and policies. While the EU's involvement in the policy-making process through technical assistance projects is transparent, how these projects are implemented in practice and what they do exactly has received little attention. This is important to examine as it can reveal how the EU does not only seek to support rule of law through enforcement (EULEX Mission) or influence government decision-making on particular issues relevant for rule of law but engages directly in writing the policies, to the detriment of local agency.

4.4 Law-making process through subcontracted expertise

A significant part of the rule of law problem in Kosovo is considered by the EU to be implementation of the laws, as is evident from the annual country reports on Kosovo prepared by the European Commission (Personal interview with a senior civil servant from the Ministry of European Integration of Kosovo, November 20, 2017). Also as already noted, the EU believes that Kosovo requires constant expertise support, otherwise it would face far greater problems in drafting and implementing legislation based on EU standards (Personal interview with an official from EU Office in Kosovo, March 24, 2018.) The process is also essential to the EU, as Kosovo has a legal obligation to ensure that its national laws are in line with the body of laws of the EU called '*EU acquis'*. Kosovo has thus developed a modern law-making process that mirrors procedures and practices from the EU Member States. The Constitution of Kosovo gives the right to initiate a law to the President, the Assembly, and ten thousand citizens acting together. In reality, it is the government that initiates an absolute majority of laws. The first step in the process of law-making is the development of the Government Legislative Program which is prepared on an annual basis and contains a list with all the proposed laws to be developed in the respective year by all government ministries. Once the program is approved by the government, the legislative agenda for the year is set, and each

ministry appoints a responsible officer to coordinate the work in writing the law. A working group at the ministerial level is formed to prepare the first rough draft of the law, which is then reviewed by a different working group that is formed at the government level that also includes – in most cases – participation of civil society representatives. The government working group prepares the final draft of the law which following public consultation process is considered by the government cabinet and if approved, is presented to the Assembly for adoption (USAID-Kosovo, 2010).

Kosovo's legislation is considered largely to be compatible with international standards and EU norms. The problem lies, it is generally accepted, in the lack of effective implementation. This is one point which the local government, civil society, the EU and other international actors tend to agree upon (Lajmi, 2016). The extent to which the laws are based on Kosovo's context and reality is also often implied to be at least partly the reason for their lack of effective implementation. This feeling in Kosovo is best illustrated by the following quote from a civil society representative who monitored Kosovo Assembly: "Kosovo has good laws, as long as it has good translators." (Selmanaj, 2013, para. 7). This quote implies what most government and civil society members actually think of the law-making process in Kosovo: laws are not written by Kosovars, which greatly undermines local authority. The civil society representative went on to say, "we do not have a substantive analysis of their content or a preliminary analysis to follow a certain law. I think that these problems are encountered from the beginning in the drafting in the Government." (Ibid, para. 7). This stems from the perception that the government does not have the required capacities (i.e. expertise) to write laws in specific policy areas, especially in the framework of the European integration process. To address this problem, the EU— more specifically the EU office in Kosovo—gets involved by providing technical assistance through experts to support local institutions in preparing laws.

But, how does this support work in practice? To understand this, it is essential to investigate two major interrelated phases of the law-making process: a) the development of a concept-document for a given area requiring government intervention or regulation, and b) the actual process of writing the law. In both phases, technical assistance from the EU is prevalent and is materialized in practice primarily by subcontracted experts. Accordingly, this section focuses on their role. It investigates their work through the lens of the everyday with a focus on the micro-politics of the process. Doing so can unearth the true nature of the EU's actorness and involvement in the process of law-making, and explain the perception that all there is to

the law-making process in Kosovo is copy-pasting laws from other countries (Selmanaj, 2013). According to a senior government official "laws in Kosovo are seen as guidelines not something that is mandatory or that can lead to consequences." (Personal interview with a senior civil servant from the Ministry of European Integration of Kosovo, November 20, 2017).

It is entirely normal for the EU to engage subcontracted experts to provide support to local institutions to address capacity. As an emerging actor with limited capacities, reliance on consultancy companies to provide service on its behalf is not unusual. But looking at their work through the lens of the everyday reveals some blind-spots in understanding the extent of their role and their work. The main findings of this section are:

1. Subcontracted experts have significant autonomy and influence over domestic processes of policy-making, and their role on the ground is more than just providing technical assistance;
2. The work of subcontracted experts is not effectively coordinated or supervised by the EU leading to improvisation and diffusion of norms and practices from the EU that are not compatible with the local context; and
3. Often participation of the EU or EU-backed experts in government-working groups undermines local agency.

Before elaborating on these elements further, it is important to contextualise why heavy reliance or utilization of the subcontracted experts on the part of the EU, comes out as an issue when investigating the EU's approaches through the lens of the lens of the everyday. As previously stated, the general consensus is that the EU mainly provides support while the laws are written by local institutions. However, the reality is different. Because of actual and perceived weak capacities among local institutions, technical assistance becomes a necessity. For example a senior officials from the Ministry of Justice explained that "in 2018 the Ministry of Justice had 18 draft laws and due to the lack of qualified personnel, the ministry had to send the laws for approximation and harmonization with the EU *acquis* to external projects and experts" (Personal interview with a senior official from the Ministry of Justice of Kosovo, April 7, 2018). However, expert support for harmonization of legislation with the EU *acquis* is only one aspect of the technical assistance the EU provides to the local institutions. Local institutions have a habit of counting on EU support for developing policy documents or writing laws. Field observations show that legal departments of government ministries

sometimes request technical assistance from the EU Office simply for convenience as it ensures that the product would be accepted by the EU, and it reduces their workload. Technical assistance in practice is provided by subcontracted experts who work very closely with the legal office of the respective ministry in the process of law-making. Their mandate is to provide support and develop local capacities so there is some sustainability, but in reality they do more. This level of reliance on the EU is not good for developing local capacities or for allowing local agency to grow.

Subcontracted experts are thought of as neutral and apolitical professionals due to their assumed detachment from the local context and objectivity deriving from their short, assignment-based connection with Kosovo. They are conventionally located in the so called 'policy community' and are seen as apolitical operators without political agendas. This is how existing literature depicts the 'expert' working in the state bureaucracy. Micro-politics of expertise denotes the everyday practices that diffuse the EU's normative framework through deployment of independent experts from the governments and private sectors of EU Member States, with a view to providing governance expertise needed to address the capacity gaps. From the EU's perspective utilizing subcontracted expert to diffuse norms ensure their objectivity and apolitical diffusion of EU norms (Personal interview with a senior civil servant from the Ministry of European Integration of Kosovo, November 20, 2017).

Subcontracted experts are often presented simply as service-providers, but in practice they do more, and their actorness becomes apparent when examined through the lens of the everyday. The role of the expert is not only confined to the technicalities and of law-making, they are also utilized to shape political issues. For instance, in 2011 Kosovo government established trade reciprocity measures with Serbia. The first reactions of the EU Office in Kosovo were to utilize the subcontracted experts working in the Ministry of Trade and Industry of Kosovo to reverse the decision of the Minister (Personal interview with a senior civil servant from the Ministry of Trade and Industry of Kosovo, March 1, 2018). In addition to this, the EU had warned the Ministry that it would cancel all EU funded projects if the reciprocity measures would not be reconsidered, and it even asked for the removal of the Minister (Ibid). The EU was concerned how the reciprocity measures would affect the normalization dialogue between Kosovo and Serbia facilitated by the EU.

In other words there is more to the micro-politics of expertise than providing technical assistance or transferring know-how to local institution in a law-making process. One practice

the subcontracted experts utilize to exercise influence in the local institutions, or at least establish authority, involves controlling the list of participants in foreign study visits, which are almost component in the EU projects (Personal interview with a senior civil servant from the Ministry of Trade and Industry of Kosovo, March 1, 2018). These study trips are supposed to help the local officials develop capacities acquire new experience by meeting with fellow colleagues from the EU Member States and see first-hand how they address particular policy challenges. These opportunities are highly sought after by the public officials because of the high rates of per-diems in such visits (up to 300 euros per day depending on the country), as well as the experience (Ibid).

The role of subcontracted experts in the actual process of law-making also goes beyond the role of providing support. In practice, they take the helm of the process and are the ultimate authority on what is included in or excluded from a law. Their assumption of this role is rarely questioned by local actors. Even if there are disagreements in the process, according to senior government officials, the default position of the EU Office is to side with the expert. The role and agency of the expert assigned to the process of drafting the first Anticorruption Strategy for Kosovo under the leadership of the Anti-Corruption Agency (ACA) illustrates this point well. Although a working group had been established to implement the process, in reality only two people, a local and an international expert, managed the entire project. According to those involved, the EU's international expert had a very hands-on approach: "Members of the working group always agreed with whatever the external expert would say, even if it was a mistake, in the sense that it was not in accordance with the legislative and policy context in Kosovo."(Personal interview with former adviser in the Anti-Corruption Agency of Kosovo, March 9, 2018).

The role that the subcontracted experts assume in practice, as previously mentioned, seems to be one of consensual external interference, which is to say that engagement of subcontracted experts is welcomed and encouraged by local institutions that do not mind external actors driving the process in reality. Field research observations show there seem to be a number of interrelated reasons for this. First, local institutions arguably have no choice but to turn to the EU for help to write concept documents and laws as they are weak and lack sufficiently qualified personnel due to political interference in public recruitment. While it can be argued that the process was entirely new to Kosovo and therefore it needed the support, seeking EU help was also very much a matter of convenience as the product--be it a concept document or a law--came with an assumed seal of approval by the EU if written by a subcontracted expert.

According to local officials, the EU has a tendency to trust products more when they are written by experts contracted through their projects. It is striking is that sometimes these subcontracted experts are individuals who benefited from an EU funded scholarship scheme ('Young Cell Scheme') supporting specialized education of Kosovans in an EU university which obliges them to work for local institutions for three years. The expectation is that the scheme would address capacity gaps. However, consultancy sector salaries are much higher than local salaries, and supervisors at local institutions often snub such individuals for political reasons, thus they end up working for the technical assistance project.

While subcontracted experts are seen as necessary in a situation where local government does not have capacities, part of the problem with their engagement seems to be the substantial autonomy they enjoy in their work and their hands-on approach. While subcontracted experts are funded by the EU and work on its behalf providing support to the local government, they neither share the assumed idealism of the EU in helping Europeanization of a country, nor are they part of a hierarchical accountability system. The power of subcontracted experts in the law-making process has led to a degree of experimentation which has had a negative influence on rule of law. What constitutes best practice in rule of law is itself left to be defined by the subcontracted experts in the process of law-making. Under the guise of accepting EU best practice and norms, the government is often pushed to approve laws that have short life-spans. This is, however, only one of the factors that contribute to weak statebuilding outcomes, and it is one that is to some degree overlooked in the existing literature.

The problem here again is that a subcontracted expert does not have to base their input on a particular set of criteria defining the EU best practice, nor are they even required to coordinate the particular ideas with the EU. They simply integrate what they believe are good practices from their EU home country. Those are then taken up the chain of hierarchy and form the EU position on what constitutes a best practice or norm in the EU vis-à-vis a particular law. As explained by an interviewee: "The EU does not have a guideline in choosing or determining what constitutes best practices from the EU. This is largely decided subjectively by the subcontracted expert involved in the process. This means it is determined by the country of origin of the expert." (Personal interview with a local civil society leader, March 3, 2018). In other words, beyond harmonization with the *acquis*, the idea of norm diffusion in practice is neither defined nor materialized by the EU per se, so it can become an improvisation, albeit not in all cases, carried out by subcontracted experts. As former Director of Kosovo's Anti-Corruption Agency stated, "the problem with the EU is lack of harmonization or

coordination". (Personal interview with a senior official from Anti-Corruption Agency of Kosovo, August 24, 2018).

To illustrate this, this chapter examines three important and interrelated cases in Kosovo's fight against corruption and organized crime. The anticorruption legislation and institutional framework in Kosovo was largely based on the Slovenian model. The decision to adopt the Slovenian model was not a result of a feasibility study, but a decision made solely by the expert engaged to support development of the law—because he was Slovenian. While one can argue that the Slovenian expert was chosen out of consideration for the similarities between Kosovo and Slovenia, in terms of the size of the country, administration or previous experience in Yugoslavian federation, there are particularities in the Kosovan context that are important for norm diffusion. Despite local demands for stronger authority for the Anti-Corruption Agency and the local desire to separate the law on organization and function of the Agency from other important anticorruption laws, such as the one on declaration of wealth and assets by public officials, the expert involved insisted that Kosovo only needed one law against corruption--because that was how it was in Slovenia (Personal interview with a senior official from Anti-Corruption Agency of Kosovo, August 24, 2018). This became the position of the EU Office as well, which then eliminated local actors' ability to do anything about it. Much of Kosovo's anticorruption legislation consequently became a copy-paste of Slovenian laws. The model did not work. A few years later, with the EU itself highlighting the need for it, the legislation was changed (Personal interview with former adviser in the Anti-Corruption Agency of Kosovo, March 9, 2018).

The second example relates to the drafting of the Law on Declaration and Origin of the Property and Gifts of Senior Public Officials (No. 03/L-151 of 2010). Overseen by the lead subcontracted expert funded by an EU project, the law was completed, submitted to and approved by the Kosovo Assembly. The law required the Anti-Corruption Agency to publish personal data on the wealth and assets of elected officials. This, it turned out, was against the Law on the Protection of Personal Data (No.03/L -172 of 2010), largely written by another EU funded project (Personal interview with former adviser in the Anti-Corruption Agency of Kosovo, March 9, 2018). Thus, the law – on wealth declaration - was changed within six months of being implemented. The third example in this context relates to the process for developing policies for personal data protection. As explained by a civil society leader in Kosovo, "Kosovo had zero expertise in this subject and the EU was involved from the beginning: first by bringing experts to draft the law, then by supporting the process of

establishing the Agency for Personal Data Protection." (Personal interview with a local civil society leader, March 3, 2018). However, the Agency for Personal Data Protection had to be totally transformed after years of ineffective performance as the Bulgarian model that it was based on simply did not work in Kosovo. Of course, it is not entirely the responsibility or fault of subcontracted experts, but their role in the shortcomings of statebuilding interventions and designs and how different it can be from the set-up of the external statebuilding intervention should not be ignored.

The background and experience of subcontracted experts is important, and the EU does not seem to account for this effectively. Anticorruption legislation is heterogeneous among EU Member States and the EU does not have a systematic approach for validating what counts as a best practice or a good model from one Member State for diffusion or adoption in another context. This is left entirely up to the subcontracted experts to decide. As we saw with the anticorruption legislation in Kosovo, this method creates the risk of experimentation and improvisation, leading to a failure to develop a functioning legal and institutional framework. This is also important in relation to 'EU norms' in general as it is unclear what norms these experts are actually diff/using. According to a local civil society leader who has worked with consultancy companies in law-making processes, the subcontracted experts display loyalty for their Member States while often regarding the institution of the EU itself with contempt. (Personal interview with a local civil society leader, March 3, 2018). Thus, when such subcontracted experts are working on behalf of EU with the responsibility to ensure that a particular law reflects EU standards and best practices, they are not measuring their efforts against an EU template, but against the experiences of their own home countries. Given the widespread criticism of the UN's template-based approach to statebuilding, it may be appealing for the EU not to have a template. However, as demonstrated by the examples discussed above, having a diversity of templates can also mean a failure on the EU's part to impose a coherent model or framework for statebuilding processes.

In order to minimize friction and local resistance, as well as to ensure cooperation, a common practice among EU funded projects is to recruit influential local leaders to work as experts in a given project. For example, the EU funded project to support the Ministry of Justice of Kosovo to develop a Civil Code and harmonize Kosovan legislation with European standards hired as an expert the former Deputy Prime Minister who also was a high-ranking member in the same political party as the Minister of Justice (Personal interview ith a team member of an EU-funded technical assistance project for justice sector, November 15, 2017). Another

practice to ensure the same goal is government buy-in of technical assistance projects. Government salaries in Kosovo are low. If a Minister cannot afford to employ a particular individual, or simply wants better salaries for cabinet members, they often turn to the technical assistance project. While this practice enables the Minister to have more qualified or better paid personnel, several problems exist with this kind of arrangement. It politicizes technical expertise and creates conflicts of interest as such individuals wear two hats: one of project experts, and the other of advisers to the Minister. According to a local government official, "the government would use these individuals to manage the goals project" while the project would use them to ensure validity and confirmation of performance (Personal interview with a senior civil servant from the Ministry of European Integration of Kosovo, November 20, 2017). This arrangement is detrimental to the principles of transparency and accountability that the EU promotes aggressively vis-à-vis the domestic institutions.

The work that subcontracted experts do also raises issues of accountability in EU funded projects that do not receive necessary attention in policy circles or academia. For instance, as explained by a former senior official of Kosovo's as Anti-Corruption Agency (ACA), the EU was funding a two-million Euro technical assistance project to help the agency improve outreach and raise public awareness against corruption (Personal interview with former adviser in the Anti-Corruption Agency of Kosovo, March 9, 2018). While the agency welcomed the project and the support, in practice they had little input into designing its interventions and activities, despite having the best knowledge of where the problem lay with respect to public awareness of corruption. According to the official, the project was designed to distribute brochures, banners and posters with catchy phrases that failed to address the actual problem. Kosovars were well aware that corruption is bad and why. What they would have benefitted from was more information about the institutions set-up to fight corruption, the legislation in place and how they could themselves contribute to anti-corruption measures. The project team, however, behaved with arrogance, ignoring the local actors and their input. What the local actors understood from the project team's conduct was that they were not truly interested in achieving the EU's goals for the project. Instead of acting as the service providers they were, the project team behaved as if they were the EU itself, and acted with condescension towards the Agency. While the EU did not continue with the project once it ended, it ignored all local requests to modify its goals and design while it was still in existence. Furthermore, the EU never held the project accountable for failing to meet its obligations. Elaborating on the project team's behaviour, the official explained they appeared to harbour

a superiority complex with regard to locals, while simply copying ideas for the project from other countries with total disregard for their applicability in the local context.

When the government creates working groups for developing a law or a policy document, the subcontracted experts involved in the process are part of the group, which sometimes also includes officials from the EU Office. This practice has a positive impact for local agency. A member of Kosovo's civil society interviewed for this research, noted that "EU participation in the law-making process enabled the government working groups and the process itself to be open and to include all actors, even critics, which the government would most likely not have done otherwise." (Personal interview with a legal analyst from a local NGO, August 16, 2018). But, there are also shortcomings. The same individual explained, based on his personal experience as part of a government working group, the most serious resistance to his input came not from government officials but from the subcontracted experts who defended particular provisions of the draft-law with more fervour than local officials (Personal interview with a legal analyst from a local NGO, August 16, 2018).

There are three important findings from this section. First, it seems that a combination of several factors—lack of capacities, high political instability, and uncertainty with sovereignty, recognition, and EU membership prospects—resulted in Kosovo being highly dependent on external expertise, especially from the EU. While this is normal and the EU has responded positively to the request for support, how the support was provided in practice has inadvertently weakened local agency. The EU has responded to the situation not just as a concern but also as an opportunity. Heavy reliance of the EU on subcontracted experts has implications for local ownership as well. Equally important, is how this reflects in actual commitment of the EU to the country. A senior official from the EU Office in Kosovo stated without any hesitation that the EU personnel in Kosovo does not really "care about the process, they are here just for the money. The EU's administration is no different than any civil service in other countries, it is not effective and it is lazy," (Personal interview with senior official of the EU Office in Kosovo, July 6, 2018). Therefore, perhaps the EU's approach of heavily reliance on subcontracted experts is not just a result of lack of capacities within the EU institutions in the ground but it seems to suggests it is also a result of a lack of genuine interest among the 'EU people' in the ground to meaningfully engage in supporting democratic transformation and good governance in Kosovo.

The existing account predominantly problematizes the top-down approaches and the patronizing relations between the 'international' (representing power, knowledge, the norm and the good Samaritan) versus the 'local' (that requires help to learn and implement the Western-way) and the friction between them over influence and power. By investigated deeper through the lens of the everyday, it has been possible to reveal the agency and extent of influence of subcontracted experts in rule of law. While their interests are first and foremost economic, often their deeply held personal beliefs can transform into an agenda that reproduces particular cultural narratives or political positions from their home States in the country where they operate, without regard to local context or needs.

Secondly, the EU's flagship initiative to break the cycle of local dependency on external expertise is called the 'Young Cell Scheme' initially fully funded by the EU.[6] Through this program Kosovars are able to acquire higher education in EU universities in areas deemed as capacity gaps in public administration. Those who participate in the program are obliged to return home and work for the government for three years. While this approach has had an important positive impact on the civil service and for the development of human resources in the public sector, there is a flip side. Due to a shortage of available work placements for YCS alumni, once their three years of mandatory work is over, many are often recruited by consultancy companies that implement the EU's technical assistance projects. These individuals are sought after because they have a good education, understand EU *acquis*, and have important experience working with the government. According to a senior government official whose departments saw a number of qualified personnel migrate to work for consultancy projects, it happens for two reasons: EU projects or other development agencies offer higher salaries; and, such individuals do not see civil service as an attractive career choice. (Personal interview with senior official from Ministry of Justice of Kosovo, April 7, 2018). In other words, both the government and the EU are incentivizing capacity migration from public institutions into the private and non-government sector.

Lastly, an important limitation concerns the extent to which actual EU personnel are involved in the process of law-making. Again, while the involvement of the subcontracted expert is normal, what is unusual is their level of autonomy—especially in determining what constitutes EU best practices—and the lack of accountability with which they are allowed to operate. The EU Office usually relies on the network of subcontracted experts for first-hand information

[6] Read more about the Young Cell Scheme (YCS) in this link: https://ycskosovo.eu

on a particular issue or institution, which raises ethical questions about their obligations vis-à-vis the local institutions. More importantly, it is also an important tool that subcontracted experts use for economic purposes, be it to extend the life of an existing project or to initiate new projects. Just as Kosovo relies heavily on external expertise, so does the EU itself seem to be dependent on consultancy companies to deliver and implement support to local institutions. The outcome of this is the development of a highly influential consultancy industry worth millions of Euros that, when examined from the lens of the everyday, appears to do much of the statebuilding in practice. One of the main implications of this situation is that it trivializes democratic principles of governance and agency and actorness of the Kosovo's public institutions and of the EU itself. Subcontracted experts are seen as the main representatives of the EU's normative power, which they greatly use to their advantage. For the EU this means that such experts are the main norm entrepreneurs. As this chapter asserts, this can become an issue with respect to the extent of the technocracy's influence in shaping the national decision-making process in a context of democratically functioning of public institutions. This is the subject of the next chapter which examines public administration.

4.5 Conclusion

This chapter has examined the EU's everyday practices in diffusing its norms in the rule of law sector in Kosovo, specifically in the law-making process, through informal encounters, embedment in rule of law institutions and subcontracted experts. Within this framework it outlined the agency of the EU and how it influences the decision-making process in order to ensure desired outcomes. The chapter showed that while the EULEX Rule of Law Mission in Kosovo is largely seen as the main protagonist working on behalf of the EU to promote rule of law in Kosovo, when examined through the lens of the everyday subcontracted experts become apparent as a major shareholder of norm diffusion in the law-making process. These actors are often overlooked in the existing literature pertaining to EU peacebuilding and statebuilding.

The account presented in this section illustrated how mundane elements impacted the EULEX personnel embedded in Kosovo Police and Judiciary, and adds a new perspective to the question of what went right and what went wrong with the EU's biggest CSDP mission, the EULEX. It shows even the smallest or most mundane elements can have an important positive impact, as well as create significant obstacles for the mission in implementing its mandate. In

this sense, this section made two important contributions. The EU was not entirely prepared to deploy and manage a complex statebuilding mission focused on the rule of law such as EULEX. The everyday exposes this by emphasizing how in some cases rotating judges, prosecutors and police on an annual basis might have directly impacted the EULEX's ability to follow through on the cases against organized crime and corruption. It also reveals how EULEX personnel seemed unprepared at times for the local legislation they were mandated to implement, making procedural errors that led to important anti-corruption cases being dismissed by higher courts. However, the everyday also sheds light on instances where the mission improved capacities that might otherwise have been considered too mundane and, therefore, would not have been registered by conventional methods of research.

By taking the everyday approach, this section also revealed the various ways in which local agency is undermined. This applies to both local technocrats and civil society. For instance, based on the interviews with local civil society members, their experience of being part of government working groups on drafting a particular law was that it was more difficult to convince EU officials or EU-backed experts than the government officials in the groups of their norm-based input (not technical issues that could be justifiably rejected as unfeasible) because the former seemed to be the true owners of the document's content. These actions are detrimental to government accountability and transparency, and they undermine government authority in the eyes of the civil society. This is a mismatch between what actually happens and what EU promotes, which is that the government should listen to civil society in decision-making processes. A similar situation exists in relation to local technocrats in the policy-making process with subcontracted experts expanding their role as capacity building supporters into de-facto owners of the process of setting government policy. Government technocrats whose job description is to write government policies in practice become assistants to the subcontracted experts. They are listened to because they are supposed to diffuse best practice and standards from the EU but they base their input on their own personal experience, resulting in the government sometimes adopting policies that are not in harmony with each other, creating concrete consequences for citizens.

In other words, this section provides three important alternative ways of looking at the EU as a statebuilding actor in practice. First, it provides an alternative account, compared to the official reports, of what actually takes place in practice with the implementation of the EU's technical assistance and capacity building support for the local institutions in the framework of diffusion of EU norms and best practices. Secondly, it present an alternative view of the

role of the subcontracted experts in law-making process, not only as agents of knowledge transference to local institutions, but also as obstacles for the local participation and ownership over the transformation of the state institutions and policies. Thirdly, it expands our understanding of the EU as an actor of norm diffusion, by providing more clarity of who actually translates what norms or best practice should be diffused in a particular sector. It shows that the EU itself, which is to say officials from the European Commission stationed in the country are not effective in engaging with the process that is controlled by subcontracted experts. In this sense, this thesis helps explain why improvisation is observed in EU's statebuilding approaches.

Furthermore, analyses in this chapter have demonstrated that in order to have a deeper understanding of where the EU has failed and where it has succeeded in building a society based on the rule of law – as per the desired outcome as stated by the EU – then the focus should not be only on hard measures that the EU has employed in Kosovo, such as investigating and prosecuting crime and corruption through EULEX. It requires a closer investigation of what can be called 'soft measures' in addressing capacity gaps among local rule of law institutions. As a result, both the EU and the local government are heavily reliant on external expertise. From this perspective, external expertise trivializes the agency and actorness of the EU and local institutions, because it displaces the law-making process from the public sphere to the private sphere and from local public officials and EU representatives to subcontracted experts. In this context, the chapter showed that the public sphere is used as a mere procedural necessity to legitimize the input and the work from the subcontracted experts.

What does this mean for the peace and conflict literature and EU studies? It suggests that beyond romanticisation of norm diffusion, the process is not fundamentally materialized through mercenaries of knowledge who, while acting on behalf of the EU, are neither constrained by the EU's rules nor share its assumed idealism of Europeanizing other countries. This leads to an important question concerning the actual extent of proper EU involvement in norm diffusion. Finally, what does this mean for the rule of law? It means that much of the problem in ensuring rule of law stems from the very process of developing the laws. Due to the heavy dependency of the local institutions on external expertise, they are not involved substantially in developing policies and feel obliged to accept different models proposed by subcontracted experts without proper feasibilities study of the local context. Only when implementation starts do the problems with the particular policy become apparent and require

change. The autonomous nature of the work of subcontracted experts limits the EU's ability to have a coherent and coordinated approach to the process of norm diffusion, and damages the reputation and credibility of the EU as a normative power.

Chapter 5: Reforming Public Administration in Kosovo

"The EU efforts in Kosovo were always somewhat of dualistic nature, like Jekyll & Hyde. One EU persona in Kosovo was involved directly in setting up state structures, policies and supporting various reforms, while the other EU persona would make assessment of those policies

and reforms and blame the locals for the shortcomings or other mistakes" (Personal interview with a former minister in the government of Kosovo, March 27, 2018)

"A lot of the EU money goes to the EU consultants and often to unnecessary consultants. Probably Kosovo is the most over trained country per capita in the world." (Personal interview with a former member of the government of Kosovo, April 20, 2018

Rebuilding, transforming, and reforming public institutions is a central feature of statebuilding interventions in post-conflict and fragile societies. This is because the outbreak of the civil wars in the 1990s demonstrated that creating inclusive institutions that foster democracy and participation and enable effective governance and delivery of services to citizens are crucial for durable peace and sustainable states. The process of institution-building from external actors has been primarily based on the Weberian understanding of democratic institutions, and it has focused on internalization of Western democratic practices in complex and diverse societies, in most cases with little success (Fukuyama, 2004; Hearn, 2015). Consequently, institution-building has been a process of negotiating the proclaimed normative commitments of international community with the interests of main stakeholders and the reality of feasibility to implement Western templates of institutional design on the ground (Wolff, 2011).

Institution-building is also central to European Union (EU) approaches to statebuilding (Youngs, 2004). For the EU 'trust in institutions' is a key feature of a resilient and democratic society, which is the underlining theme of the Union's external engagement (The European Commissionq, 2016). This is also evident in the data showing that "majority of EU governance aid – about 67 percent between 2005 and 2014 – has been spent on supporting the effectiveness of government institutions." (Hackenesch, Good Governance in EU External Relations: What role for development policy in a changing international context?, 2016, p. 23). Unique to the EU's approaches is the prioritization of reforms in public administration as well as the extent of engagement with the local bureaucracy and bureaucrats in other countries, which has received less attention in the literature. For the EU, institution-building is about strengthening capacity for good governance, which entails effective, efficient, transparent and

accountable state bureaucracy. Dominik Zaum (2007, p. 107) holds that "[e]ffective governance of a modern state without a functioning bureaucracy is unthinkable". Public administration is particularly relevant because the bureaucrats or civil servants, administrative procedures and public services represent the first point of contact of the citizen with the state. In the words of Joel S. Migdal (2001), this is what makes the 'state tangible' (Migdal, 2001). This is also reflected in the EU's understanding of it, where public administration encompasses all key services that the state offers to citizens and business community, including healthcare, social welfare, education, infrastructure and agriculture.

While we know why public administration reform is important for the EU, we know less about the EU's role in practice. Most of the published material on the EU's approaches to public administration reforms focuses on the overall performance of the reforms and their impact, rather than on the details of the process of designing the reforms. The main assumption is that the EU provides support to develop necessary capacities of the state to implement policies and deliver services for the citizens and the business community through expertise. Also, that the EU establishes a set of principles to guide the process of reforms and applies them, in the case of accession countries, through its conditionality policy. However, an alternative view of the EU's extent of engagement in the process of public administration reform is possible through the lens of the everyday.

This chapter finds that public administration reform is treated by most statebuilding actors in Kosovo as an EU exclusive field. In EU Member States it is not seen as an attractive field of involvement, and is treated as a highly technical and boring process (Personal interview with an embassy staff of an EU member State, August 29, 2018). Even within the EU, the political element of the EU usually leaves the management and leadership of the public administration reform (PAR) process to its technocrats. However, this chapter finds that local actors assume major political obligations disguised as technical PAR reforms. This chapter also finds that local actors do not view the EU as a trusted and ethical partner for cooperation in the framework of PAR. Rather, it is seen as an actor that constantly shifts its positions vis-à-vis an agreed reform process. This chapter argues that the EU dominates negotiations with local actors in defining priorities of the public administration reform agenda. Local actors feel too intimidated to oppose the EU, and EU officials do not hesitate to use intimidating language to stop a domestic decision-making process if it does not reflect the EU's interests. This is a mismatch with the self-proclaimed commitments of the EU as a normative and ethical actor. Finally, this chapter shows that the EU in the framework of public administration reform

process acts more like a political actor than an empirical actor whose positions vis-à-vis the process are grounded on facts and empiricism and not calculations of political interest.

The argument of this chapter unfolds through two examples that investigate how the EU engages in setting priorities for the public administration reform agenda, and how it approaches implementation of agreed policy changes with the local actors. These two issues are examined against the EU's claimed commitments to ensuring local ownership and partnership with the local institutions. The chapter starts by examining the EU's understanding of public administration as and providing background information on the public administration reform process in Kosovo, in order to set the stage for investigating the EU's everyday practices. The following section then investigates how the EU approaches local actors when negotiating public administration reform priorities. In this section a particular instrument of the EU's budget support, the Sector Reform Contract for Public Administration, is used as an example to unearth practices that seem to control and dominate local input and participation in the process to the detriment of local agency. The next section investigates policy implementation in public administration and shows that, here too, the EU's role is dominant in creating the criteria for what is and is not accepted as reform.

Both empirical sections point to the fact that the EU's positions in the PAR process are not always based on the input of expert findings but are sometimes determined by other interests. These interests can be mundane or stem from other EU-led processes. The chapter finds that these practices fundamentally undermine not just local agency but also the EU as an actor, and the actual implementation of targeted reforms. Furthermore, the chapter illustrates how the EU lacks a planned and strategic approach to the process and tends to improvise and experiment. The last section concludes the chapter with a discussion on implications for the EU as a statebuilding actor.

5.1 Understanding EU's priorities and approaches in reforming public administration

Weak capacities among local institutions are largely accepted as a key challenge that impedes statebuilding intervention. Chandler and Sisk argue that the syndromes of state fragility include "its capacity (ability to formulate and implement policies), and its legitimacy (or justification of the 'right' of state elites to rule)." (Chandler and Sisk, 2013, p. xxi). The EU recognizes this, and has introduced dedicated instruments for providing budget support to

partner countries to design and implement policy changes in the public sector in ways that ensures that local institutions are leading the process and effectively participate. This thesis holds that the everyday unearths how local agency is undermined through practices that hamper participation and influence of local actors in defining priorities for reforms in the public sector. Accordingly, this chapters finds that the EU controls and dominates the process of formulating and implementing policies in public administration through practices that impose on local institutions an agenda of priorities that does not match the Union's normative commitment.

Promoting local participation is a core issue for the EU as a normative agent and this is well documented in literature and policy-documents, and it is a cross-cutting priority for all EU's programs and instruments of statebuilding (Council of the European Union, 2005). For example, most recently the EUGS underlines concepts such as 'locally owned' and 'bottom-up approaches'. The EU is presented as "distinctly 'ethical' in character" with respect to its external dealings (Hyde-Price, 2008, p. 30). The EU wants to be different from other actors on these issues and, accordingly, wants to be viewed and assessed on the basis of its commitment to local participation. However, current research holds that the EU imposes norms and not only fails "to resonate with local actors" (Björkdahl and Gusic, pp. 265–287), but it is also unethical and it is manifested through contestation and unsustainability of instituted changes. Musliu and Geci (2014), and Mahr (2018) point out that local contestation weakens the EU's legitimacy and this affects the EU's mission, particularly in the rule of law area. Some scholars attribute the EU's failures to promote local ownership to its 'politics' and 'policy-making' (Ejdus, 2017). In addressing these challenges, the EU, like the UN and other actors, utilizes civil society organizations as an instrument in creating public support for interventions (Walton, 2012). Even within the EU, as Rosa Sanchez Salgado's (2014) research shows, unlike the commonly accepted wisdom, it is not civil society organizations that are influencing the EU's agenda but the EU that is influencing civil society organisations. According to Genevieve Schmeder and Mary Martin, the problem is more fundamental and has to do with what they call 'lack of a philosophy or ideology of popular support, and this undermines its legitimacy and effectiveness both in its relationship with its own citizens and as a global actor which aspires to exert a positive influence on the lives of those beyond its borders. (Schmeder and Martin, 2011). Examining how this lack of philosophy and ideology is manifested in practice then is relevant.

The definition of good public administration is a subject of debate closely associated with institution-building and good governance, and it is often seen as belonging to the domain of development studies (Börzel, Pamuk, and Stahn, 2008). From the development studies perspective, public administration is largely about improving governance capacity and it is associated with concepts such as regulatory reform, capacity development, decentralization, and civil service reform. Meanwhile, from a statebuilding perspective it is about building and transforming legislative and institutional frameworks as well as strengthening good governance. There is no single definition of the notion of public administration, but it can best be 'variable geometry' (Casini, 2008). The EU's policy documents define public administration reforms (PAR) in broad terms to mean "strengthening institutional and administrative capacity, reducing the administrative burden and improving the quality of legislation". (European Commission, 2014, p. 4). As such, it is in the EU's broader framework of accession conditionality and public administration reform, together with rule of law and economic governance. It is one of the crosscutting, 'fundamentals first' policy areas (European Commission, 2015), and therefore a precondition to meeting the three Copenhagen Criteria.

Focus on PAR has increased in recent decades due to the growing acknowledgement in policy circles that efforts to build democratic and market-oriented states heavily depend on the capacities of the public administration to carry out such policies. During the Cold War, external support for public administration was being offered in the context of a bi-polar world and the focus was primarily on agricultural institutions and elite training. In the 1980s there was a shift in the focus towards public finance management, aimed at reducing government programs efforts spearheaded by IMF and World Bank, as noted by Francis Fukuyama (2004). In the 1990s, following the end of the Cold War and the collapse of the Soviet Union, the Western international community faced a serious challenge in dealing with massive bureaucracies left over from communist style organization of the state. This led to statebuilding efforts being about the promotion of Weberian administrations that are hierarchical, depoliticized and professional. Max Weber conceptualizes civil servants as non-political entities that have the "ability to execute conscientiously the order of the superior authorities…." (Weber, 1948, p. 95). Furthermore, Weber holds that "[w]ithout this moral discipline and self-denial, in the highest sense, the whole apparatus would fall to pieces" (Ibid, p. 95), adding an important point to the argument to the relevance of public administration, particularly vis-à-vis state fragility.

This understanding of public administration has strongly influenced the EU's approaches. Although the EU does not have *acquis* for public administration (European Commission, 2017-b, p. 1) it has integrated public administration reform as a key priority in its statebuilding approaches. Organisation of institutions being a traditionally national domain, without *acquis* imposing requirements of uniformity across its Member States, the EU seeks to bring accession countries' institutions to a 'level-playing field' with those of its existing Member States through reforms in public administration. That is why PAR is part of what the EU calls 'fundamentals first', meaning it attaches significant relevance to PAR in its dealings with other countries within the framework of its enlargement policy (European Commission, 2015). PAR is seen by the EU as an important factor contributing to stability. It is also seen as the main field of exercises of EU's governmentality. In this sense, public administration represents a portfolio that is commonly accepted by Member States as belonging exclusively to the EU institutions (Personal interview with an embassy staff of an EU member State, August 29, 2018). In this sense, the EU has a lot of leverage in this area in countries that are seeking membership in the EU.

There are a set of common features of the EU's understanding of what legal, policy and institutional reforms are needed in public administration, and these include: merit-based recruitment of civil servants, establishing a legislation that, among other benefits, provides protections against the politicization of public administration, improving public service delivery and accessibility, reducing administrative burdens for citizens and businesses, strengthening capacity of institutions, promoting inclusive and participatory policy-making processes, and the rationalization of institutions (Walle and Scott, 2009). In the case of Kosovo, several of these very specific requirements are explicitly outlined in its SAA (Stabilization and Association Agreement) with the EU (Kosovo/EU, 2015). A number of policy documents highlight that the EU's involvement in supporting public administration reform is part of its efforts to expand its normative framework. Fundamentally, however, it is also about the EU's own interests, echoing the democratic-peace thesis, that in countries where public administration is capable of providing good services to citizens and the business community and has the capacity to effectively implement government policies, leading to reduction in corruption and economic growth (Hackenesch, 2016).

In order to support implementation of reforms in public administration, the European Commission (EC), jointly with the Organization for Economic Cooperation and Development (OECD), established the Support for Improvement in Governance and Management

(SIGMA). This is the flagship program of the EU's support for public administration reforms in the Western Balkans, as well as in countries covered by the neighbourhood policy such as Ukraine, Georgia and Lebanon, among others. SIGMA works directly with governments in these countries to design and implement public administration reforms. It has developed the 'Principles of Public Administration', which provides guidelines and a detailed description of what good public administration entails in practice (SIGMA, 2017). The roles of the EU and SIGMA are promoted as focused on providing advice based on the experiences of the Member States of the EU and OECD countries.[7] As a result, implementation of experiences of EU and OECD Member States in countries like Kosovo is met with the challenge of capacities. This also provides the main agency for the EU and other actors to intervene on behalf of capacity building. However, as this chapter finds, these interventions are not always about truly creating the missing capacities but rather to define and determine the policies and priorities of the local government.

The process of addressing major problems in public administration in Kosovo started in 2007 when the government approved the first Public Administration Reform Strategy, with two key goals: to bring public administration of Kosovo in line with best practice in the European Union (EU), and to develop capacities for good governance. A subsequent Action Plan for the period of 2009-2012 prioritized depoliticization of the civil service, reviewing the organization of public administration, and promoting e-governance. The institutional reviews were supported through the Functional and Institutional Review of Ministries (FRIDOM) project funded by the Department for International Development (DIFID) and implemented by a consortium of companies from the EU Member States, including Ireland and Spain (Personal interview with a civil servant from Ministry of Public Administration, March 28, 2018).

The comprehensive FRIDOM document contains concrete recommendations on how to change the entire organizational structure of public administration in Kosovo. Following the conclusion of the Public Administration Reform Strategy 2010-2013, the Government changed focus from institutional reforms to "capacity development, defragmentation and rationalization of processes and services that administration delivers to citizens and other beneficiaries, based on professionalism and non-politicization within civil service" (Government of Kosovo, 2015, p. 4). In 2015 the government made a conceptual shift from

[7] Read more at: http://www.sigmaweb.org/countries/

reforming to modernizing, in line with the EU's discourse, and adopted the Strategy for Modernization of Public Administration 2015-2020 (Ibid). The subsequent Action Plan 2018-2020 for implementation of the strategy outlines major interventions on the part of the government (Government of Kosovo, 2018).

A common argument posed in the form of a question to counter the criticism towards the EU's hands-on approach in the PAR process asks what the process would look like should the EU be absent from it? Would it lead to less or more politicization? Would public administration even be a government priority? While there is consensus among government officials and civil society that without the EU, the PAR agenda would not be a priority, it is also accepted that Kosovo never had the chance, like EU Member States, to have its own conversation about the kind of administration it wants to build (Personal interview with a senior official from the Department for Public Administration Reform in the government of Kosovo, January 18, 2018). From the start, Kosovo's public administration was built by external actors, and the government has ever since transitioned from one externally required strategy to the next (Personal interview with a member of a local think-tank monitoring public administration, Prishtina, September 11, 2018). One of the reasons why there is no EU *acquis* for public administration is that every country has particularities and specific experiences that require a certain type of public administration. Kosovo never had the chance to have that conversation and, therefore, the public administration reform process from the start has been about satisfying external demand rather than about responding to domestic needs.

The focus of the EU in recent years in the framework of the PAR process in Kosovo has been to push for changes in two major areas: recruitment in the civil service and rationalization of independent agencies. Both of these, besides addressing inherited challenges from the process of institution-building led by UNMIK, also manifests failures of previous attempts by the EU, most notably when Kosovo approved the law for civil service and the law for state administration in 2010 for the first time after declaring independence. Recognition of the laws was evident in the EC's 2015 progress report for Kosovo, which notes that "[m]erit-based recruitment and promotion are enshrined in law in line with the principles of public administration, but not systematically implemented" (European Commission-b, 2015, p. 10). However, this language slightly changes in the 2016 report where the EC, while still acknowledging the problems with recruitment in the civil service, also requires that the 'planned' government process of approving a legislative package be done in an inclusive

manner (European Commission, 2016, p. 10). In the 2016 report the EC also demands a review of all the independent institutions. Uncontrolled processes of establishing executive agencies under government control and independent agencies under the Kosovo Assembly created confusion in terms of responsibilities and challenged norms of democratic accountability. When discussing this problem, though, local actors also say that majority of these agencies for which the EU now blamed Kosovo, were created in the first place as a request from the EU (Personal interview with a senior civil servant from the Ministry of Public Administration, September 10, 2018). This presents a unique case study where the EU's requirements are diverted and reinterpreted in domestic processes of decision-making to integrate political interests. So, while the EU might require establishment of independent institutions, this request can be taken as an opportunity by local political parties, both to establish additional agencies and to appoint 'their people' in the new institutions. Interference from local political leaders in the exercise of the functions of agencies necessitated a more interfering role on the part of the EU. Agencification represented a conceptual clash with the EU whereby local actors saw agencies as employment opportunities for their loyal supporters while the EU proposed their establishment as means of serving a function.

The process of rationalization of agencies became integrated into the two key instruments of the EU that support public administration reform process: The Sector Reform Performance Contract for PAR (SRC-PAR) and the Special Group for PAR (SG-PAR). The SRC-PAR is part of the EU's development approaches of direct budget support that includes direct financial transfers to the treasury of the partner country if agreed targets are met by the local government. The European Commission (EC) promoted this mechanism to the local actors as an important tool for strengthening local ownership (Personal interview with a senior official from the Ministry of Justice of Kosovo, September 20, 2018-c). The EU's own policy document highlight that the SRC-PAR approaches are "consistent with the principles of ownership, transparency and accountability" (European Commission, 2017-a, p. 15). Kosovo signed the 2018-2021 SRC-PAR with the EC in 2017, and started implementation in 2018. It outlines eight concrete indicators for the government to fulfil each year, and it is assumed that these indicators are taken from existing national documents. Implementing a rationalization process of independent agencies, as well as adoption of a new legislative package for civil service, salaries in public sector and organisation of state administration are two of the key indicators. In order to incentivize the government, each indicator is assigned a particular

financial amount that would be disbursed directly to the national budget if it is fulfilled, with a cap of 5.5 million Euros per year (Kosovo/EU, 2017, p. 17).

As previously explained, the EU considers public administration reforms (PAR) a vital enabler for norm diffusion by ensuring the partner government has the necessary structures and capacities to implement EU requirements. Therefore, it is a crucial priority area for the European Commission. To have a better understanding of how the EU engages with the PAR agenda, it is necessary to examine the Sector Reform Performance Contracts (SRPCs) which are one of the EU's instruments of budget support. The Kosovo government negotiated the Sector Reform Contract for Public Administration Reform (SRC-PAR) in 2017 (Personal interview with a former minister in the government of Kosovo, September 19, 2018-a). What is new about this instrument is that each reform target that is negotiated with the local government is monetized with a particular financial amount attached to the reform. If the European Commission (EC) deems that the target was achieved, the respective money is directly transferred to the national treasury (EU Policy Hub, 2017, p. 1). The government has a strong incentive and direct financial stake in implementing the reforms, while having tangible targets allows civil society to be more effective in monitoring implementation and creating public pressure.

We know how the EU utilizes political dialogue, especially how it supports the budget to influence the public administration reform process and ensure that local governments have PAR as a priority, and that the reform agenda is ambitious and not just a lip-service to the Union (Ilazi, 2018). This does have a positive impact as, arguably, without the EU's insistence it is highly unlikely that Kosovo or any of the other countries in the Western Balkans would have prioritized PAR. However, we know less about how the EU's role really plays out the ground and about how the support for PAR is implemented in practice. For instance, how does the European Commission (EC) negotiate the objectives and agreed SRC-PAR targets with local actors? Answering this question is important as the EU considers that local ownership in the process of PAR is essential for its effective implementation (Hahn, 2014).

To address the issues raised in this section we need to focus on two areas: (1) how the EU conducts the dialogue and negotiations with local actors in Kosovo in defining priorities of public administration reform agenda; and, (2) how the EU engages in the process of implementing the agreed priorities. These two processes are important to investigate because the extent of EU involvement in them is very high, presenting a rich opportunity to unearth

practices that show the actual nature of the EU as a statebuilding actor—one of the goals of this thesis.

5.2 Controlling input of local actors in the process of negotiating contractual relations for public administration reform

Among the reasons the EU provides for utilizing budget support and SRPCs are that it ensures "alignment with country policies and systems" of what might be considered EU priorities, and it fosters the country's ownership of the reform process. Both elements are, according to the EU, essential for sustainable results (European Commission, Budget Support Guidelines, 2017). Ownership is also considered vital for policy credibility, and the EU Delegations, (in this case, the EU Office) is supposed to "assess to what extent institutional capacity is sufficient to implement the policy, combined with a view on the degree of ownership of the policy" (Ibid, p. 16). This is understood to mean that the EU should not push policies that are not fully compatible with local capacities or prevent local actors from feeling a sense of ownership (Ibid, p. 33). One way this is supposed to be achieved is by selecting the objectives and targets in the SRC-PAR from national strategies.

To answer the question posed in this section we need investigate how the Sector Reform Contract for public administration was negotiated, and focus on the micro-politics of the process of negotiated between the European Commission and the local actors (Kosovo government). Accordingly, this section finds that:

1. The EU tends to ignore or undermine local input in the framework of processes that define reform priorities;
2. The EU's approaches in supporting particular reforms often have to do with correcting mistakes from previous interventions on the part of the Union; and
3. Local actors on the ground are not seen nor treated as true partners by the EU.

The negotiations with the Kosovo government for preparing SRC-PAR started in 2017. Local actors saw the decision of the European Commission to invite Kosovo to participate in the instrument of SRPC in a very positive light, regarding it as an acknowledgment of the strategic framework on PAR as well as of the progress made. This was taken as a signal of the EU's confidence in engaging in more committed contractual relations with local actors to support reforms (Personal interview with a senior civil servant from the Ministry of Public Administration, September 10, 2018). The key part of the process of preparing SRC-PAR for

Kosovo included negotiations between the European Commission and the local government to determine the objectives and targets the Kosovo government would accept responsibility to achieve on an annual basis for three years. However, local institutions were not prepared for the process of negotiations. Senior officials from the government ministry responsible for conducting the negotiations at the technical level said the "process was very new and the group that negotiated did not have prior experience on this and nor did they receive support" (Personal interview with a senior official from the Department for Public Administration Reform, January 18, 2018). According to local senior officials, unlike the Kosovo side, the EU team was very well prepared for the negotiation with experts for different policy areas in the team. (Personal interview with a senior official from the Office of the Prime Minister, September 13, 2018-b).

Despite the lack of preparation, local institutions entered the process of developing and negotiating SRC-PAR with the EU as, according to them, they already knew that their role in practice – albeit with some exceptions – would largely be about what to pick from a menu of objectives and targets served to them by the European Commission (EC) (Personal interview with a senior official from the Department for Public Administration Reform,, January 18, 2018). In reality the negotiations were largely about the minor technical aspects of targets the government had to meet (i.e. the number of agencies that the government would be required to rationalize). What the EU team did to make local actors feel relevant or part of the process was to ask what could help them best. This gave the local actors a sense they were making decisions but the overall substance of the proposed reforms by the EU were not truly open to negotiation. If a particular reform target was rejected, it would mainly be the EC that would bring alternative suggestions.

This asymmetry in the negotiations process stemming from power-relations significantly undermined local agency. With no video-conference rooms in any of the local institutions, the negotiations were held primarily in the premises of the EU Office in Kosovo. While the situation had imposed the role of the host on the EU, it also reflected the power-relations at play. According to the local actors who participated in the negotiations, it also affected how they saw their role—or lack of one (Personal interviewJanuary 18, 2018). In the words of a senior Kosovo official, "during the negotiations we had the 'lower hand' and the start felt like a trap. I did not feel like an actor in the beginning of the process of negotiating SRC-PAR but how much of this was their [European Commission] fault is another question, we should have prepared ourselves with support" (Personal interview, January 18, 2018). Sometimes the EU

team would change their tone and approach towards the local technocrats (described as being less-authoritative) when a government minister attended the negotiations, which was very rarely. In such cases the practice on the part of the EU was to appease the minister, present minimal resistance to their inputs, then ignore it in the next meeting, with the local technocrats not raising their concerns (Ibid.,).

Why was this the case? An adviser to the Minister of Public Administration admitted, "we always looked at the international community and what they had to say and we simply followed their advice or braced their stance because we believed blindly they knew what is in our best interest." (Personal interview with a government adviser on public administration, August 17, 2018). When the EU took over the statebuilding process in Kosovo from the UN in 2008, they inherited a subservient institutional culture. This thesis finds that, instead of transforming it in line with its commitment to the norm and principle of local ownership, the EU appears to have subtly nurtured it. In other words, how can the EU claim that it believes and promotes local ownership when in the everyday it implements covert and hallowed practices that encourage the local technocrats to be accommodating?

This behaviour by the EU becomes evident in mundane elements, such as how initially local actors were pushed to believe they would receive the financial aid only if a target is met 100 percent, only to change it later. Based on advice from an external expert form an EU Member State, the local team, together with the expert, made the case to the EU that in some cases the percentage of financial disbursement could be aligned with the percentage of the implementation of a target (i.e. if the target is met only 50 percent, only 50 percent of the committed amount for the respective indicator would go to the national budget). In another mundane case, the SRC-PAR resulted in each target containing sub-targets (indicators and sub-indicators in the language of the SRC-PAR), enabling the EU to increase their expectations of the local government. The local actors agreed to this because they wrongly believed the EU had the right to do it. According to local actors, the Kosovo government had felt obliged to agree with what was proposed by the EU even when the targets included elements even some EU Member States do not have, such as 100 percent implementation of public consultation standards for all draft sector strategies/policies, concept documents and primary laws adopted by the government (Personal interview with a senior civil servant from the Ministry of Public Administration, September 10, 2018).

The perception that the European Commission is more demanding towards Kosovo compared to other countries in the region is prevalent among the criticism levelled at the EU from civil society as well as politicians. According to local actors, the EU seems to feel a sense of entitlement towards Kosovo (Personal interview with a senior official of the Office of the President of Kosovo, August 15, 2018). The EU's practices of dominance and control are also observed in the instrument of political dialogue with the local government, such as in the framework of the Special Group for Public Administration Reform. The purpose of this forum is to facilitate a joint review by the local government and the EU of implementation of the public administration reform agenda and to improve coordination in implementing.

The platform has proven to be an important mechanism for dialogue between the EU and local institutions and does help keep pressure on the government to deliver on reforms. With respect to the joint aspect of this instrument, the situation is different. The European Commission dominated this forum. Local actors dreaded the meetings which made them feel as if they were going to an exam which they could only pass by ensuring that the EU was satisfied. In the words of a senior official from the Ministry of Public Administration, in these meetings the "Kosovo side practically reports to the EU on the fulfilment of their obligations" (Personal interview with a senior civil servant from the Ministry of Public Administration of Kosovo, August 18, 2018). Often the problems addressed in these meetings can be traced to the local actors assuming unrealistic obligations in the context of the public administration reform agenda.

Usually the Special Group meets twice a year, once in Kosovo and once in Brussels/Belgium. The main outcomes of the meetings are the joint conclusions. They start with modest acknowledgment of progress and compliments to the government but are filled with statements that identify challenges.[8] As the name implies, they reflect an agreement between the local government and the EU on the current state of play with respect to public administration reforms and the required next steps to address existing challenges. But how is the statement negotiated in practice? In reality the drafts of the conclusions are prepared by the European Commission than shared via e-mail with local actors who are invited to comment. However, there is an unwritten rule that local actors seem to observe— the European Commission has the final say on what goes into the statement. In an event where

[8] For example see the conclusions from the 2018 meeting of the Special Group on Public Administration Reform between Kosovo Government and the European Commission, available at: https://eeas.europa.eu/sites/eeas/files/20180515_conclusions_-_par_sg_en.docx

both sides do not agree on a particular issue in the conclusions, the EC can opt out of issuing the joint conclusions. Such a development would most likely result in criticism of Kosovo for lack of cooperation in the EU's next Country Report, which local actors want to avoid. According to the Minister of Public Administration, although there is a partnership in the framework of the Special Group, the EU's opinion always overrules Kosovo's position at the meetings: "the EU is the leader and we know that and accept that" (Personal interview with a former minister in the government of Kosovo, September 19, 2018-a).

The European integration process is unquestionably accepted by all local actors as being fundamentally in the interests of the country. The EU controls the narrative of what that process means and what and who is potentially obstructing it through the annual Country Reports which provide a comprehensive assessment of the state of play in key policy sectors. The reports are taken at face value by all actors, and the findings are never questioned. So, a note in the country report criticizing the government for lack of cooperation would be picked up by the media and civil society, who accept the report's contents without question, to lash out at the government for hindering the European integration process. In this sense, critical agency of local actors is pre-empted in two ways. On the one hand local government officials do not want to take responsibility for potentially being pointed out by the EU as hindering the European integration process.

On the other hand, because it has become a norm to use the annual Country Reports prepared by the European Commission as a frame of reference for how the government is doing in general, especially in the European integration process, and as the findings of the report are taken at face value by civil society and the media that create public opinion, it becomes difficult for civil servants to resist European Commission positions. In this sense, while conclusions from the meetings of the Special Group do reflect real problems in public administration, and technically are signed by local actors, they represent primarily the EU's position. Additionally, benchmarks against which progress is measured at the meetings of the Special Group are mainly set by the EU through different instruments, including budget support. And as previously observed, these benchmarks are often unrealistic for the local government to reach because of its weak capacities. From this perspective, the meetings of the Special Group serve an important purpose for the EU—they provide the necessary local legitimacy for norm diffusion in public administration, and ensure there is a local stamp of approval of identified problems which allows it to avoid the appearance of patronizing the locals.

The account in this section reflects on the model of policy conditionality that explains how the EU drives reforms in public sector in other countries through conditioning of the financial assistance. Drawing on existing research, Ongaro and Kickert (2020, p. 121) hold that policy conditionality carries an "ideational dimension based on social learning and a logic of appropriateness" so that "the transfer of EU rules depends on whether domestic policy-makers consider EU rules to be appropriate according to the country's 'collective identity, values, and norms'". The account in this section shows that local actors did not participate meaningfully in the process of negotiating the SRC-PAR and that they did not believe they had a choice beyond picking suggested objectives and targets by the European Commission. The implications of this is lack of sustainable policy changes and reforms. In 2018 the government could not achieve an important part of the agreed indicators, such as rationalization of agencies, as they were unrealistic targets in the first-place. Practices of control and dominance that can be observed in the everyday do not match the EU's discourse and commitment to local ownership, at the cost of weakened legitimacy for the EU.

As a result of the implementation experience in 2018, the following year the European Commission (EC) and the Kosovo government agreed on the need to revise the targets and make them more realistic. However, during the process the EC maintained the same approach as before and refused suggestions from the government to replace some targets with more realistic ones, or to make changes to existing ones so they could be more achievable (Personal interview with a senior official from the Department for Public Administration Reform, January 18, 2018). This contradicts the EU's statement that all "[a]ll reforms of public administration have to be designed based on the realities in Kosovo, including the working culture, the institutional set-up and the available capacities." (European Union Office in Kosovo , 2018). It is unclear why the EU would insist that the government assume responsibilities for policy changes in areas they lack capacities to effectively implement. Part of the 25 million Euro SRC-PAR negotiated with Kosovo also included a component for providing capacity support to local institutions in implementing the obligations in the amount of 3 million Euros to provide technical assistance and expertise support. The project was awarded to a company in 2020 which was able to materialize any support by middle of the year. In 2018 the government invested over a million Euros of its own money to procure external expertise for implementing the targets, and even then it only managed to achieve eight of the 12 indicators and sub-indicators (Personal interview with a team leader of the

technical assistance project funded by the Kosovo government to provide expertise support, April 24, 2018).

From the EU's perspective the measures they pushed in negotiations with the local actors to prepare the Sector Reform Contract for public administration reforms, were identified from the national strategic framework of public administration that already had been approved by the government. Therefore, in this sense, local ownership had been secured. While this is to a large extent accurate because some indicators were not strictly speaking part of the PAR strategic framework. However, from the local perspective, those strategies were developed with significant involvement of the EU and were written to correspond to the general guidelines established by the EU through the SIGMA Project. In this section it becomes clear that, for the EU, power-relations in the context of dialogue with the local actors is about having the power to define what should be priorities for the public administration reform agenda, so that they are line with the EU's normative framework. However, this is done with disregard to local context and capacities. Therefore, having examined the role of the EU in defining PAR priorities, it becomes important to also investigate its role in the process of implementation of agreed priorities. The next section does so by looking at key policy priorities for the public administration reform agenda that were pushed by the EU. Is there a patronizing pattern on the part of the EU in dealing with local actors?

5.3 Interferences in implementing public administration reforms

The previous section highlighted how the EU dominates and controls the process of defining priorities for public administration reforms while ignoring local context and capacity. This section now focuses on how this impacts the implementation of policies, and finds that:

1. The EU interferes with the local institutions in implementing public administration reforms in order to advance self-interest, and
2. The EU lacks consistency in supporting the process of implementation of the public administration reforms and in some cases resorts to intimidating local officials in order to secure a desired outcome of the implementation process

These two arguments are illustrated by investigating the process of agencification in Kosovo and the EU's requirement for rationalization of agencies. In focusing on the micro-politics of the process I will first trace the practices whereby each issue became a condition for Kosovo

and was internalized as a priority by the government; and, secondly, I will examine how the EU approached the process of implementation. The underlying assumption here is that the EU engages in micromanagement, and in so doing confines the agency of the local institutions into a service provider.

From the EU's perspective, this might be seen as necessary to ensure effective norm diffusion and implementation. However, it also stems from the EU's need to adjust the implementation process to correct earlier positions it took in the process of designing policy changes. This points to weak consistency in the EU's approaches and lack of coordination internally within the EU Office in Kosovo and in other EU funded projects that provide technical assistance. First I will investigate the EU-led interventions with respect to agencification, then move on to the process of developing the policies for civil service management and organization of state administration.

Agencification is an important concept in public administration studies, and it refers to the decision-making process that sees the creation of a number of agencies to usually exercise oversight authority or implement a particular government policy. Agencification has been a growing trend in Europe (Verhoest, 2017). Agencification is part of the concept of modern public management and is about decentralizing authority and mandate from conventional centres of state power such as the government and parliament to more specialized agencies, often for the purpose of effectiveness. Agencification as a phenomenon has been treated with caution in the literature, as some scholars have warned that this process, in reality, transfers responsibility of governance from those who are elected to those who are appointed, thus weakening accountability towards the public (Vibert, 2007). In other words, while agencification might be seen as a good tool for more effective service delivery and policy implementation, the phenomenon brings important challenges including reduction in the accountability of elected bodies and potential fragmentation of the state apparatus and blurring of the separation of powers which is key for democracies.

Pushing government and the Kosovo Assembly to establish agencies in order to help with implementation of policies as well as to increase oversight of public institutions is one of EU's positions with respect to what public administration reform means (Personal interview with a senior expert on public administration reform, August 27, 2018). For example, a department in the Ministry of Public Administration that dealt with information technology was recommended by an EU funded project to become an executive agency as part of the

agencification process (Personal interview with a senior official from the Department for Public Administration Reform,, January 18, 2018). Agencification proved useful in different aspects. It was seen as important to increase decentralization of institutions and power, which is normally accepted as a good approach for democratic functioning of public institutions. It was also important for expanding power-sharing formulas, which in case of Kosovo were useful both for ethnic and political reasons. Kosovo being a multi-ethnic state decentralization of power through agencies creates opportunities for participation both for ethnic groups as well as political parties with the potential to become spoilers. For instance, in the framework of the EU-led Brussels Dialogue for normalization of relations, creating agencies to manage a particular compromise solution was promoted by the EU. In practice, this is also seen in how board members of agencies established by Kosovo Assembly are appointed, representing an ethnic and political balance.

However, at a certain point the process of establishing agencies became a challenge as it began to be over-used by local actors and technical assistance projects to fix complex institutional problems. Problems arising from agencification disrupted other EU norms, such as having clear lines of accountability in public administration and in maintaining the required democratic separation of powers between the legislative branch that adopts policies and the government that implements them. This clash of norms was problematized through several steps by the EU. Initially, in 2015 the through the regular annual reports on Kosovo the EU asked the government to "improve accountability through a thorough review of all agencies" (European Commission-b, 2015, p. 10). The government followed the advice, and conducted a comprehensive review which was published in December 2016 by Ministry of Public Administration (MPA), although the actual report was written by a SIGMA subcontracted expert (Ministry of Public Administration, 2016). The role of the local government in the process of preparing the report was simply to request information from agencies as required by the expert (Personal interview with a senior civil servant from the Ministry of Public Administration of Kosovo, August 18, 2018). The report concluded that Kosovo government needs to implement a process of rationalization of agencies that were against the "practices of EU/OECD countries" (Ministry of Public Administration, 2016, p. 6).

Civil society actors provided the required legitimacy for the reform, by arguing "that regulatory authorities are highly vulnerable to political influence on issues related to (a) appointments and tenure of Board members, (b) decision-making process, and (c) institution or organization independence" (Sutaj, 2017, p. 6). Rationalization of agencies was then one

of the key issues that the European Commission pushed in its negotiations with the Kosovo government in preparing the 2016 European Reform Agenda (ERA), which represented prioritized measures of reforms in the area of rule of law, economy, and education (Government of Kosovo, 2016, p. 6). ERA was the last step in the internalization of the problem. Now rationalization was a government priority, and if the EU would demand its implementation, it would simply be about getting the government to deliver on its own commitments.

This account illustrates how problems in public administration that are seen as problems primarily by the EU because they clash with its norms are transformed into national priorities. How the public services are delivered and administered could be one area carrying more relevance. Based on field observations, if it were up to the government itself to decide, rationalization of agencies would not be one of the top priorities when it comes to public administration reforms. This could be because downgrading the status of some agencies, merging with other institutions or abolishing some, as the EU was demanding, affected the interests of political parties in power which had important allies on the boards of some such agencies. From an institutionalist perspective, this might seem as mundane, but it was truly a potential spoiler for this reform process pushed by the EU. This brings the issues to the second part of the analysis: investigating the EU's practices of interferences in the actual design of policy changes for rationalization of agencies.

Because of the political ramifications of the rationalization of agencies, it was clear for the EU that pushing the process to fruition required support from senior political leaders. First step in this direction was to ensure that the government and the Kosovo Assembly signed a memorandum of cooperation to implement the process of rationalization. A meeting was held between the EU Office and the Speaker of the Kosovo Assembly at the office of the latter. However, contrary to the expectation that the Assembly representatives would reject the process out of political concerns, they turned out to be more worried that the EU would not honour its commitment.

According to participants in this meeting, the Speaker agreed to sign the memorandum on the condition that the EU did not intervene in the process, did not abandon it, and accepted what expert suggestions for which agencies should be rationalized (Personal interview with a senior official from the Department for Public Administration Reform, January 18, 2018). This manifestation of lack of confidence in the EU shows how locals viewed it as an actor.

Interviews with local actors suggest that the EU has a pattern of getting public institutions into the reform process only to walk away from its commitments or to request changes in the middle of the process. In this case lack of capacities among Kosovo institutions or lack of will to engage in a reform process were not what was preventing the EU from pushing forward the implementation of policy changes that would diffuse norms. Rather, it was the potential that the Union itself would redefine conditions and change requirements once the process starts.

Empirical evidence suggests this is exactly what happened in this process of EU-led reform. The EU Office in Kosovo was unable to effectively coordinate or manage internal interests when it came to the question of which agencies should undergo rationalization. This becomes apparent in the EU's efforts to interfere and micromanage the rationalization options of agencies. The government created a Secretariat to manage the development of an action plan for rationalization of agencies as well as to coordinate its implementation. The EU were part of the workings of the secretariat. After intensive consultations, the experts supported by OECD/SIGMA developed an Action Plan for rationalization of agencies, which included a concrete list of agencies to be restructured, merged or abolished (Ministry of Public Administration, 2018, p. 2). Once the government adopted the plan, problems began with the EU position. Until this point, the process of designing the policy intervention for rationalization was kept on a low profile, and other actors involved in statebuilding in Kosovo trusted the EU as public administration was viewed as an area of EU expertise.

However, the EU Office personnel following and process of developing the action plan for rationalization of the agencies, failed to effectively communicate the plan internally in the office as well as to the EU funded projects that were providing technical assistance to some of the agencies that were going to be rationalized based on the plan. So, when the plan for rationalization of agencies, was presented before the government for approval, political level at the EU Office became alerted by the fact that the plan had foreseen to rationalize some agencies that they considered carried significant political weight. The political level at the EU office seems to have 'trusted' the EU involvement in the process of rationalization of agencies to the technocrats working in the office, who in return were not aware of the political ramifications of the plan of rationalization of agencies. To the government the fact that the plan had been discussed and support in the Government Secretariat for Rationalization of Agencies, where the EU Office also participated, implied the plan had 'EU blessing.' Furthermore, because the plan had be developed with the strong support from SIGMA, it implied it was credible document in the eyes of the EU (Personal interview with a senior civil

servant from the Ministry of Public Administration, September 10, 2018). However, the navigating or negotiating political interests of the EU derailed the process of rationalization of agencies (Personal interview with a senior official from the Department for Public Administration Reform, January 18, 2018).

Two agencies were of particular concern: first, the Kosovo Property Comparison and Verification Agency had been established in the framework of the Brussels dialogue with a law adopted by Kosovo Assembly. This agency was important for facilitation of arrangements between Kosovo and Serbia on property rights, and it was seen as an instrument for defending those rights, especially for the Serbian minority. However, the agency offered services, and based on EU's own standards, it should have been part of the government rather than one reporting to the Assembly. From a local perspective, this appeared to be a concern for the EU as it had the potential to prevent Serbian impact on the work of the agency despite there being no evidence to suggest this was actually the case (Personal interview with a former minister in the government of Kosovo, September 19, 2018-a)

The second agency was the Justice Academy which provided training for judges and prosecutors. It was an independent agency reporting to the Assembly, yet it was a service provider, meaning it should have been part of the government. An EU-funded project supporting the agency wrote a letter to the EU Office explaining that having it as part of the government why it would be bad for could create the perception of government interference in the work of the judiciary. This would threaten another norm the EU actively seeks to install in Kosovo—judicial independence. However, in practice, in most EU Member States such agencies are indeed part of the government, or the judicial structures and are not independent. Kosovo was pushed by the EU to have the agency as an independent institution to show its commitment to judicial independence, although in its annual country reports for Kosovo the EU continued to portray interference in the judiciary as a key problem for rule of law in the country. In other words, diffusing this supposedly best practice from the EU did not lead to an improvement in how the EU saw the rule of law sector in Kosovo. But, from the government point of view, it was obvious that if the EU chose to have such an academy integrated into the government, it would inevitably lead to the EU reporting it as interference in the judiciary.

The fact that the rationalization was not effectively presented also created concerns among other actors involved in the statebuilding process, such as the U.S. embassy, which required

the SIGMA senior official to defend and explain the process (Personal interview with a senior official from the Department for Public Administration Reform, January 18, 2018). That a foreign embassy would talk about a fundamentally domestic reform process, with an external actor, shows how little local actors truly mattered in this process, and how little their opinion was trusted. The intervention of the EU Office to change the rationalization options for agencies was materialized through practices of intimidation. For example, a senior local technocrat showed me an e-mail sent to him on September 17, 2018 from the EU Office, requesting that Kosovo Property Comparison and Verification Agency be excluded from the process of rationalization, suggesting that if this does not happen the Head of the EU Office would address the issue at the highest level (Personal interview with a senior civil servant from the Ministry of Public Administration, September 10, 2018). While local bureaucrats did resist the EU's dictation, ultimately, the prospect of their names being mentioned at high-level meetings between the Kosovo government and the EU as obstructing the PAR agenda was intimidating enough for them to agree to change the approach. This was despite the agency failing to meet the criteria to remain independent as designed by a SIGMA expert and agreed to between the Kosovo government and the EU.

As a result of these developments, the process of rationalization was stalled. The EU Office in practice had contradicted its own position in justifying the need for a process of rationalization of agencies, as well as its participation in the process of developing the action plan. So, because the EU was considering the political implications of the rationalization process and also was integrating political considerations in the process, the local stakeholders no longer so the EU as a trusted partner as well as a standard-setter in the process. This created a comfort zone for the local political leaders in which they could refrain from pushing for the rationalisation process and also legitimized their position of defending their own interests too. Usually it is the EU criticizing local institutions for prioritizing politics over common sense or expertise (Personal interview with a government adviser on Public Administration,, August 17, 2018). In this case, convincing political leaders of the need for rationalization was less challenging than ensuring that the EU would stay committed to the standards and norms it pushed for the government to adopt for the process of rationalization of agencies (Personal interview with a senior official from the Department for Public Administration Reform,, January 18, 2018). This is uncommon because the dominant impression is that it is locals who resist and derail commitments to reform.

Another example that illustrates how different interests impact the EU's agency and actorness, involves the Agency of Statistics of Kosovo. In this case the agency did not involve a political interest, as the two previous cases. This example illustrates how the interests that shape the EU's position can be mundane elements, such as personal relations that the EU Office develops with leaders of the institution. For instance, in drafting the Law on Official Statistics, the initial plan was for the Agency for Statistics to be moved from the Office of the Prime Minister and be made an independent agency and reduce the duration of the mandate of the Head of the Agency. The EU Office in Kosovo rejected the proposal, demanding that the Statistics Agency remain under the Office of the Prime Minister and the mandate of the Head of the Agency be seven years (Personal interview with senior official from the Office of the Prime Minister, September 13, 2018-b). This requirement from the EU went against existing practices in some EU Member States. Local officials believed that the motive behind the EU's position was its close relationship with the head of the Statistics Agency (Ibid.,).

The analysis has so far shown that the EU's statebuilding approaches, especially the position it takes vis-à-vis a particular domestic policy-making process, are not always informed or driven by expert advice, which the EU prides itself in upholding, but can be shaped by different interests, including mundane elements. Additionally, the idea that the EU promotes best practices from its Member States in statebuilding interventions does not seem to always be the case. The EU tends to push norms that are not regulated in the same way in its Member States, if they happen to serve other interests.

The zig-zag positions of the EU in the process of rationalization of agencies, where other interests interfered with a reform process based on jointly agreed norms, undermines the EU's agency and actorness, and emboldens local spoilers that oppose changes aimed at facilitating meaningful democratic transformation. Furthermore, by tracing practices of how an issue becomes a government priority, this section has shown that most policies in the public administration reform agenda are originally EU ideas which, by making local ownership difficult, is another way in which democratic transformation is hindered. What this section adds to the existing literature is the revelation that sometimes those policy priorities pushed by the EU are corrective measures to fix consequences of previous policy changes or norms that were promoted by the Union itself as good ideas. While there is nothing wrong with trying new ways and learning important lessons with different policy interventions, there is a risk of the EU's approach becoming more about experimentation rather than transformation. In other

words, this thesis holds that in the everyday the EU does not appear to be an actor that has a sound strategy or plan for its interventions.

5.4 Conclusion

This chapter has provided new insight into the EU's everyday practices of pushing local government to reform public administration. PAR is very important for the EU as it is connected to the Union's overall efforts to promote societal and democratic resilience, to ensure the institutions of the country in question are capable of coping and complying with the requirements of EU membership – in other words, implementing EU norms while securing a friendly and sustainable institutional partner for the EU's norm diffusion process. The positive outcome of the process would be that the country in question would no longer need direct interference by EU institutions to ensure compliance but would comply by itself. Understanding that political developments are unpredictable, and that political leaders are often unreliable, the EU seeks to develop deeper ties with local bureaucracy and bureaucrats. PAR in Kosovo offers the EU a platform to exercise strong authority and influence in shaping government actions. Although there is no 'hard' EU *acquis* in the area of public administration, it has not been an obstacle for the EU to formulate, through SIGMA, what are the most comprehensive benchmarks for countries in the Western Balkans to achieve. The EU uses an integrated approach to promote PAR, connecting it to an interlocking set of conditionality components with financial aid and political dialogue. Arguably local governments would overlook the problems in public administration without EU's prioritization of PAR in its relationship with Western Balkan countries. At the same time, inconsistency, lack of coordination and local perceptions of the EU as an actor that tends to deviate from joint commitments have negatively affected Union's credibility and actual implementation of reforms.

This chapter argues that the EU's activities and positions it takes as a statebuilding actor vis-à-vis the domestic processes of decision/policy-making are often products of situational improvisation and are not always guided by its proclaimed normative commitments. On the one hand the EU seems to promote certain criteria for reform actions that are based on expert input as well as experience from other EU Member States. On the other hand, the EU's preferences in the process of implementation of public administration reforms seem to shift or be shaped by interests from EU funded projects or EU Member States. Despite promoting

local ownership, the EU's own practices seem to show a strong hands-on approach with respect to the process of how the local government identifies as well as designs measures to implement the PAR agenda. The case of PAR in Kosovo shows that the EU pressured local institutions to assume obligations that were not compatible with their capacities and therefore unrealistic to achieve. The literature agrees that weak capacities of the institutions and administrations are major challenges for implementation of the statebuilding agenda.[9] Sustainable democratic transformation, which is what the EU's approaches to statebuilding seek to achieve, requires the EU to have greater confidence in its partnership with local institutions, so that they are not undermined but have a genuine responsibility and capacity to design and implement reforms. However, the everyday seems to show that the EU often sees PAR as an opportunity to extend control and dominate policymaking and implementation rather than provide meaningful capacity development support to local actors. This section illustrated how the EU pushes local institutions to assume responsibilities they do not have capacities to deliver. This approach consequentially increases dependency of local institutions on external expertise.

This section has shown that capacity building is not only dependent on how it is received by local leaders, but that international actors, in this case the EU, sometimes see capacity gaps as opportunities to dominate and control a process that assigns the burden or obligation to local institutions.[10] It is not only the credibility of local leaders that matters for effective capacity building support, but also that of the international community. Understanding the interplay between the processes that created capacity gaps and the participation of local actors in the policy-making process in partnership with the EU appears to be a key in the case of Kosovo. The approaches that the EU followed in the PAR process has had negative implications for its own credibility as an actor, as illustrated by this chapter.

What are the implications of the findings of this chapter for the EU's agency as well as actorness in pushing forward reforms in public administration? Serval important observations here make possible a deeper understanding of the EU's shortcomings in achieving statebuilding goals in the area of public administration. The EU's approaches in the PAR agenda highlight the importance of coordination and consistency within the EU Office for success. The EU seemed to be deeply embedded in the process of rationalization of agencies,

[9] David Chandler and Timothy D. Sisk, eds. (2013) Routledge Handbook of International Statebuilding,
[10] David Jackson (2018) Explaining municipal governance in Kosovo: local agency, credibility and party patronage, Southeast European and Black Sea Studies, Vol. 18, No. 2, pp. 165–184

starting with problematizing the number of agencies and their scope of work to formulating and incorporating rationalization of agencies as a policy response into the government's own documents, and interfering in the implementation process. This approach, according to a SIGMA local expert, is a result of the European Commission's view of Kosovo as very weak in capacities and unable to 'independently identify priorities and the proper course of action.' (Personal interview with a senior expert on public administration reform,, August 27. 2018).

Chapter 6: Facilitating Normalization of Relations between Kosovo and Serbia

> *"The EU lacks a consolidated approach. The EU finances a large portion of implementation of the agreements in the Brussels, but it fails to put pressure in governments for their implementation. The EU's approach in practice is about appeasement." (Personal interview with a senior official of the Office of the President of Kosovo, July 16, 2018).*

Kosovo declared its independence on February 17, 2008, in accordance with the Comprehensive Proposal for the Kosovo Status Settlement prepared by UN Secretary General's Special Envoy for the Future Status Process for Kosovo, Martti Ahtisaari (hereinafter the Ahtisaari Plan). The plan was, however, rejected by Russia and as a result it was not introduced for a vote in the UN Security Council to replace Resolution 1244, which had placed Kosovo under international administration. Serbs living in Kosovo refused to recognize and cooperate with the new institutions of the Republic of Kosovo. The situation was particularly bad in the north of the country where three predominantly Serb municipalities isolated themselves from the rest of Kosovo, continued to regard themselves as part of the Serbian state, following Serbian laws. Externally, Russia, China and five Member States of the EU also refused to recognize Kosovo as an independent country. This created challenges for regional and international integration and consolidation of the statehood of Kosovo. In addition to this, the European perspective of Kosovo became uncertain because of the lack of recognition from five Member States of the EU (Visoka, 2018) (Visoka, 2020).

Serbia continued to challenge the status of Kosovo as an independent country bringing the case before the International Court of Justice (ICJ), which decided in July of 2010 that the new country did not violate international law when it declared its independence (ICJ, 2010). Following this, the UN General Assembly adopted Resolution 64/298 tasking the EU "to facilitate a process of dialogue between the parties; […] to promote cooperation, achieve progress on the path to the European Union and improve the lives of the people." (UN General Assembly, 2010, p. 2). The framing of the resolution was a compromise result between Serbia and the EU. It is intentional in that it does not recognize the existence of a dispute, which

suited both sides. It was good for Kosovo, because it assumed its status was not being disputed, and it was good for Serbia because it implied that Kosovo issues would not be concluded until an agreement with Serbia was reached. In practice, this meant resolving all outstanding bilateral disputes between the two countries, which was defined in the EU's documents on the Western Balkans.

The process of facilitating the dialogue between Kosovo and Serbia was both an important opportunity and a challenge for the EU's emerging capacities as a conflict manager. More importantly, it presented a unique opportunity for absolving the Union following its failure to effectively respond to the Balkan crisis in the 1990s (Belloni, 2009). This engagement of the EU was also welcomed by local actors. As stated by a former Minister of Foreign Affairs of Kosovo "the EU took it upon itself to deal with the challenge that was in Europe and everyone was happy for that, especially with the transfer of responsibility from UN to EU." (Personal interview with a former minister in the government of Kosovo, March 27, 2018).

This chapter finds that an essential practice that enabled Kosovo and Serbia to initial some 33 agreements in the framework of the Brussels Dialogue was the EU's ability to imitate resolution of disputes between Kosovo and Serbia by embedding itself in the agreements. This was done in a way that both were parties were largely agreeing with the EU rather than with each other. The EU created an enabling environment for both parties to bypass the need to meaningfully engage with each other and reach sustainable resolutions to their disputes. This gave the illusion that Kosovo and Serbia were making progress towards normalization of their relations, an illusion which disappeared when it became necessary for both parties to engage directly with each other in the framework of Brussels agreements. This performative power of the EU served the Union's interest in demonstrating its capacity for conflict resolution because it managed to secure compromise solutions agreed by Kosovo and Serbia, something no other actor had managed in the past. However, the EU's approaches entirely undermined the necessity for building confidence between the two parties, which was essential for normalization of relations as well as for implementation of agreements that were reached in Brussels. In other words, the only way Kosovo and Serbia would agree to anything was if the EU was involved in some manner in implementing those arrangements. So the process did significantly normalize relations between Kosovo and Serbia with the EU, but it fell short of achieving a similar record between the parties themselves.

The analysis in this chapter also reveals that the micro-politics of the Brussels Dialogue and its mundane and rudimentary practices show an EU that is more of an arbitrator than a facilitator of dialogue between Kosovo and the EU. Contrary to its self-proclaimed role of xxx, the EU in practice defined an agenda and wrote the conclusions of the Brussels Dialogue giving itself the mediating power. The EU often did not inform parties on the subjects they would negotiate until a day before the meetings in Brussels. Furthermore, it would sometimes resort to using other actors as whips, especially towards Kosovo, in pacifying their resistance or criticism to particular compromise solutions suggested by the EU. This chapter finds that while the EU seems to promote partnership with civil society as an essential ingredient in successful mediation approaches, in the Brussels Dialogue civil society was largely treated as a service provider for implementing information campaigns. In doing so it undermined the agency of civil society to engage in the dialogue process in a meaningful manner.

This chapter builds a practice-based approach to examining the EU's role in the Brussels Dialogue, in order to achieve deeper understanding of the true nature of the EU as a mediator and of what gives it power to assert its influence over parties. The micro-politics of the mediation efforts is often overlooked but it can unearth the actual commitment of the EU to being "a credible and ethical actor." (Council of the European Union, 2009, p. 2). Investigating everyday practices is certainly not new to the study of the EU's foreign and security affairs, but we know very little about what practices were established and how they impacted Kosovo-Serbia dialogue (Brandenburg, 2017; Adler-Nissen, 2016; Lequesne, 2015). Unearthing rudimentary and mundane practices in the EU's approaches in the Brussels Dialogue deepens our understanding of what limits the Union's agency in "creating a culture of communication and search of common ground, leading to confidence-building and improved interpersonal understanding among representatives of opposing parties" (Council of the European Union, 2009, p. 3), which are the four key aims of the dialogue as defined in the Concept on Strengthening EU Mediation and Dialogue Capacities.

The chapter is organized in four sections. The first discusses the process of how the EU became the lead actor in facilitating normalization of relations between Kosovo and Serbia. It examines accounts of the Brussels Dialogue in existing literature and makes the case for focusing on the everyday. The second section discusses how rudimentary and mundane practices transformed the EU in reality into an arbiter of the dialogue. The third section unpacks EU's practices of embedment in the agreements of the Brussels dialogue and discusses how these practices help us understand how compromise was reached between

parties, as well as how these practices negatively impacted the EU as a normative and ethical actor. The fourth and concluding section discusses implications for the EU's conflict mediation approaches.

6.1 Understanding the EU's priorities and approaches for normalization of relations between Kosovo and Serbia

When in 2011 the European Union (EU) as an institution, instead of its more powerful Member States such as Germany, France or UK (at the time), was tasked by the United Nations (UN) with facilitating a process of normalization of relations between Kosovo and Serbia, it was entering an area of past mistakes found in the approaches it followed during the Balkan wars. Initial reactions of the European Community to the war were seen as appeasing the President of Serbia, Slobodan Milosevic, which damaged its credibility and trust among local actors. Annemarie Peen Rodt and Stefan Wolff hold that the European Community "supported President Miloševic´'s plan to reconstruct the Yugoslav federation within its existing borders, and attempted to use its power as an economic heavyweight to broker a peace agreement by offering aid to those who cooperated and threatening to withhold it from those who did not." (Rodt and Wolff, 2012, pp. 138-139). Hence, the General Framework Agreement for Peace in Bosnia and Herzegovina, also known as the Dayton Agreement, was signed in the United States in 1995.

The lack of a coherent approach towards the conflicts in the region stemming from weak or poor cooperation among Member States on foreign and security policy undermined the actorness and agency of the EU to engage in conflict resolution in the Balkans, and it was generally sidelined (Plänitz and Stojanovic, 2017). The Franco-British Saint-Malo Summit of 1998 sought to fix this by initiating the development of the Common Security and Defence Policy (CSDP). In this context, unlike the peace conference for Bosnia and Herzegovina being held in the U.S., the negotiations to end the war between Kosovo and Serbia in 1999 were hosted in France, in the medieval Château de Rambouillet, under the leadership of the foreign ministers of France and UK with U.S. and EU participation. As Marc Weller explains, "[t]he choice of a French chateau for the talks, rather than a US airbase in Ohio, was intended to symbolize the ability of the Europeans to sort out their own backyard, without the need to rely on the kind of decisive US action which had eventually led to the termination of active hostilities in Bosnia and Herzegovina." (Weller, 1999, p. 212).

The UN-led negotiations on the final status for Kosovo mediated by the Special Envoy for the Future Status Process for Kosovo, former Finnish President Martti Ahtisaari, started in 2005 and concluded in 2007. The final report of President Ahtisaari was submitted to the UN Security Council in 2007, recommending that Kosovo's status should be independence, supervised by the international community for a certain period of time (UN Security Council, 2007). However, the Ahtisaari Plan was not presented for a vote before the UN Security Council, as Russian threatened to use its against it for suggesting independence of Kosovo. Other international efforts, including with Russian participation, to secure a mutually acceptable agreement between Kosovo and Serbia met with failure. Accordingly, local actors in Kosovo, in close coordination with the U.S., U.K., Germany, France and Italy, declared the country's independence on February 17, 2008, embracing the Ahtisaari Plan in the Constitution of the new state. In the words of Albert Rohan, President Ahtisaari's deputy, "[t]his moment was the culmination of a long and difficult process that had its origins in Belgrade's oppression of the Kosovars, Kosovo's ethnic Albanian majority, in the 1990s." (Rohan, 2018, p. 1). The declaration of independence was overwhelmingly in line with expectations and desire of the citizens, as demonstrated by a 2007 survey that showed 95 percent in favor of independence. (The Global Peace Operations Review, 2008).

However, the progress of Kosovo as an independent state without a divorce agreement with Serbia became a serious obstacle. Without such an agreement it was difficult for Kosovo to internationally consolidate itself as a sovereign state. Similarly, domestic consolidation was made difficult by the Serbian population's refusal to recognize the legal and institutional authority of the independent Kosovo. Serbia refused to allow into its territory any goods that bore stamps of Kosovo Customs; Kosovo citizens could not travel to Serbia with Kosovo documents, nor could they enter Serbia with their cars bearing the new license plates carrying the emblem of the Republic of Kosovo. Kosovo Serbs, meanwhile, used license plates issued by Serbia. Furthermore, property claims could not be properly processed properly as the cadastre records taken by Serbia in 1999 were never returned (Hamilton and Šapić, 2013).

Following the International Court of Justice (ICJ, 2010) ruling that Kosovo's declaration of independence did not violate international law, the UN adopted resolution 64/298 that acknowledges the ICJ opinion and welcomes the EU's readiness to facilitate a dialogue between Kosovo and Serbia. The EU-led dialogue for normalization of relations between Kosovo and Serbia (hereinafter, Brussels Dialogue) started on March 8, 2011 with aim to resolve some practical issues between the two parties (Kosovo and Serbia) in order to improve

the lives of the people (Personal interview via phone with a senior member of an international think-tank monitoring the Kosovo-Serbia dialogue, August 30, 2018). The EU separates the dialogue into two stages: (1) the senior officials' level, which from March 2011 until March 2012 was mediated by the EEAS Councillor Robert Cooper; and (2) the high political level, which began in 2012 and is mediated by the EU High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission. Local actors refer to them as the 'technical phase' and the 'political phase.'

The EU followed a spill-over approach by starting the dialogue on technical, none-sensitive issues, where creating common ground between Kosovo and Serbia would be easier, so that the momentum created at this stage could spill-over to the more complex and difficult process of dealing with the disputed status of Kosovo as an independent country (Personal interview with a senior official of the office of the President of Kosovo, August 15, 2918). However, as this chapter will show, the political issues also dominated the technical stage and, as a compromise solution, the EU had to embed itself in the agreements that were reached in the framework of the Brussels Dialogue in order to help avoid the perception in Serbia that the country was cooperating with the Kosovo government.

The Ahtisaari Process began with a defined end-result in mind: to resolve the status of Kosovo. In contrast, the EU, acting in line with the 'Concept on Strengthening EU Mediation and Dialogue Capacities', opted for "an open-ended process." (Council of the European Union, 2009, p. 3). Individuals that have been involved in supporting reconciliation and normalization of the relations between Kosovo and Serbia, argued that this hands-off approach of the EU was a mistake. As stated by a head of a think-tank that implements track two dialogue activities: "the whole process was attached to the EU membership, which was clearer for Serbia, but undefined for Kosovo. But in the EU there was no appetite for membership for these countries. The EU had no red-lines, no criteria or principles for the final outcome." (Personal interview via phone with a senior member of an international think-tank monitoring the Kosovo-Serbia Dialogue, August 30, 2018). This approach of the EU, whereby there were no clear expectations of the final outcome of the process, created a sense, especially in Kosovo, that the EU was helping strengthen status-quo, which meant continuation of the dispute with Serbia over the status of Kosovo as an independent country (Personal interview with a senior official of Kosovo's Ministry of Foreign Affairs, April 3, 2018).

In the recent enlargement strategy, however, it does veer in the direction of a pre-determined goal by stating that the Brussels Dialogue needs to produce "a comprehensive, legally binding normalisation agreement." (European Commission 2018, p. 7). Since 2011, the Brussels Dialogue has resulted with around 33 agreements, or conclusions, initialled between officials from governments of Kosovo and Serbia. These agreements cover a wide range of issues including trade, telecommunications, and integration in regional cooperation structures, energy, border management, and freedom of movement of people (Phillips, 2017, p. 1). Arguably the most consequential agreement of the political phase of the dialogue is the 'First Agreement of Principles Governing the Normalisation of Relations' (Government of Kosovo, 2013) (in short, the 15-point agreement) initialled by prime ministers of Kosovo and Serbia on April 19, 2013. The EU hailed the 2013 agreement as historic (European Commission, 2013), as did media outlets (Smolar, 2013). However, it falls short of resolving the status issue, the key dispute between Kosovo and Serbia.

As the Brussels Dialogue was led autonomously by EU institutions such as the EEAS, it represents a flagship responsibility for the Union as an emerging global conflict manager. Local perspectives in Kosovo give important credit to the Brussels Dialogue. A civil society leader in Kosovo stated that the process: "prevented a South-Ossetia style conflict in 2011, second, it established communication between Kosovo and Serbia, and third, included prevention of unilateral separation of Kosovo and decreasing of tensions in the region"(Personal interview with a director of a local think-tank monitoring Kosovo-Serbia Dialogue, July 30, 2018). Therefore, it generated significant attention among scholars, particularly in attempts to explain the EU's actorness and agency in the process. What gave the EU power over Kosovo and Serbia, in order to get them to talk with each other and reach agreements on important issues?

One strand of opinions focused on the institutional and policy approaches, seeking to explain the EU's ability to facilitate normalization of relations between Kosovo and Serbia through the concept of conditionality. From the EU's own perspective, "[t]he main incentive which the EU can offer the two sides to keep talking is the prospect of eventual EU membership […] The EU has made Serbian membership conditional on resolving the Kosovo issue." (Russell, 2019, p. 3). Membership prospects is arguably a powerful incentive that has brought both parties to the table, but it was not sufficient. The EU utilized the concept of constructive ambiguity in framing agreements between Kosovo and Serbia as a strategy for hiding the 'elephant in the room': the status of Kosovo.

According to Gashi, Musliu and Orbie (2017), constructive ambiguity is displayed in two forms in the Brussels Agreement. First as "legal ambiguity' which allows 'flexibility for parties in implementing its provisions' and, second, in the 'content of the agreement' producing an agreement that is 'vague and unclear in terms of wording and implementation." (Ibid, pp. 538-539). However, while it is known that this approach gave the EU important agency in the dialogue, and that it enabled Kosovo and Serbia to reach agreements, it had lesser known implications, including on the implementation of the agreements as well as in undermining confidence between the two parties (Bergmann and Niemann, 2015; Phillips, 2017). According to Florian Bieber (2015), constructive ambiguity sometimes became a reason for conflictual situations rather than for incentivizing agreement. Interviews with members of the Kosovo delegation to the Brussels Dialogue also admitted that while constructive ambiguity sounded nice in Brussels, when it came to actually implementing the agreement this almost always resulted in public spats with Serbian government over interpretations of agreements (Personal interview with a former member of the Kosovo's negotiating team for the normalization dialogue with Serbia, March 13, 2019). But the EU could not escape ambiguity as it was a cornerstone of its strategy in getting Serbia and Kosovo to compromise (Ernst, 2014).

Another important account of the EU's approaches is how it managed the leverage from the conditionality policy of the accession process. Cemaliye Beysoylu asserts that a reason for the shortcomings in the Brussels Dialogue can be located in the concessions the parties were asked to make "in exchange for EU rewards." (Beysoylu, 2018, p. 214). Krenar Gashi (2020), argues that the EU was in essence simulating power, exaggerating Kosovo's prospects for meaningful progress in the EU accession process. This account is also in line with the main perception in Kosovo that the dialogue largely helped Serbia, not Kosovo, get close to the EU (Personal interview via e-mail with a senior member of the Kosovo's embassy in Brussels, August 20, 2018). This has resulted in local actors perceiving the EU as a less than coherent actor. Other analysis of the Brussels Dialogue show it was prioritized over other policies and instruments of the EU vis-à-vis Kosovo to the detriment of rule of law. (Mutluer and Tsarouhas, 2018). Another important account of the dialogue comes from civil society organizations in Kosovo and Serbia, which argue that the process lacks transparency, which harms the legitimacy of the entire process and hinders societal normalization(Gashi and Novaković, 2017; KDI, 2018).

The work examined in this section has provided important insights into the EU, including a deeper understanding of factors that enabled the Union to bring Kosovo and Serbia to the

negotiating table and to secure agreements from them. The problem with these accounts is that they lack a focus on the everyday practices that, while considered rudimentary or mundane, have important agency. Accordingly, our understanding of how the EU managed to secure agreements between Kosovo and Serbia is incomplete. For instance, existing accounts seem to agree that what gave the EU its power in the dialogue was constructive ambiguity. This chapter shows this to be an insufficient explanation. The existing accounts seem to largely ignore the impact that the EU's embedment in the compromise solutions had in ensuring continuation of the dialogue and in securing acceptable arrangements between Kosovo and Serbia for resolving technical disputes between them. While Gashi discusses how the EU simulates its power in the process, this chapter shows how the relevance of the EU's agency is better located in the concept of simulated agreements between parties. This can be revealed by looking at the everyday.

6.2 Mundane and rudimentary practices of arbitration in the Brussels Dialogue

While facilitation and mediation are often used interchangeably, there are important differences between them related to the level of intervention (Brandenburg, 2017). Facilitation is the EU's preferred method for mediation of disputes between parties as it reflects best on the Union as a normative actor. This is because facilitation is less interventionist and more suited to maintaining impartiality. Impartiality is widely considered as an important factor for mediation (Kleiboer, 1996). Impartiality means that the facilitator does not have important involvement in the process of drafting compromise solutions. Bergmann and Niemann (2015, p. 962) hold that: "Facilitation is the least-interventionist strategy", and this means that the third party "does not make substantive proposals for a compromise solution." This understanding is also shared by the EU which describes the facilitator as "[…] less directive, and less involved in shaping the substance of the negotiations." (Council of the European Union, 2009, p. 3).

In this sense, the EU is described in the current research as a 'messenger' supporting communication between the Ukraine and Russia, a role that was seen important as well as acceptable for both sides (Chaban, Elgström, and Knodt, 2019). In other words, from the current research being noninterventionist is essential part of the nature of the EU as a facilitator in mediating disputes between parties. But, to what extent the EU stays committed

to this description of its role in reality? There are practices that can be observed through the lens of everyday that imply the EU is often directive, sometimes recruiting help from other actors to put pressure on the parties, and effectively writes compromise solutions.

Accordingly, this section finds that:

1. The rudimentary and mundane practices have enabled the EU to exercise an interventionist role in facilitating Kosovo-Serbia dialogue for normalization of relations;
2. The EU relied on external actors to put pressure on the Kosovo team to accept compromise solutions, and
3. The EU isolated the dialogue from Member States and its own delegations.

While the argument that the EU took an interventionist approach in the Brussels Dialogue is not new (Gashi, Musliu, and Orbie, 2017; Bergmann and Niemann, 2015), explaining how this was implemented through the everyday and mundane practices provides an alternative view of the EU's agency in the process. This section holds that without practices of an interventionist nature, the EU would not have succeeded even in starting the dialogue let alone secure the acceptable compromise solutions between parties that were reached in the framework of the Brussels Dialogue. Thus it is more likely that the term 'facilitation' was intentionally used to hide the elephant that would be in the room during the dialogue, which was the status of Kosovo. For example, calling it facilitation and not mediation allowed the interpretation that the EU was not dealing with state entities, which incentivized Serbian cooperation. This arrangement also suited Kosovo as 'facilitation' allowed the interpretation that the dialogue was not about its status as an independent state.

The first practice that this section examines is how the process of drafting texts in the dialogue resulted in mediation power for the EU. Considering the failures of other international attempts to get Kosovo and Serbia to come to a compromise with each other, controlling how the dialogue would be conducted and what topics would be discussed, was seen as essential from the EU's perspective. According to members of the Kosovo team interviewed for this research, while the parties were consulted by the EEAS and invited to send their written proposals about the issues they believed should be discussed in the dialogue, it was the EEAS that decided what topics would be included in the agenda and when the parties would meet to

discuss them (Personal interview with a former member of the Kosovo's negotiating team for normalization dialogue with Serbia, March 13, 2019). There were instances when the invitation to participate in a round of dialogue in Brussels was sent to the Kosovo delegation a day before the meeting. The invitation would not include the topic of the planned dialogue, which the delegation would only learn after arrival in Brussels (Personal interview with a former senior official of Kosovo Judicial Council, March 23, 2018). This was a deliberate tactic to control local resistance and minimize friction between parties.

The EU was also expected to write different proposals and make suggestions on how to resolve outstanding issues, especially when there was an impasse in the dialogue. The primary role of the delegations of Serbia and Kosovo was to comment upon such recommendations. For instance, the European External Action Services (EEAS) would invite delegations to Brussels to discuss a particular issue. These meetings, during the technical phase of the dialogue, were held mainly in the office of the EEAS Councillor Robert Cooper, which helped "to avoid the perception of the negotiations being about big issues" (Personal interview with a former senior official from the Ministry for Dialogue of Kosovo, September 20, 2018-d). Following joint meetings by both sides, moderated by Councillor Cooper, it fell on the EEAS team to write conclusions from the conversations that both parties had, and propose solutions. The EEAS team would then share them with the delegations and request feedback from both sides. Following this the EEAS team would try to consolidate their input into a new draft, and depending on the positions of the parties and how agreeable or discordant they were, another meeting with both parties would be held in Councillor Cooper's office to discuss the actual disagreements.

It required a certain type of creativity to write a compromise solution that could overcome—or more accurately, bypass—the fundamental point of disagreement between Kosovo and Serbia, which the issue of the status. The EU managed to sweep it under the carpet, with the words it used for composing the compromise solutions. According to a member of the negotiating team from Kosovo, 'the EU had to practically invent phrases in order to allow achievement of agreements by parties that do not recognize each other.' (Personal interview with a former senior official from the Ministry for Dialogue of Kosovo, September 20, 2018-d). An examination of the Agreement on Regional Cooperation can illustrate this point. The agreement was reached in 2012 to enable Kosovo to participate in forums and initiatives for regional cooperation independently and without rejection from Serbia (European Union, 2012).

Both parties had strong incentives for signing the agreement. Serbia was promised candidate status for membership in the EU and Kosovo a feasibility study for the Stabilization and Association Agreement (SAA). However, this itself was not sufficient and the fate of the agreement was dependent on the EU's creativity in writing the compromise solution without referring to the issue of the status. The EU achieved this by suggesting that Kosovo would be represented with its own name in regional organizations and initiatives, but an asterisks would be added to the name and the corresponding footnote would read: "This designation is without prejudice to positions on status, and is in line with UNSCR 1244(1999) and the ICJ Opinion on the Kosovo declaration of independence." (Barlovac, 2012, para. 3). This framing was also adopted by the EU for references to Kosovo. It was progress, as previous footnote in the EU documents made reference only to UNSCR 1244.

However, at the last minute, after the text of the agreement had been finalized the Serbian delegation received instructions directly from President Boris Tadic to remove one word, 'intergovernmental', from the text of the agreement as it translated into the Serbian language as 'interstate.' (Personal interview with a former senior adviser in the Ministry of Internal Affairs, November 10, 2017: Poulsen, 2013). Due to the last-minute nature of the request the EEAS was not supportive, and it remained in the document as initially agreed. While drafting texts can be seen as a mundane and ordinary responsibility for the EU as a facilitator in the dialogue, in practice it significantly increased EU agency, setting the tone and direction for the talks between Kosovo and Serbia. The task allowed the EU to control the situation and decide the options the parties had for reaching a compromise solution.

The second practice this section examines is the EU's ability to find pressure points on the delegations and recruit the necessary support to apply such pressure. In the Brussels Dialogue this was especially relevant when dealing with the Kosovo delegation, which could not say no to the U.S. Thus, at times when the Kosovo delegation proved unwilling to cooperate, the EEAS would coordinate pressure with the U.S. State Department. For instance, this practice was utilized in the framework of talks in Brussels over the law on amnesty which would have provided immunity from prosecution to the members of the Serbian parallel security mechanisms in the north of Kosovo to facilitate their reintegration into Kosovo Police (Government of Kosovo, 2014). This was an important precondition for the Brussels agreements reached on the issue of the north of Kosovo to be implemented effectively. As explained by a member of the Kosovo delegation:

> "There was invitation to dialogue a day before the meeting would take place in Brussels but without saying what the topic was going to be. When we arrived in Brussels and met with the European Commission we understood the topic was going to be the law on amnesty. During the dialogue Kosovo delegation was reluctant to agree on a particular formulation in the law concerning the validity of the court rulings. Because Kosovo side was not informed about the topic, it required more time for consultation with institutions in Kosovo, and therefore were planning to return back home. The European Commission perceived the request for more consultation as an attempt on our part to block the talks." (Personal interview with a former senior official of Kosovo Judicial Council, March 23, 2018)

Subsequently, EU officials asked the Kosovo delegation to postpone their return home for two more days, to which they agreed. The following day they were invited back to the offices of the EEAS, and were sent to a room, without any information. After about 20 minutes of waiting, two Americans entered and began a discussion on Kosovo's concerns over the law. The Kosovo delegation did not even know exactly who they were, but this did not matter to them; they were Americans. According to the members of the Kosovo delegation "the two Americans played the bad cop/good cop routine in pushing the Kosovo side to agree on the proposed formulations in the law by the European Commission" (Personal interview with a former senior official of Kosovo Judicial Council, March 23, 2018). What convinced the Kosovo delegation to accede was that the Americans verbally guaranteed that the formulations would not jeopardize Kosovo's sovereignty, which was the delegation's key concern. This proved successful, and the delegation later met with the European Commission to confirm their support.

From Kosovars perspective, "the US helped a lot in convincing the Kosovo side to take leaps of faith in the dialogue" (Personal interview with a former senior official from the Ministry for Dialogue of Kosovo, September 20, 2018-d). Overall, the US was generally more involved, and the EU more reliant on their support, than the existing literature seems to acknowledge. According to a Kosovo government official: "The US was heavily involved in the process […] Kosovo side always insisted that the Americans are present in the room and they were, but it was not publicized."(Ibid.) Kosovo Government documents are the only official documents that acknowledge the role and relevance of the US. For example, the government's program on the Brussels Dialogue 2014 – 2018 states that: "The Technical Dialogue Agreements, a total of seven, are the first agreements ever reached and signed in the

history between the two states, under the EU facilitation and US participation at the negotiating table." (Ministry for Dialogue of the Government of Kosovo, 2015, p. 6).

The U.S. involvement in the Brussels Dialogue was not only relevant to the EU as a whip, but from Kosovo's perspective, it played an important role in addressing the cracks in the credibility and impartiality of the EU as a facilitator. In the room where the talks between Kosovo and Serbia were organized, there was almost always a U.S. presence. More concretely a US State Department official would be present in Councillor Cooper's office during these meetings, not seated at the negotiation table, but on a sofa in the office. The EU needed the U.S. to offset the confidence deficiency with the Kosovars, because of its official status-neutral position vis-à-vis Kosovo. The EU's approach was to render impartiality from an external actor, in this case the U.S. The Kosovars had more confidence in the dialogue as long as the U.S. was involved.

When it came to the Serbian side, the EU could not rely on the U.S., particularly after 2012 when the SNS (National Progressive Party) won the elections and took over the dialogue. The SNS had been created by former leadership of the Radical Party of Serbia, a heavily nationalistic movement involved in organizing Serbian paramilitary units during the wars in Croatia, Bosnia and Kosovo in the 1990s. It shared power in a coalition with the Socialist Party, which had been established by former Serbian President Slobodan Milosevic who died in his cell in 2006 in the detention centre at the International Criminal Tribunal for the former Yugoslavia (ICTY) where he faced about 66 counts of crimes against humanity, genocide and war crimes. These two hard-line parties formed the government and Milosevic's former spokesperson, Ivica Dacic, became Prime Minister. With SNS and the Socialists in power, Serbia increasingly started to look to Russia for advice and support in the dialogue. Serbian senior government officials' often went to Kremlin to consult with Russia on the dialogue and even wanted Russia to be directly involved in the talks (Rudic, 2017).

By looking for external patronage, Kosovo towards the US and Serbia towards Russia, it seems neither party had full confidence in the EU. Kosovo's lack of trust rose from the fact that there were five EU Member States that did not recognize Kosovo's independence, and according to those interviewed, sometimes these countries would demand from the European Commission not to push Serbia "towards particular solutions in the dialogue." (Personal interview with a former adviser of the Ministry of Justice of Kosovo, August 23, 2018). Part of the reason was that progress in the normalization of relations between Kosovo and Serbia

would increase the pressure on the five non-recognizers: Spain, Slovakia, Cyprus, Romania, and Greece, to change their positions. This meant that the interests of the EU and some of its Member States were not necessarily aligned with the dialogue. According to a senior government official from Kosovo, some EU Member States were sceptical of EEAS's competence in effectively facilitating the dialogue (Personal interview with a senior official from Kosovo's Ministry of Foreign Affairs, August 14, 2018).

The third practice that this section examines is the EU's lack of transparency and accountability in the dialogue. While it is known that the Brussels Dialogue has lacked transparency in general, what is less known and discussed is how Member States were also kept away from the dialogue. By keeping the dialogue confined to Brussels, the European Commission seemingly was defending its agency and its emerging actorness in conflict management. It also seems that the European Commission was not confident that increased involvement of or transparency for Member States would be good for the dialogue. According to a senior adviser to the President of Kosovo who was part of the dialogue from the start of the process in 2011, "often Member States of the EU would complain that they do not have sufficient information on what is happening in the dialogue. And this was a deliberate approach on the part of the European Commission in order to not allow Member States derail and influence the process." (Personal interview with a senior official of the Office of the President of Kosovo, August 15, 2018). Additionally, other senior officials from the Ministry of Foreign Affairs of Kosovo argued that sometimes there were cases of contradictory information from the EU's institution themselves, with "two different answers on a particular issue from two different EU commissions" (Personal interview with a former official at the Kosovo office in Serbia, September 13, 2018-a).

However, this approach of not sufficiently involving the Member States in the process would have important ramifications for the EU's actorness and agency as a conflict manager. For example, when Serbia's President Aleksandar Vučić and President Hashim Thaçi of Kosovo spoke at the Alpbach Forum on August 25, 2018 about potential border changes and land swap as a compromise solution for a final agreement, it sent shockwaves across the EU, and caught Member States like Germany by surprise (Gray and Heath, 2018; Personal interview with a representative of a think-tank from Berlin/Germany, April 18, 2018). They became a vocal critics of the arrangement, and were in awe of the EEAS and the High Representative's audacity to have partaken in such a move without consulting or coordinating with Member States (Personal interview, April 18, 2018). Potential border changes were considered

dangerous and detrimental to the stability of the Balkans. This showed beyond any doubt that the EEAS was not just facilitating, but were deeply involved in rearranging borders in the Balkans.

The Concept on Strengthening EU Mediation and Dialogue Capacities recognizes that 'a more coordinated and focused approach will enhance the EU's ability to play a more active international role' in mediation. The EU's Global Strategy talks about a 'Joined-up Union', acknowledging that "[a] strong EEAS working together with other EU institutions lies at the heart of a coherent EU role in the world." (Council of the European Union, 2016, p. 49). The European Commission wanted to use the Brussels Dialogue to assert autonomy as an actor in the process. But the manner in which it wanted to this came at a significant cost to its credibility and agency, not only internally but also vis-à-vis Kosovo and Serbia. Kosovo's Prime Minister said: "Ms Mogherini's [High Representative] discussions have destroyed the EU's opportunity to forge an agreement." (Emerging Europe, 2019, para. 4). After the event at Alpbach in 2018, the European Commission lost control of the dialogue, and came out bruised from the perceived conflict with Member States on the kind of solutions it was supporting for Kosovo and Serbia, which were seen to be conflict with the EU's normative commitments. This was about the liberal-democratic norms that land swaps on the basis of ethnicity were hindering (Cerimagic, 2018). The dialogue was then effectively put on pause until April of 2020, when the Council of the EU Member States, appointed Mr. Miroslav Lajčák as the EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues (Council of the European Union, 2020).

The EEAS also failed to recognize the potential of its own delegation to Kosovo. According to a senior Kosovo government official, the 'Brussels ignored the EU Office' and described its role as a "media monitoring service about the dialogue', which resulted in Kosovo institutions also ignoring or not taking it seriously" (Personal interview with a former senior adviser at the Ministry of Foreign Affairs of Kosovo, January 17, 2018). According to a civil society representative, "the EU Office in Kosovo has no influence whatsoever when it comes to the dialogue." (Personal interview with a senior official of a think-tank monitoring Kosovo-Serbia normalization dialogue, July 27, 2018). The EEAS actions often displayed a high/certain level of disrespect for its own heads of delegations. For example, according to a civil society member, the EEAS intervened directly to stop the efforts of the Head of EU Office in Kosovo to cancel EU funding in the north of Kosovo due to a situation in which the EU projects were allowed to be implemented by organized crime bosses who demanded that

either companies under their management be allowed to implement the projects or a certain percentage of the project go to their companies (Ibid.).

What does this mean? The EU's interventionist nature in the dialogue was essential for advancing its own interests as well. The Brussels Dialogue presented a unique opportunity for the EU to show its capacity and actorness as an emerging global conflict manager and a peacemaker. Kosovo and Serbia was an unresolved conflict in the EU's front yard, an area that in the past had to rely on U.S. support to resolve their disputes. As discussed in the previous section, during the wars of the breakup of Yugoslavia in the 1990s, the EU failed to respond effectively to the crisis, making it worse. Furthermore, it was the UN that had asked the EU to take the lead in the efforts to normalize relations by securing some kind of a divorce agreement between Kosovo and Serbia. In this sense, it was in the interests of the EU to show that it was an effective actor to also justify itself as deserving of further competencies and powers. In practice, the EU seems to have primarily interpreted this as needing to secure a photo opportunity in which Kosovo and Serbia could be seen signing/initialling documents in Brussels under EU flag. Implementation and actual progress towards normalization appeared to be secondary.

This section showed that the EU utilized different practices to intervene in the dialogue between Kosovo and Serbia in order to ensure that compromise solutions, mostly designed in the European Commission offices, would be acceptable to both parties. The section sowed how control over the process of drafting the text gave the EU mediation power and influence to shape the outcomes and ensure compromises. For the EU, the success of the Brussels Dialogue was essential for the future of its own agency and actorness as a conflict manager, and for facilitating expansion of the Union in the Western Balkans. What EU did is not unusual for a mediator, but it is a mismatch with the EU's self-perception as a facilitator.

Drafting the conclusions from the talks between Kosovo and Serbia and sending e-mail invitations to the parties for meetings in Brussels might seem mundane responsibilities befitting the role of a facilitator, but in practice they gave the EU important agency to set the agenda and steer the dialogue in the direction it wanted. The EU's approach, as explained by a senior member of the Kosovo Delegation, was based on the concept of 'spill-over'— the idea that by addressing technical issues in the beginning and securing results, this approach would spill over to other more complex issues. However, to do so the EU would have to do more than just draft the conclusions and organize the meetings between parties. The next

section examines a particularly relevant practice that the EU utilized to ensure acceptable compromise solutions: embedment of itself in compromise solutions.

It effectively means that the EU was assuming the responsibility to implement its own solutions, which it had suggested and intervened for, through practices that this section has investigated. This practice was not necessitated because there was a meaningful lack of resources, but it was a prerequisite for compromise that diminished the need for cooperation and communication between parties in the implementation of the agreements. This practice effectively turned the dialogue from a dialogue for normalization of relations between Kosovo and Serbia, to a dialogue of Kosovo and Serbia with the EU. This means that the agreements reached would be more properly referred to as agreements of Kosovo and Serbia with the EU. The next section discusses these points in more detail and explains how EU's embedment worked and analyses their impact.

6.3 Illusion of compromise between Kosovo and Serbia through the practice of embedment of EU in the agreements

As already stated, the success of the technical part of the Brussels Dialogue has been largely explained by the EU's integrated approach to the talks, more specifically to three elements of it: linking dialogue with financial assistance and with accession processes of both countries, and using constructive ambiguity to avoid the 'elephant in the room', that is the status of Kosovo (Gashi, Musliu, and Orbie, 2017; Bergmann and Niemann, 2015). However, this account does not sufficiently explain how the parties reached compromise solutions. Accordingly, this section adds a new element to the explanation, that of the practice of embedment of the EU in the Brussels Agreements. Overall this section holds that the key practice that gave the EU power of facilitation in the Brussels Dialogue was the illusion of compromise between parties. While to the public it was promoted and framed as both parties agreeing with each other, in reality both parties were largely agreeing with the EU and what it could implement on their behalf. To understand how practices of the EU's embedment in the agreements enabled compromise between Kosovo and Serbia, this section finds that:

1. Embedment of the EU in the agreements was what made compromise solutions possible;
2. Embedment of the EU in the agreement supplanted the need for Kosovo and Serbia to cooperate and communicate directly;

3. Embedment of the EU in implementation of the agreements masked involvement of local institutions creating a by-pass to acceptance of Kosovo from Serb minorities;
4. The EU's approaches towards civil society organizations were about management of their agency, rather than inclusion and cooperation, as the Union claims it does in mediation efforts.

The first feature of the embedment practice concerns how the EU was integrated into the agreement as a compromise solution. This implies that the key reason parties agreed to some arrangements was that the EU would be co-implementing them. This is illustrated with the agreement on Integrated Border Management (hereinafter, IBM Agreement) which was reached on December 2, 2011 in Brussels. The purpose of this Agreement was to regulate issues pertaining to the infrastructure as well as procedures for border crossings between Kosovo and Serbia (Government of Kosovo, 2011). Based on this Agreement, there would be joint border-crossing posts and neither party would display their state symbols, while the European Commission would further develop this cooperation, which in practice meant also paying for and managing the construction of the infrastructure for the respective posts. This arrangement was based on the EU's own concept of IBM which is applied at the EU's external borders. This was a major milestone as it marked the first time both parties agreed to some kind of regulation and demarcation of the their borders. Visoka and Doyle (2016, p. 862) hold that this is an example of the EU's success in: "deconstructing highly political issues into technical meanings in order to achieve mutually acceptable agreements."

While the general aspects of the agreement were reached by senior officials in Brussels, in practice the 'nuts and bolts' of the process were designed and agreed upon by experts and technocrats from both governments, who worked under guidance and management from the EU itself. On February 24, 2012 a technical protocol on the implementation of the IBM was agreed between Kosovo and Serbia, which also included issues such as the location and design of the facilities (Personal interview with a former senior adviser in the Ministry of Internal Affairs, November 10, 2017; European Union, 2012). The technical aspect of the agreement regarding processing of traffic started to be implemented at the border crossings in an integrated manner at the end of 2012 (Peci and Barlovac, 2012). Tripartite implementation groups between Kosovo, Serbia and the EU were established and, oddly enough, cooperation on the technical level was hailed as a success. In the words of a report submitted to the EU in 2016 by Kosovo Government, "[i]mplementation of the IBM agreement is remarkable, given

the very constructive cooperation between border authorities of both states." (Government of Kosovo, 2016-b, p. 22).

How did EU's embedment enable this compromise solution? First, the agreement was acceptable to Serbia because it included provisions for the embedment of EULEX personnel in all six border crossing posts. This for Serbia meant they were dealing with EU personnel, not Kosovo institutions. The cooperation in the tripartite implementation working group was only possible because the EU also chaired the group. Additionally, the agreement states that technical protocols can be signed directly with the EU, supplanting entirely the need for exchange and cooperation between the two parties. In other words the EU's role in this agreement was not just to provide support, EU *was* the agreement. While a footnote to the agreement on IBM stated that: "[o]ne party recognizes the line as a border; the other party recognizes the line as an administrative boundary" (Government of Kosovo, 2011, p. 1), it resolved status-related and political issues. The physical construction of the border crossing was only possible because the compromise solution offered by the EU was that they would build all six border crossing points. The parties agreed that Kosovo's side of the territory would host three border crossing points: in Merdare, Bërnjak/Bernjak and Mutivodë/Mutivode, while the Serbian side of the territory would host the other three in Jarinje, Dheu i Bardhe/ Bela Zemlja and Mucibaba.[11] The EU funded and managed the process of developing the design of the layout of the buildings, as well as their construction through the IPA instrument, with approximately 20 million Euros allocated from funds of the EU Delegation in Serbia and the EU Office in Kosovo (Personal interview with a former member of the Kosovo's negotiating team for normalization dialogue with Serbia, March 13, 2019). Five years after the protocol was signed, the work started in 2017 in building the infrastructure for a permanent border crossing point between Kosovo and Serbia in Merdare (Popova, 2017). During the time this chapter was being written work was being done only in two out of six border crossings. (Phillips, 2017). Furthermore, when the building was completed for the Merdare crossing point, the Serbian side refused to move in, asking that the computers and other equipment to be installed in the building be sent Belgrade to be checked and returned before they could be put to use (Personal interview, March 13, 2019).

[11] See the Design Brief for the Kosovo side of the IBM at Merdarë/ Merdare, Mutivodë/ Mutivode Bërnjak/ Brnjak prepared by UNOPS, at: https://www.ungm.org/UNUser/Documents/DownloadPublicDocument?docId=654166

This shows that while it was easier for Serbia to agree in Brussels with the arrangements on IBM, and technical teams effectively translated the complex political issues into workable arrangements, when it came to realisation of the agreed upon points, new challenges emerged. This was so because the functionalization of the border crossing in Merdare required a certain level of direct cooperation and communication between Kosovo and Serbian law enforcement institutions, which requires a confidence that does not seem to exist. Embedment of the EU in the agreement was imperative for the compromise between the parties, for translation of the complex political issues into workable and implemental technical arrangement, and for establishing a modus operandi for cooperation. However, this practice turned out to be short of building the necessary confidence between parties for the technical arrangements to actually work. In the context of the role that the EU plays in leading the normalization dialogue between Kosovo and Serbia, this practice of embedment in agreements in order to secure implementable compromise solutions seems to be unique.

A second feature of the embedment practice of the EU in the agreements and how they enabled compromise is that it supplanted the need for Kosovo and Serbia to cooperate and communicate directly. This is important because it enabled Serbia to avoid the appearance of working with the government of Kosovo, which was essential for compromise. This is best illustrated with the Agreement on Cadastre. After the war ended in 1999, on their way out of Kosovo, Serbian authorities took with them all cadastral records. Lack of cadastral records hindered property rights of citizens as property claims could not be verified by Kosovo institutions. In order to resolve the issue, Kosovo and Serbia reached an agreement on the cadastral records on September 2nd, 2011, and the implementation plan was agreed on December 21st 2011 (European Union, 2011). Serbian government agreed to return scanned cadastral records to Kosovo institutions, but complained that it lacked necessary capacities. Thus the EU agreed to fund this undertaking through its delegation in Serbia and a contract for this purpose was signed two years later, in August of 2013 with the Serbian Republic Geodetic Authority.

Furthermore, Serbia refused to hand over the scanned copies directly to the Kosovo institutions, so it was agreed that they would be handed over to the EU Special Representative in Kosovo (EUSR) via a portable digital format (USB stick), who in return would hand them over to Kosovo institutions. From Serbia's perspective, it meant they were not handing over the documents to the EU and not to a Kosovo institution they did not recognize. On January 24, 2014, the first batch of digitized cadastral records was handed over to EUSR, six days

before Serbia's Constitutional Court would publish its decision that the Serbian Government regulation on implementation of the agreement on cadastral records was in violation with the Constitution of the country (NGO Aktiv, 2017). Kosovo's obligation under the agreement included the establishment of a technical agency in order to verify and compare and also resolve discrepancies in the present day property records with those pre 1999.

In 2016, five years after the agreement had been signed; Kosovo Assembly adopted Law No. 05/L-010 on Kosovo Property Comparison and Verification Agency (KPCVA).' (Kosovo Assembly, 2016). According to Article 6 of the law, the EU Special Representative appoints directly—without the need for consent of the Kosovo Assembly as per Constitutional practices— three out five members of the Supervisory Board of the KPCVA, which is in charge of overseeing the Agency's work. Furthermore, according to Article 9 of the law, three out of five members of Property Verification and Adjudication Commission (PVAC) in charge of resolving discrepancies are also appointed by the EUSR without the need for the consent of the Kosovo Assembly. This arrangement was a necessary compromise solution in order to ensure Serbia's continued cooperation on the cadastral records, because it both guaranteed that claims from local Serbs would be treated fairly and maintained the appearance that Serbian government was primarily dealing with the EU on these matters and not with government of Kosovo. Unlike the assumed purpose of the facilitation dialogue, as defined in the EU's Concept on Strengthening EU Mediation and Dialogue Capacities which is to support better understanding and trust between parties, the EU's embedment in institutional arrangements for implementation of the agreement entirely replaced the need for new bridges between Kosovo and Serbia. In this sense, besides weakening local agency, it was a missed opportunity for the EU to demonstrate the interdependency of both parties and push them towards cooperation. For the EU it was a matter of convenience to find compromise solutions that appeased the parties instead.

The third feature is related to the types of institutional arrangements for implementation of agreements, and how the EU's embedment became a front-office and served as a bypass for institutions in the Serbian dominated north in relation to the government of Kosovo. This became a necessary compromise solution that allowed the Kosovo government to collect taxes at the border crossings with Serbia. The EU invited Kosovo and Serbian teams in Brussels and organized power-point presentations for them of different models how the EU Member States regulated tax collection in border towns and cities (Personal interview with a former member of the Kosovo's negotiating team for normalization dialogue with Serbia, March 13,

2019). This resulted with the idea of creating a 'Development Fund' from the money collected from customs duties, excises duties and value added tax at the two border crossings. This idea, along with the provision that it would be implemented under the EU's leadership in Kosovo and the funds only be used for Serbs in the north, was central in getting Serbia to agree on January 17, 2013 to the 'Brussels Agreement on Customs Revenue Collection' at the border crossings in Jarinje and Brnjak. (Government of Kosovo, 2013).

According to the agreement all revenues collected at the border crossings in Jarinje and in Brnjak would be transferred into an account of the Fund established in a commercial bank in Kosovo determined by the EU. The agreement furthermore stipulates that a Management Board, consisting of three members will be established. The Board would include one representative from the Serb community, one representative from the Kosovo Government and one representative from the European Union Special Representative for Kosovo (EUSR) (Government of Kosovo, 2013). EUSR has the power to cast a deciding vote when two other members would disagree and serves as a de-facto manager of the Development Fund. The agreement also established a monitoring working group chaired by the EU to oversee its implementation. By 2016, there 11 million Euros had been transferred to the Development Fund. Example of the type of projects it funded include 400,000 Euro for the Municipality of Zubin Potok for municipal economic development, and 300,000 Euro to the Municipality of Zvecan for constructing municipal water and sewage supply pipelines (European Union Office in Kosovo, 2016). But to the citizens of the north, these investments appeared to be funded by the EU, and they failed to recognise the participation of the Kosovo institutions in them (Personal interview, March 13, 2019). Without the embedment of the EU in this agreement to provide institutional management of the fund, a compromise solution for the Kosovo government to collect taxes in the north of the country would have been highly unlikely in Brussels.

This overview of the practices of embedment by the EU in the agreements as compromise solutions shows that they were an essential factor in ensuring that the parties would sign the agreements prepared by the EU. However, because the entire compromise making capital of the technical dialogue phase heavily relied on the EU becoming embedded in the agreements and assuming direct responsibility for implementation, it failed to build a sound foundation for the next phase of the dialogue to address thorny political issues. For example, in 2015 the Prime Ministers of Kosovo and Serbia signed an agreement on "Association/Community of Serb majority municipalities in Kosovo – general principle/main element" which was based

on and further elaborated the key aspects of the 2013 agreement "First Agreement of Principles Governing the Normalisation of Relations." (Government of Kosovo, 2015). The new agreement provided executive powers for the Association/Community that was tantamount to autonomy for the Serbs in Kosovo. Adem Beha holds that there were two major reactions to this agreement: those who saw it as a an act of recognition of Kosovo by Serbia and those who feared that it "paves the way for the creation of a Bosnian type of "Republika Srpska" in Kosovo." (Beha, 2015).

This perception sparked violent protests from opposition political parties in Kosovo, who used tear gas to disrupt Kosovo Assembly meetings, demanding that government withdraw from the agreement (Brown, 2015). The Constitutional Court of Kosovo ruled in December 2015 that agreement on establishing the Association/Community violated some parts of the constitution. In response, local Serbs in Kosovo vowed to establish the Association/Community unilaterally, but their efforts were thwarted by EU pressure on Serbia. Both Serbia and Kosovo have made diametrically opposed statements on the Association/Community, leading to a gridlock in the dialogue. The political phase of the dialogue never managed to fully recover from this development, but the final blow was the 2018 decision by the Kosovo Government to impose 100 percent tariffs on Serbian goods entering Kosovo in response to the so-called re-recognition campaign of the Serbian government as well as to continued opposition to international integration of Kosovo (BBC, 2018).

Overall, what the EU's practices of embedment in the Brussels Agreement shows is that, while this approach enabled compromise between parties and tangible progress was achieved (i.e., freedom of movement of the people between the two countries), because the embedment became widespread and almost an implied condition for Serbia to compromise, in agreements where such a formula was not viable, cooperation between parties in their implementation became impossible. Embedment of the EU in Brussels Agreements during the technical dialogue explains properly how the EU managed to secure such a record number of agreements (33) between Kosovo and Serbia, but this approach created a bubble effect that burst in their implementation phase particularly in the political-level dialogue. This also potentially explains why the Brussels Dialogue failed to build the necessary confidence or a culture of cooperation between parties. As Bergmann and Niemann (2015, p. 970) have put it, the EU's approaches were suitable only for short-term agreements but were "not an adequate strategy to foster mutual confidence and trust between the conflict parties as a basis

for long-term co-operation." In other words, the Brussels Dialogue worked when both parties seemed to be agreeing with the EU rather than between themselves, and when significant aspects of implementation of the agreements were to be entirely completed or coordinated by the EU. While the embedment is what gave the EU agency as a facilitator in the Brussels Dialogue, it seems to have affected the Union's approaches to involvement of civil society in the process, which the EU itself preaches upon governments in the region to do.

The EU's effectiveness as a facilitator, as examined in this section was dependent on the EU's embedment in the agreements to deliver the compromise solution. The EU in fact became the compromise solution for parties to place their signature or initials on pieces of paper in Brussels, which were – as explained in this section – mainly written by the EU itself as conclusions from the negotiations between the two delegations in the EEAS offices. Accordingly, these practices also help provide a deeper understanding of the failures of the Brussels Dialogue to lead to mutual trust and confidence between Kosovo and Serbia (Emini and Stakic, 2018). Embedment practices by the EU in the Brussels agreements are different from the concept of providing support for implementation. The main difference being that with embedment in the agreement, the EU became party to implementation and assumed direct responsibility, with repercussions on confidence building between the parties. In other words, embedment meant that in addition to monitoring implementation of agreements and trying to play the role of the honest broker, when implementation got stuck, the EU was also assigned direct responsibility for implementation of key provisions. Practices of embedment of the EU in compromise solutions in the Brussels Dialogue had to do primarily with governmental institutions but for the Union another actor is of crucial importance in conflict management and resolution approaches, and that is civil society.

The significance of the legitimacy for the success of statebuilding interventions and the agency of civil society organizations in that framework is well established in the literature (Kostovicova and Bojicic-Dzelilovic, 2011). The European Union (EU) sees civil society as their natural and as well as privileged partners (Personal interview with a staff member of an EU member State embassy in Kosovo, November 9, 2017). Therefore, the EU invests heavily in building this special relationship with non-government organizations (NGOs) and media organizations—which is what largely constitutes civil society for the EU in practice— through funding schemes, public support for their causes, and making the inclusion and support of civil society in government policies a requirement for their legitimacy in the eyes of the EU. The EU promotes the role of civil society as a watchdog and they are shaped into the form of

guardians of the Union's normative framework. As Oliver Richmond and Audra Mitchell (2012, pp. 1-38) put it, "quite often, this civil society has a western normative veneer, meant to supplant the local–local […]." However, often the EU sends mixed signals to the local actors whereby it seemingly fails to respect the very norms they preach to the local government, such as transparency.

This segment of this section discussed the limits of the EU's commitment to transparency in the process of the Brussels Dialogue. However, the EU understood that it needed some balance, as the legitimacy of the Brussels Dialogue was dependent on public opinions of the process, and the civil society was a vital instrument for shaping them. The EU wants civil society involved in order to push forward their agenda vis-à-vis the government, but it is not seen as having the capacity to be included in EU-led processes that are considered as more important. The criteria of how the EU determines the scale of relevance of these issues is unclear, but it seems that in the framework of the Brussels Dialogue it is based on EU's interest in demonstrating its actorness as a conflict mediator. It seems the EU is less willing to involve civil society in EU-led processes when it fears their potential of becoming spoilers and thus diminishing their agency.

However, in practice, the romanticised EU partnership with civil society is more complicated. The EU's plan for the civil society in Kosovo seemed focused on embedding it in the Dialogue process, but not as an actor rather as enabler of public support. In this sense the EU talks about civil society as a necessity, a must, rather than a welcome partner. In the words of an EU official: "Kosovo has good vibrant civil society but not well enough. In Kosovo, civil society is generally weak; think-tanks lack concrete proposals. It is one thing to be critical, another to be constructive."(Personal interview with a senior official from the EU Office in Kosovo, September 17, 2018). This implies that the EU does not see the civil society in Kosovo as having the capacity to be an actor in the dialogue. But there is one area that the EU understands the agency of civil society in Kosovo to be strong, and that is in shaping public opinion. As explained by a civil society leader from Kosovo: "When the EU starts to lose leverage over institutions, they invite civil society, otherwise they push forward." (Personal interview with a director of a local think-tank monitoring Kosovo-Serbia dialogue, July 30, 2018). In other words, the EU invests in bottom-up approaches only when they have to, otherwise they would prefer tête-à-têtes and elite level meetings with the government. The dialogue with Serbia required the EU to engage civil society but only as promoters of the process.

Civil society leaders in Kosovo also felt that despite the EU's proclamations of support to the civil society, when it came to the dialogue with Serbia, it was "ignored and has no role; even the EU does not allow space for civil society to be engaged. The EU closes the door." (Personal interview with a director of a local think-tank monitoring rule of law, August 8, 2018). This makes it harder for civil society to criticise their own government about lack of transparency. The EU's approach towards engagement of Kosovo's civil society in a meaningful way in the Brussels Dialogue started badly. When the Brussels Dialogue began in 2011, civil society organizations saw it with great scepticism. Key opinion makers at the time said that Kosovo had entered the process without preparations and the public had been deprived of its right to know what was happening with the talks in Brussels (Lëvizja FOL, 2011). They went as far as to ask Kosovo Assembly to intervene to stop the dialogue.

In a 2013 report, a reputable think-tank from Kosovo criticized the 'First Agreement of Principles Governing the Normalisation of Relations', which had been hailed as historic by the EU, as something that would result in internal rearrangement of the state, and slammed government officials for having misled public opinion and for lacking transparency, but the report makes no reference to the EU (Deda and Qosaj-Mustafa, 2013). This particular report was funded by the UK Embassy in Kosovo (an EU Member State at the time). While this does not mean that the UK government endorsed the opinions expressed in the report, it does potentially create confusion among the public in understanding where the EU stands with respect to the dialogue. Another important observation in the report is that criticism is only targeted towards Kosovo institutions, while the EU was largely spared.

A particularly relevant flash point between the civil society and the EU relates to the law on amnesty. As already discussed in this chapter, it was difficult to convince the Kosovo delegation in Brussels to pass the law, requiring the EU to recruit the help of the U.S. to do so. The government, however, was only one segment of the problem. Once the draft was published, the civil society also opposed the law. The civil society was at this point being seen as spoilers rather than enablers of peace. This required managing or limiting their agency. Civil society wanted to assert its actorness in the dialogue but at the same time did not want to damage its relations with the EU, given that they were seen as a fundamental source of agency vis-à-vis government.

The Civil society opposed a particular element in the draft of the Law on Amnesty, which allegedly was written by "US and EU experts," on reduced punishments "for crimes including

murder, manslaughter, harassment, defamation, assault and theft." (Rrustemi and Baumgärtel, 2014, p. 116) The problem with this formulation was its potential to be abused and be of benefit to corrupt government officials or members of organized crime networks already incarcerated. Additionally, Rrustemi and Baumgärtel (2014, p. 128) hold that: "As the rule of law has not yet taken root, a vague amnesty law is much more open to abuse. Such manipulation, in turn, is likely to undermine the ongoing efforts to establish the rule of law by further decreasing people's confidence in judicial institutions." In this debate/fight which was made public via the media, the civil society became a guardian of the EU's normative framework against the EU itself, whose position in the eyes of the civil society was weakening anti-corruption efforts. Civil society organizations believed that the "draft Law on Amnesty – if enacted – will present the final blow to hard work of thousands of Kosovars and international partners in Kosovo who have been working on a state based on rule of law" (KIPRED, 2013, para. 3). They organized a petition against the law which was signed by 12,764 citizens, and requested that the law be open to civil society participation with proper consultations (KIPRED, 2013-b).

The EU Office in Kosovo, EEAS and some EU Member States were heavily involved in pressuring members of the Kosovo Assembly to vote in favour of the law (Personal interview with a director of a local think-tank monitoring rule of law, August 8, 2018). The first draft of the law failed to secure the necessary votes on July 4, 2013, but the second attempt on July 11, 2013, made after the government retracted the controversial, was successful and the law was passed. However, opposition parties and civil society still opposed the law, and some members of the Kosovo Assembly appealed the law before the Constitutional Court of Kosovo, which ruled in their favour and found that particular articles of the law violated the Constitution (Constitutional Court of Kosovo , 2013). After the law was 'cleaned up' it was again promulgated by the President of Kosovo on September 17, 2013, allowing amnesty for specified offences (Assembly of Kosovo, 2013). The example of the law on amnesty shows an emancipated civil society defending the democratic process from the EU's push to approve a law that had been found by a Constitutional Court –three of nine members of which were from EU Member States – to be in violation of democracy and human rights. While the civil society never criticized the EU openly the EU for their part in both writing and pushing the law, they were indirectly resisting the EU's intervention.

In order to manage the agency of the civil society, the EU's approach was to subcontract the NGOs to assume direct responsibility for the dialogue. Subcontracting NGOs in peacebuilding

efforts is well documented in the literature (Richmond and Carey, Eds, 2005) but existing accounts focus primarily on the UN's approaches and less is known about how it works in mediation efforts and how the EU has utilized this practice. The EU's approach to subcontracting civil society was aimed at both minimizing their spoiler potential as well as at creating a new medium between EU and citizens in disseminating information that speak of the success of the Brussels Dialogue. For example in 2018 the EU called for project ideas from Kosovo and Serbia's coalition of civil society organizations in order for them to produce 'agents of normalisation of relations' as well as to better communicate the benefits of the Brussels Dialogue to the 'larger public.' (European Union Office in Kosovo, 2018). This is the EU's practice of displacement of responsibility, where civil society does their bidding in informing the public about the dialogue, and in increasing support for the Union.

For example, the Kosovo Serbia Policy Advocacy Group represents a consortium of eight non-government organizations from Kosovo and Serbia, who are funded by the EU to promote the Brussels Dialogue. This consortium implements together an EU funded project called 'Promoting and Communicating Benefits of the Kosovo-Serbia EU Facilitated Dialogue', where among other goals they seek to, "Broaden the support for the Belgrade-Pristina EU facilitated technical dialogue (KS-PAG, n.d, para. 3). This consortium is tackling one of the most important challenges of the Brussels Dialogue which has been weak public support, which in turn makes it difficult for political leaders to commit to the process. The project produces opinion pieces that hail the achievements of the Brussels Dialogue with propaganda-like statements, such as the claim that Brussels agreements have "enriched people's lives with new connections and friendships." (Radosavljevic, 2019, para. 6). The EU thus used civil society as a service provider for public awareness raising rather than include them in the process as an actor.

This practice of the EU to use civil society as service providers did not only limit their agency with respect to the dialogue but also with local institutions. A senior official of Kosovo's embassy in Brussels said that, "The EU uses civil society to shape public debate." (Personal interview with a former adviser of the Ministry of Justice of Kosovo, August 23, 2018). From their perspective non-governmental organizations are agents of the EU, rather than independent and important actors of democratic life. Even civil society leaders seem to agree that they are mainly service providers for the EU. The director of a local think-tank I interviewed said, "The majority of the civil society organizations in Kosovo are simply being used by the EU as a catalyst to implement its policies in Kosovo. So the EU in Kosovo is not

seen with any critical eye by the civil society. Of course there might be exceptions in this context, but majority of the CSOs are simply mechanisms for extending and implementing the EU's policies. And this is not always good for the society."(Personal interview with a local civil society leader, March 19, 2019). This is at the heart of the question of what civil society in Kosovo represents: public interests of its citizens or something else? The EU approaches promote a grassroots civil society in the papers but in realit, some in civil society believe there is an unwritten rule that the EU prefers westernized thin-tanks rather than local and community based organizations, and they show this in funding schemes. Think-tanks based in Prishtina, the capital, is awarded an absolute majority of the funds (Personal interview with a director of a local think-tank monitoring rule of law, August 25, 2018).

While there were track two dialogue activities in the framework of the Brussels Dialogue, they were support by other countries such as Switzerland and Norway. For example the Swiss are the main donors of an American non-government organization, the Council for Inclusive Governance (CIG) that organizes regular meetings between political leaders from both countries, including members of political parties, members of Parliament, and professors from academia and civil society. They often rotate the venue of the meetings between Kosovo and Serbia in order to create more confidence between participants. CIG approaches are different as, instead of simply doing EU's bidding, they focus the discussion on the substance of the Brussels Dialogue and highlight the importance other sectors of society have in achieving normalization of relations. CIG issues reports from these meetings that summarize the opinions of participants' vis-à-vis the Brussels Dialogue and normalization of relations at large (CIG, 2019).

These Track II meetings in 2019 represented the only forum where officials from Serbia and Kosovo met, while the Brussels Dialogue had been put to a halt. For example in 2016, they organized the only meeting between government institutions responsible for coordinating the European integration process from Serbia and Kosovo. The meeting was organized in Slovenia as a mutual ground and focused on more technical issues of challenges in implementation of stabilization and association agreements, or translation and transposition of the EU *acquis* in the national legislation. Senior EU officials from Brussels attended the meeting, but only as observers. Organization of this meeting was not easy as the EU had, perhaps inadvertently, politicised as well as monopolized the Brussels Dialogue as the only sanctioned channel of exchange and communication between the governments of Kosovo and Serbia. CIG has successfully facilitated a number of meetings between parliamentarians in

Kosovo and Serbia, who even agreed to establish a 'Group for Cooperation' as an informal mechanism of their parliamentary cooperation (CIG, 2015). The EU has largely ignored the members of parliaments of both countries in the framework of the Brussels Dialogue, although they are very important given that the concluding agreements of the dialogue need parliamentary approval.

Through the Brussels Dialogue the EU wanted to induce transformation of relations between Kosovo and Serbia by exerting pressure on top-level actors from both countries, and it has engaged in manging and controlling the agency of civil society rather than forming partnerships with them. It has treated civil society mainly as a service provider in the framework of the Brussels Dialogue. This not only contradicts the EU's proclaimed appreciation and understanding of civil society as an important factor in conflict transformation (Tocci, 2008), but it is also a missed opportunity for the EU to work with civil society to strengthen confidence building between Kosovo and Serbia, considered a fundamental shortcoming of the Brussels Dialogue

6.4 Conclusion

This chapter examined the EU's everyday practices that can be considered mundane or rudimentary but that played an important role in giving the EU agency in facilitating acceptance of compromise solutions between Kosovo and Serbia in the Brussels Dialogue. At the same time, these practices can provide an alternative explanation or add a layer to existing ones that explain why the Brussels Dialogue failed in confidence building measures between Kosovo and Serbia, which is seen as a factor that contributed to the poor record of implementation of the Brussels agreement.

With respect to how everyday practices gave the EU agency in facilitating compromise, this chapter showed that the EU has a special ability to imitate resolution of disputes between parties by embedding itself in compromise solutions. For instance, in the agreement on issues of civil registry and cadastre registry, it seems the main reason Serbia accepted to handover such registries, is because, the government saw itself as making the handover not to Kosovo but to the European Commission via a USB disk, after an EU funded project digitized the registry. So while this approach was successful in getting parties to agree, and in resolving an important issue for the property rights of citizens in Kosovo, it also created a bypass in relations between Kosovo and Serbia, and did not contribute to the normalization of relations

between the two countries. In practice, it created an enabling environment for the conduct of relations between two governments who have no normal relations through the European Commission. While the merits of these arrangements are arguably positive in terms of practicality, they create a comfort zone for parties to skip the fundamental issues of their disagreement, thereby creating an illusion of progress in normalization. This is a result of the quick-fix mentality that seems to be a feature in the EU's conflict management approaches.

The EU seems to have been far more interested in ensuring that proposed conclusions are initialled between parties rather than in their actual implementation. Although the EU has problematized the lack of implementation of the agreements, it did not make any meaningful steps to secure stronger commitment from both parties to do so. One of the implications of the EU's approaches to the Brussels Dialogue is that it undermined the statebuilding agenda. It impeded domestic reforms that would have also created a more receptive environment for the Brussels Dialogue and advanced capacities for implementation of the agreements. As explained by a civil society member of Kosovo "the moment the Prime Minister started going to Brussels for the dialogue, domestic reforms were put on hold." (Personal interview with a director of a local think-tank monitoring Kosovo-Serbia dialogue, July 30, 2018). This was corroborated by a senior government official, who said that to him it was made clear by the EU that even if the government fulfilled all the conditions in the visa liberalization roadmap it would have not have mattered unless the government was delivering on the Brussels Dialogue (Personal interview with a senior official of the Office of the President of Kosovo, August 15, 2018).

Embedment practices of the EU created an abnormal process of normalization of relations. Both Kosovo and Serbia paraded Brussels agreements as milestones for their objectives, even as the extent of requirements for them to cooperate in their implementation was minimal. The embedment practice fed the belief, especially in Serbia, that it was possible for the country to make significant progress towards European accession without the need to make decisive steps for normalization of relations with Kosovo. This undermined confidence building between Kosovo and Serbia, it undermined conditionality policy for the EU, and it undermined the EU's actorness because it seemed to have compromised on important lessons learned on how to utilize European integration process for conflict resolution. Furthermore, despite the EU's proclaimed commitment to partnership and cooperation with civil society, this chapter showed in practice that the EU tends to see and utilize non-government

organizations as service providers to implement propaganda style projects, and do not create a space where the NGOs would feel welcome and there is input valued.

The practices examined in this chapter, unearth the prevalence of non-institutional approaches in the EU's model of statebuilding. Accordingly, the chapter implies that to truly understand the nature of the EU as a statebuilding actor and its agency, the focus should be on the everyday, where the rudimentary and mundane lie, but which carries significant agency for the EU. In doing so, this chapter provides a different explanation for why the Brussels Dialogue failed to lead to confidence building between Serbia and Kosovo: embedment practices made it unnecessary for direct communication between the states and much of the dialogue in practice was about what Kosovo and Serbia each agreed with the EU, rather than with each other. The EU's role as a facilitator of the process of normalization of relations between Kosovo and Serbia represents a unique case where the Union as an institution, rather than Member States, was entrusted to take a sole leadership role while other traditional conflict resolution actors involved in the Balkans, including the U.S. and the UN, were engaged in a support capacity. Therefore, while embedment practices seem unique to this particular case, they also form an important framework for investigating future conflict mediation engagements of the EU. In terms of polices, the chapter implies that the extent of embedment of the EU in the compromise solutions determines the readiness of parties to reach agreements.

Chapter 7: Conclusion

> *"In Kosovo the institutions are very weak and there is total dependency in the EU. They [Kosovars] are waiting for other people to tell them what they need. Kosovo has not been, or is not allowed to be on its own. There was always international pressure. Kosovo is a great study case of what a constant dependency and pressure from international society does to a country." (Personal interview with a subcontracted expert from a EU member State, July 26, 2018)*

> *"The EU seeks solutions that safeguard stability. The strength of the EU is in being always prepared to argue, and build good arguments on paper. Often we listen to the EU for the wrong reasons, and sometimes we listen to the EU because of short-sighted reasons." (Personal interview with a former adviser to Prime Minister of Kosovo, September 19, 2018-b)*

The everyday practices and actors help the EU secure desired outcome from domestic decision-making processes, as they are designed to overwhelm the local agency, and perpetuate local dependency on external capacities. This shows, that EU's statebuilding approaches lack long-term strategy and are often improvised interventions designed to quick-fixes to complex problems in ailing states, such as Kosovo. In this sense, the EU's support to address the symptoms of the ailing state intentionally are transformed into moving targets for the local actors. This allows the EU to justify continued intervention.

Statebuilding interventions by Western-led international community in post-conflict societies and fragile states is based on the premise that (re)building Weberian institutional and legal infrastructure, and installing a liberal-democratic model, is essential for sustainable peace, preventing conflict and pre-empting threats (Paris, 2004). However, the liberal statebuilding record has been controversial. UN sponsored statebuilding interventions have been criticised for failing to promote local ownership and imposing western models as templates into diverse and complex societies. These challenges with statebuilding interventions were highlighted by critical scholars pointing to the failures of such interventions to lead to democratic

transformation, improved human rights or effective rule of law (Richmond, 2011). Of particular relevance is how these scholars turned to new perspectives, such as 'the local turn' and 'the everyday turn', to acquire a deeper and better understanding of the challenges with external statebuilding interventions, both in the context of performance as well as ideological underpinnings. These new approaches have provided a significant contribution to existing literature on peace and conflict studies, showing the discrepancy between the proclaimed motives and aims of external interventions, and the reality on the ground (Visoka, 2017). However, existing accounts of statebuilding interventions in post-conflict societies and fragile states analysed through the lens of the everyday have insufficiently explored EU approaches. Instead they largely focus on post-factum intervention and often portray statebuilding intervention as static, and frequently overlook important processes such as domestic decision-making. This lack of focus on the everyday is unfortunate, as such analyses can provide alternative explanations for accounted shortcomings in the EU statebuilding approaches in areas such as local ownership and sustainability of norm diffusion, among others.

Thus this thesis is aimed at gaining a better understanding of the EU's agency as a conflict manager by identifying and accounting for some of the key everyday practices and actors in its statebuilding interventions. Using a qualitative methodological approach, it analysed data from in-depth interviews with officials from the Kosovo government, EU institutions, and civil society representatives involved in the everyday of the EU's statebuilding efforts in Kosovo. The analyses has revealed that the everyday is undoubtedly an important space which creates an enabling environment for the EU to actively interfere with the domestic decision-making process; and in so doing, the EU manages to control and shape the statebuilding process. There are two implications from the findings: (1) The EU's promoted self-image of an actor that supports rather than intervenes in the statebuilding process, does not hold up to scrutiny under the everyday lens. The EU is heavily involved in the process, and it imposes statebuilding priorities on local institutions, a behaviour which often manifests as indirect micro-management of the domestic policy-making processes. The EU's actual statebuilding intervention is largely administered and delivered by subcontracted experts, who also define what norms and best-practices from the EU need to be incorporated in the domestic polices and laws. These subcontracted experts exercise their own agency, which is visible in the everyday context. While the imposition of external actors in the statebuilding process is not a new revelation the explanation of how the EU does this in practice—which this thesis provides—is new.

To conclude the investigation of the EU's everyday practices and actors of statebuilding, this chapter summarizes the main findings in the context of two themes that provide an alternative view of the EU approaches to statebuilding.

7.1 Towards an alternative view of EU's statebuilding approaches

Who is actually involved on behalf of the EU in administering statebuilding interventions? This is one of the research question this thesis answers by looking at the everyday. How existing literature conceptualises the Union's approaches to statebuilding leads to an assumption that its own institutions are the main actors in control of performing statebuilding tasks. Research into the EU's actorness, such as the 1993 article by Christopher Hill (1993) that problematized what he termed 'capability-expectations gap' in the EU's role as an emerging global actor,+ largely deals with the internal dimension of the Union, in terms of planning and delivering statebuilding tasks. This gap is still acknowledged by academics as an issue that "hinder[s] the EU's role in conflict prevention and peacebuilding, in particular, when it comes to civilian capabilities." (Juncos and Blockmans, 2018, p. 132). Additionally, there is significant research into how the EU uses local actors, such as civil society, to increase its legitimacy to help facilitate the implementation of statebuilding tasks, particularly to promote democracy and human rights (Kohler-Koch, 2010).

However, the literature pays less attention to actors on whom the EU depends to implement statebuilding interventions in practice. Who actually is the EU in the everyday? In this context, it has often been neglected that the EU approaches to statebuilding, in practice and in the everyday, are largely administered by subcontracted experts, who are not just static actors, but create their own agency and exercise significant control over the overall statebuilding intervention. While Oliver Richmond and Henry F. Carey discuss the role of NGOs in implementing statebuilding tasks, (Richmond and Carey, Eds, 2006) less is known about subcontracted experts engaged through private companies to implement technical assistance to local institutions on behalf of the EU. This thesis showed that subcontracted experts are often the de-facto 'EU' in the everyday. This provides an alternative view of the EU's agency and actorness in statebuilding intervention, and provides a novel explanation for the

shortcomings that have been documented in the literature with respect to EU's approaches to local ownership.

One of the main arguments advanced by this thesis has been that the EU's approaches to statebuilding are in practice largely dependent upon subcontracted experts, and as such on external actors. This finding indicates the existence of an important gap in the existing literature whereby the extent to which subcontracted experts inform and control what the EU does is not sufficiently counted for, thus failing to assess whether there is an actual EU approach to statebuilding. The chapter on rule of law illustrated how subcontracted experts engaged in the framework of the technical assistance project interfere with the domestic policy-making process from the very inception, beginning from the development of the concept documents itself. The practice strips locals of their agency, or puts the process under the effective control of subcontracted experts. Capacity building forms an important aspect of the agency of external actors intervening in post-conflict societies and fragile contexts, as existing literature has shown. (Edmunds and Juncos, 2019). This thesis adds to the knowledge by demonstrating how the conditions that create capacity gaps among domestic institutions themselves originate. In the case of Kosovo, such capacity gaps among local institutions are a result of political interference in public recruitment process resulting in the hiring of unqualified personnel. This thesis showed that often the EU drives local institutions towards assuming obligations which they have no capacity to deliver. The thesis has also shown that this is true not just in relation to fulfilling and implementing the EU *acquis*—where lack of capacities would be assumed as normal since it would be a new process for the country—but also in areas where no EU *acquis* exist, such as public administration.

Rejecting the EU is very hard for local institutions, both practically and in terms of making a good case during the negotiations with the EU. Local government officials, as several explained in personal interviews, have to play on the EU field, by EU rules, and are invited to negotiate over EU designed processes and instruments which they understand little and have limited capacities to effectively engage with. The chapter on public administration illustrated how negotiations between local institutions and the EU on developing contractual relations on particular sectors are entirely dominated by EU officials. Local actors often do not have the experience or the know-how in negotiating with the EU in the framework of particular instruments, such as the Sector Reform Contract for PAR.

Another argument advanced by this thesis is that the extent of involvement of subcontracted experts by the EU in administering and delivering statebuilding tasks is detrimental to local ownership, sustainability of norm diffusion and implementation of reforms. As the chapter on rule of law illustrated, subcontracted experts define what EU best-practices mean and what norms need diffusion in relation to particular policies. Unlike its self-projected image, the EU does not have an organized and coherent approach to diffusing its norms. The approach is predominantly based on improvisation, which is left to the subcontracted experts. As illustrated by the chapter on rule of law, standards and best-practices from the EU that are diffused or transferred to the domestic institutions are largely determined by the subcontracted experts. Their input is determined by personal experience from their own country. In other words, if the lead expert supporting a particular policy-making process in Kosovo is from Bulgaria, than what is diffused in a local policy-making process as best practices from the EU, is actually based on the experience of the Bulgarian government. Neither the subcontracted experts nor the EU, do not seem to have a system in place to perform feasibility studies to ensure that their input is compatible with local context.

This thesis holds that this approach leads to improvisation or experimentation. As a result, the government of Kosovo sometimes adopts policies or laws that require significant changes in a short period of time. This is because what was diffused as best practice from the EU, in fact was the personal experience of the subcontracted expert, who believed the particular practice represented the best practices from the EU. This approach is detrimental to local ownership as well as sustainability of the norm diffusion rom the EU. In some cases the input from the subcontracted experts is poorly coordinated within the EU projects, which increases experimentation with local policy-making and makes the process of diffusion of best practices from the EU even more unsustainable. For instance, a subcontracted expert working with local institutions to develop the legislation on confiscation of assets obtained in an illegal manner was from the UK, while subcontracted experts simultaneously working on developing the Criminal Code, which is an essential and related legislation on anti-corruption, were from other Member States. This meant different experiences and practices—with the potential to contradict each other—were integrated into the law (Personal interview with a local civil society leader, March 3, 2018).

The EU Office in Kosovo did not effectively monitor this process and ensure harmonization of input from different subcontracted experts. Neither the EU nor the subcontracted experts base their input into domestic legislation feasibility analysis or criteria particular to the local

context to ensure compatibility. Such improvisations create problems with the legislation in question, forcing the government of Kosovo to make changes to the law in the implementation phase when the flaws become clear. This was the case with the anti-corruption legislation, as illustrated in the rule of law chapter. Another ramification of the heavy reliance on and engagement of subcontracted experts concerns transparency of the domestic decision-making process. This thesis has shown that often the involvement of subcontracted experts in policymaking undermines both local actors and consultations with civil society organizations. Subcontracted experts have a tendency to be actively engaged in government working groups on different legislative initiatives and present a serious challenge to input from the civil society.

As illustrated in the rule of law chapter, the subcontracted experts—often seen both as experts on the subject matter and as extensions of the EU—speak from a position of authority, making it difficult for civil society representatives to get their opinions accepted. To better understand what happens with respect to the democratic processes, therefore, it is necessary to look at government-working groups, something that can be seen as mundane. From this perspective, it can be observed that often what is represented as EU becomes an instrument for marginalization of civil society in the decision-making process. However, this is never problematized by the civil society because it is the EU. This shows the limits of the agency of civil society in dealing with the EU in the framework of the norms of democratic functioning of public institutions. Moreover, the chapter on the rule of law also showed that the EU acknowledges the problem that domestic institutions face with lack of capacities, and invests in addressing capacity gaps. The EU-run Young Cell Scheme (YCS) which provides local youth with opportunities for education in EU universities is an example. In this context, Arolda Elbasani (2018, p. 159) notes the existence of 'frail institutional capacities' although Kosovo has been one of the most expensive statebuilding interventions. However, the EU's approaches to addressing capacity gaps through education have, among others, suffered from the industry of subcontracted expertise. While YCS students have an obligation to work for public institutions for three years after returning home, most of them end up leaving their government jobs for much higher paid opportunities in the consultancy industry, often working for the very same EU funded technical assistance projects that provide capacity support.

One of the key implications of the findings from looking at the everyday is that the involvement of the actual EU personnel in the process of policymaking in a normal capacity

to ensure effective norm diffusion is limited. Much of what happens in the everyday in the name of the EU is done by subcontracted experts. The problem with this is that the EU does not effectively exercise control over their work and subcontracted experts enjoy substantial autonomy. As illustrated in the chapter on public administration, they can also exercise control over EU's positions vis-à-vis the domestic decision-making process, such as in the process of rationalization of agencies. Additionally, the EU does not seem to be willing to hold accountable the technical assistance projects. According to most interviewees, the EU also always sides with the subcontracted experts whenever there is an issue with local institutions on an ongoing policy-making process.

What does this mean for the EU? First and foremost it means there is no EU approach to statebuilding in the everyday—what exists is a highly ad-hoc and improvised set of measures. The EU's interference in the statebuilding process often undermines democratic principles and, therefore, it does not necessarily lead to more democratic functioning of public institutions, a core objective the EU promotes. With respect to rule of law, which is a fundamental priority for the EU, looking at the EULEX and its response to anti-corruption efforts shows the Union's involvement can displace domestic system of checks-and-balances as well as accountability for performance. The EU's failure to effectively plan and administer the EULEX demonstrates that it cannot effectively plan long-term statebuilding missions. The significant imbalance in EU personnel in the EULEX, with majority being police officers, suggests that the EU's experience in managing police missions is more effective compared to recruiting and managing judges and prosecutors to administer rule of law. T It means that the EU itself, that is EU institutions and personnel, especially the EU Office in the ground do not have a proper approach towards statebuilding, and are reliant on subcontracted expertise both for understanding, issues designing interventions and delivering/implementing the measures.

7.2 Rethinking the EU's agency in practice

The EU-led dialogue for normalization of relations between Kosovo and Serbia has been the subject of significant attention in existing literature due to the complexity of disputes between the two sides, and because it marked the first time the EU as an institution assumed responsibility to lead a conflict mediation process. It showed a recognition of the EU's growing actorness as a conflict manager. What gives the EU agency and actorness in mediating resolution of conflict between states? Most research largely suggests that the

Union's agency can be located in the so called concept of conditionality (Sasse, 2008), which is part of the theorization of the EU as a normative power (Manners, 2002). This argument is particularly relevant in the framework of the EU's enlargement policy, where the Union has conditioned accession progress with resolution of outstanding bilateral disputes between countries aspiring to membership. This argument has been extensively used to explain the EU's agency in facilitating normalization of relations between Kosovo and Serbia. Stefan Lehne (2012, p. 1) maintains that "[t]hrough the strong use of incentives and conditionality, the EU recently helped to solve some of the acute problems in the North and to open the door to Kosovo's participation in regional cooperation." Another argument refers to 'constructive ambiguity' as a successful in normalizing relations between Kosovo and Serbia, but a short-term solution (Guzina and Marijan, 2014). Constructive ambiguity is seen particularly relevant, considering that the EU was mediating between two parties that did not recognize each other which is a significant political challenge. Constructive ambiguity enabled both parties to interpret agreements as suited their political position best. This approach, however, has been criticized, among others, for being detrimental to confidence-building between parties as well as to implementation of the agreements as lack of a common understanding of the terms of agreements led to practical problems in implementation. Looking at the current research Argyro Kartsonaki (2020, p. 104) explains that the EU "under-appreciates the depth of the conflict and continues with superficial, box-ticking measures. These provide the legal and political framework for further discussions at state, regional and international level." In this sense, the EU seems to be more interested in creating the appearance of normalization of relations between Kosovo and Serbia, rather than securing the actual substance for normalization of relations.

This thesis has found that neither conditionality nor constructive ambiguity sufficiently explain the successes and failures of the EU-led dialogue between Kosovo and Serbia. The findings of this study add to the existing body of knowledge on the EU's effectiveness as a mediator an alternative view of the Union's agency by unearthing practices that were ignored in other investigations of the subject. Closer examination of the texts of the agreements reached between Kosovo and Serbia in the Brussels Dialogue, and insights gained from interviews with officials who participated directly in the talks, reveal two important practices to have played a key role in getting both sides to reach compromise. They can also explain why there was a failure in building confidence between the two parties.

First is the practice of embedment of the EU in the agreements reached in the Brussels Dialogue. This practice refers to EU assuming such a high level of responsibility for implementing arrangement between parties that it seems the two parties agreed with the EU rather than with each other. For instance, the agreement reached between Kosovo and Serbia on civil registry was largely an agreed arrangement for the EU to implement certain activities on the subject. The EU funded a project for the respective Serbian institution to scan civil registry documents, which were then handed over to the EU in a USB stick, which was in turn handed over by the EU to Kosovo institutions. From the Serbian perspective they were simply handing over to the EU scanned documents of the project they paid for. The necessity for Kosovo and Serbia to work or even communicate with each other in the process was entirely minimised. With this agreement, besides the appearance of both parties agreeing to something in the Brussels, nothing changed in practice in terms of normalizing relations with the two parties in the field of civil registry. In this sense, the EU's agency to mediate between two parties can be located in its ability to create and provide a bypass for parties where dealing with each other is circumvented. Similar arrangements can be found in most Brussels agreement.

Consequently, the EU approaches normalized the abnormal relations between Kosovo and Serbia, by substituting it with its own involvement. In this sense, normality was not about the relations between the two countries, but rather about the extent to which they both created an enabling environment for the EU to perform normalizing measures on their behalf. As a result of this, both parties never truly felt it to be necessary for them to communicate or cooperate directly to ensure implementation of the arrangements reached in Brussels Dialogue. The agreements, such as the Integrated Border Management (IBM), which at a certain point required for both parties to cooperate with each other, faced significant challenge in implementation. It was the same in the case of the agreement on energy and establishment of the association of Serb municipalities in Kosovo. There seems to be a correlation between the level of EU involvement in the implementation arrangements of the Brussels agreements and the actual implementation of the agreements. It resulted in significant setbacks in confidence building between Kosovo and Serbia, and the normalization of the paramount principle of the embedment of the EU in any arrangements between the two parties.

This shows that the EU's role was significantly more complicated and intervening than that of a facilitator. In the context of this observation that the thesis has made, the second practice the EU utilized to secure compromise between parties is utilization of external actors to

pressure, specifically the Kosovo side, to accept compromise solutions. Individuals that directly participated in the Brussels Dialogue have confirmed that the EU officials on a number of occasions called on U.S. officials, usually from the State Department, to help them convince the Kosovo side to accept suggested compromises. As illustrated in the previous chapter, in one case, EEAS officials asked members of the Kosovo delegation to remain in Brussels for a weekend following their resistance to particular provisions suggested by the EU in a draft-law under development in Kosovo. Two senior State Department officials met members of the Kosovo delegation in the EEAS building and managed to get them to agree to the suggested compromise, allowing the negotiations to resume. It was sufficient that the Americans guaranteed the Kosovo side that the suggested compromise would not jeopardize Kosovo's sovereignty. Besides this, a representative from the U.S. State Department was always present in the Brussels negotiations room, which was more than just about sending a message of support for the process. As maintained by Kosovo members of the delegation, the U.S. presence was a condition for their participation in the dialogue and they regularly coordinated with the State Department. Additional arguments that contradict the EU's role as a mere facilitator include the practice of actually writing compromise suggestions between the parties and lobbying them for particular arrangements.

This account that is clearly observable through the lens of the everyday contradicts to a certain level the EU's positions pertaining to the extent it depended on external support to secure agreements between parties. This seems to suggest that there is a two-fold nature to the EU as a conflict mediator. Externally, it seeks to maintain an image of a *laissez faire* approach towards the parties that nurtures the sides towards a compromise by speaking sense to them, and binding them to a common vision, in this case EU membership. However, in practice, the EU's approach is hands-on, and it is a pragmatic actor. But the true power of the EU lies in the ability to imitate resolution of disputes between the parties through embedment of its self in compromise solutions. This has created the illusion of normality in Kosovo-Serbia relations. This resulted in serious implications for the EU's commitment to norms and principles, including transparency and accountability. Civil society organizations from Serbia and Kosovo criticised the EU for failing to promote a transparent and inclusive dialogue. For instance, a think-tank from Kosovo holds that because the dialogue has been confined, it has damaged its credibility." (KDI, 2018, p. 6). As noted in the previous chapter, the Union's remedy for the situation was to instrumentalize civil society by funding a consortium of organizations to do the promotion of the dialogue on their behalf. In this sense, even though

the EU holds the main power over the process of the dialogue, the main target of criticism from the civil society in Kosovo, with respect to the lack of transparency is the local government (Ibid).

This account seems to suggest there is no uniqueness to the EU's conflict mediation approaches, despite the insistence to the contrary in the Union's policy documents. The EU suffers from the same shortcomings in conflict mediation as the UN and other actors do: lack of appreciation for the complexity of the conflict; lack of local ownership and participation; and disregard of and instrumentalation of civil society. As a normative actor, the EU promoted the dialogue for normalization of relations as centred on the concept of human security, claiming that the dialogue would improve the life of the citizens. However, in practice, objectives of the EU seem to be much less ambitious. The dialogue failed to secure anything more than maintenance of the stability in Kosovo. This is a characteristic of the EU's everyday approaches to statebuilding.

7.3 Theoretical and policy implications

This thesis has shown that the everyday lens is essential to acquire a more realistic understanding of how the EU acts in and conducts statebuilding intervention. The everyday has been understood by this thesis as mundane aspects of the EU's dealings with domestic institutions and actors in the statebuilding process that are not fully captured in the existing research. Existing theories show that for the EU norm diffusion is an essential aspiration in statebuilding interventions. In this context, three shortcomings in the existing theoretical frame can be identified pertaining to EU approaches in terms of its actorness. Statebuilding intervention theories seem to discuss the EU as a consolidated actor with attempting to develop a unique approach to statebuilding. In this context, this thesis offers two important observations. The EU's ability to effectively organize and manage more complex statebuilding missions is limited. The EU's experience lies mainly with deployment of police missions under CSDP, and this has influenced the nature of the EU's approach to statebuilding as seen by the EU's own investigation into allegations of corruption and mismanagement within the EULEX mission. Closer examination of the EULEX through the lens of the everyday revealed that the EU failed to attract and retain qualified judges and prosecutors in the mission. The short timeframe of engagement of EULEX judges and prosecutors also affected investigations and proceedings of anticorruption cases. The initial approach of the

EULEX mission of creating an exclusive zone in the judiciary – with the EULEX track only courts – led to a zone of comfort for the local judges and prosecutors and further diminished confidence. Practices of embedment of EU judges and prosecutors with local counterparts had limited success in building local capacities. Nonetheless some success was achieved that might be considered mundane by conventional standards such as improvements in the writing of court verdicts by local judges and indictments by prosecutors.

First, while the EU has certainly made progress in developing a unique understanding of the statebuilding process, there is no overall unique EU approach to statebuilding intervention. The uniqueness in this context lies in how the EU implements lessons learned from other statebuilding actors such as the UN with respect to local ownership, appreciating the complexities of the local context, and in upholding principles and values that are passionately promoted by the EU such as transparency and accountability. While on the surface the EU likes to promote its statebuilding intervention as a partnership with domestic actors and institutions, playing a supportive role, in practice the EU is very interventionist and actively interferes in local decision-making processes. This thesis adds an explanation of how this interference actually manifests in practice by capturing and unearthing the work of the subcontracted experts. It has also shown that the EU's actorness is driven, fundamentally, by the same motive as that of the UN or other actors, which is ensuring stability, which often comes at the expense of supporting the local potential for transformation and democratic growth.

Secondly, an important observation made by this thesis concerns the question of what gives the EU agency as a statebuilding actor. The everyday shows that domestic actors, especially the bureaucrats, at least in the case of Kosovo, operate almost in fear when dealing with the EU and its demands because they do not want to risk being seen as getting in the way of or hindering European integration. This stems from a modus-operandi whereby pleasing EU requirements is essentially the number one priority of the policy-making and decision-making process. Often public officials would fear a fallout with the EU on a particular policy rather than with the public. From a democratic standpoint this is highly problematic. The EU itself teaches local institutions to be accountable and responsive to citizens, but in practice, it subtly promotes a prioritization of demands. The EU is aware that this principle of pleasing the EU which drives the work of domestic administration is a vital aspect of creating the enabling environment for the Union to exercise influence. The implication of this behaviour by the EU is profound for the ability and capacity of the domestic actors to be proper partners for the EU

of resisting or countering EU dictation. This thesis shows that despite the constraints, in the everyday, the bureaucrats are also what could be termed 'the everyday resisters' in the dealings between the EU and domestic institutions. They are largely ignored in the literature as a source of domestic resistance to external dictation.

Scholars such as Biscop discuss EU responsibility, capability and capacity to implement statebuilding intervention. This thesis has shown that while the EU has accumulated sufficient experience and is relatively effective in putting together police missions, the Union's readiness to organize, deploy and implement more complex statebuilding missions such as the one in Kosovo is more limited. Case in point is the EULEX mission in Kosovo. The EU's own assessment in preparing for the EULEX showed that a statebuilding intervention in Kosovo would be welcomed by citizens in the area of rule of law, particularly in the judiciary. Accordingly, the EULEX was designed to meet this demand. However, EULEX personnel were predominantly police officers, despite the EU itself arguing that Kosovo police was among the most trusted institutions, while the courts and prosecution needed more support. One of the obstacles that the EU faced in recruiting personnel for the EULEX to work with the Kosovo judiciary was lack of proper planning for deployment of judges and prosecutors from the EU and a lack of appreciation for the nature of the work of the judiciary, as explained in the chapter on rule of rule. This shows that the EU is less prepared for and suited to plan and implement statebuilding interventions that are focused on non-security tasks. This is an important dimension of the capability-expectation gap that requires further investigation. The implications for the EU's statebuilding policy and practice based on the findings of this thesis are that the Union is not suited to performing norm diffusion on its own, but relies heavily on external expertise. However, the EU does not effectively monitor or guide the work of the subcontracted experts, and there is limited or no accountability for technical assistance projects that are tasked to support domestic institutions, which leads to experimentation and lack of coherence and coordination in the EU's position vis-à-vis local processes.

This thesis examined the EU's everyday practices of statebuilding as an alternative understanding of how the EU asserts power and shapes local agency. In doing so it has unearthed a previously invisible spectrum of the EU's involvement as a statebuilding actor in other countries. It has shown that rudimentary or mundane elements in the EU's approaches are enablers for EU's influences and thus significant instruments of agency. This thesis has provided an account of these everyday practices as statebuilding tools in three key priority areas in the EU's statebuilding interventions: rule of law, public administration and mediation.

This thesis has also answered the call for more empirical research on how the EU does in practice as a statebuilding actor. And while this thesis has provided a catalogue of the EU's practices and actors, it has not assessed the performance of the EU's everyday practices of statebuilding in comparison to established tools in the visible spectrum of the EU's engagement in other countries, such as conditionality. It has only located such practices and examined their impact towards local agency. It has shown that sometimes tools such as conditionality are insufficient for the EU to achieve its statebuilding goals and, therefore, the everyday provides an alternative means for the EU to assert its power, often to the detriment of local agency. An assessment in this area is needed to understand how the EU can better incorporate tools from the invisible spectrum of statebuilding intervention into its institutionalized approaches in order to introduce more accountability and transparency in its wider context of engagement in other countries.

This is especially important with respect to the engagement of subcontracted experts in transferring best practices from the EU to other countries, in order to prevent improvisation and experimentation. As this thesis has shown, subcontracted experts play a far more important role than simply facilitating the EU's assistance to other countries. In this sense, this thesis shapes our understanding of how policymaking works in practice, as it is dominated by these actors whose agency is visible with the lens of the everyday. But they lack of effective supervision from the EU subcontracted experts tend to impose practices from their home countries without any criteria for judging if such practices are indeed best practices from the EU or for adjusting them to the local context. Sometimes there are subcontracted experts from different EU Member States that work on different laws or policies in the same field (i.e. anti-corruption) resulting in a lack of harmony in the legislation in the respective field. This thesis has shown that this has important practical and direct impacts on the everyday life of the citizens and on the country's ability to effectively implement reform priorities. Also, these challenges are important obstacles for the EU's role in supporting meaningful democratic transformation and rule of law in other countries.

The research conducted for this thesis has suggested that there is an important gap or discrepancy between the Brussels based EU institutions and their representations in other countries. While this thesis has briefly addressed this issue in chapter 6, analysing the impact of such a situation in detail was beyond the scope of this thesis. This should be examined further, and the assessment of this element can reveal how the EU can better include it in its peacebuilding and mediation approaches its own institutions. Also, this research implies that

the EU has to develop a proper understanding of how to engage with civil society when mediating dispute resolution between parties. The EU tends to see civil society as a service provider, but they can be more. In this sense, it would be of benefit to see more research that investigates the question of EU-civil society relations in conflict mediation processes, with the aim of bringing forward concrete policy proposals on how to improve the EU's approach.

This thesis has shown that in practice the EU faces an ethical and normative crisis, and only weak local agency is preventing this from becoming a serious obstacle to EU engagement in other countries. Further empirical evidence of how the EU actors and those working on behalf of the EU actually behave vis-à-vis the local actors is important. This research raises important questions about the extent to which the EU takes seriously the way technical assistance projects are implemented. As shown in chapter 4 and 3, the EU tends to ignore malpractices on the part of the projects it funds to provide support to local institutions. Also, EU officials themselves often tend to create an intimidating environment that impedes the critical agency and participation of local actors. This raises the important question of whether the EU has an institutionalized approach to accounting for and taking into consideration local perceptions of its involvement. While beyond the scope of this thesis, it implies that limited attention is paid in academia to local perceptions of the EU as a statebuilding actor beyond public opinion polls that do not capture its essence. This thesis invites more in-depth qualitative research, using the everyday lens, to understand how the local actors truly view the EU. This is important for an EU that claims to want to be ethical and normative as an emerging global conflict manager in an increasing uncertain world.

This thesis was designed as a case study which makes the issue of external validity a challenge. It has used Kosovo as a case study because of the extent of the EU's involvement in statebuilding activities in this country. However, this thesis does invite replicability of its analysis elsewhere, especially from researchers who seek to unearth the true nature of the EU's statebuilding engagement in a respective country. It provides a guideline for doing so. It suggests focusing on the informal and non-official spaces of interactions between the EU and local actors to capture practices and actors that shape the agency of the EU as well as of the local. It suggests that researchers focus on local technocrats as a primary source of information and investigate the work of subcontracted experts. To better understand relations between the EU and other countries, it suggests closer examination of the relations between the EU and local technocrats. Usually researchers tend to frame the EU's approaches and relationships with other countries through elite interviews. This thesis shows that to be only a

small part of the extent of EU engagement. In doing this the researchers should be able to better understand what hinders local ownership and participation and the sustainability of democratic transformation and implementation of EU-led reforms. In other words, replication of this analysis should help better pinpoint the actual problems with local agency. This thesis suggests three hypotheses that can be further tested by research: a) the stronger the involvement of subcontracted experts through EU funded technical assistance projects in policy and law-making processes, the weaker local ownership and capacities, as well as the sustainability of EU's norm diffusion become; b) the extent of EU embedment in agreements determines the level of compromises reached between parties in conflict; and c) the greater the EU embedment in compromise solutions between parties in dispute, the higher the lack of confidence between the parties.

List of Interviews

1. Personal interview with a staff member of an EU member State embassy in Kosovo, Prishtina November 9, 2017
2. Personal interview with a former senior adviser in the Ministry of Internal Affairs, Prishtina, November 10, 2017
3. Personal interview with a team member of an EU-funded technical assistance project for justice sector, Prishtina, November 15, 2017
4. Personal interview with senior civil servant in Ministry of European Integration of Kosovo, Prishtina, November 20, 2017
5. Personal interview via e-mail with a former minister in the government of Kosovo, Prishtina, December 8, 2017
6. Personal interview with senior government adviser, Prishtina, December 11, 2017
7. Personal interview with senior civil servant in the Ministry of Foreign Affairs of Kosovo, Prishtina, December 12, 2017
8. Personal interview with senior adviser in Kosovo Assembly, Prishtina, December 20, 2017
9. Personal interview with senior civil servant from the Ministry of Trade and Industry of Kosovo, Prishtina, March 1, 2018
10. Personal interview with civil society leader, Prishtina, March 3, 2018
11. Personal interview with former adviser in the Kosovo Anti-Corruption Agency, March 9, 2018
12. Personal interview with a local lawyer, Prishtina, March 10, 2018
13. Personal interview with senior official from Kosovo Police working on operations, Prishtina, March 15, 2018
14. Personal interview with senior official from Kosovo Police working on international cooperation, Prishtina, March 16, 2018
15. Personal interview with civil society leader, Prishtina, March 19, 2019
16. Persona interview with senior official of Kosovo Judicial Council, Prishtina, March 23, 2018
17. Personal interview with a former minister in the government of Kosovo, Prishtina, March 27, 2018
18. Personal interview with an official from EU Office in Kosovo, Prishtina, March 24, 2018

19. Personal interview with civil servant, Prishtina, March 28, 2018
20. Personal interview with senior with a representative of a think-tank from Berlin/Germany,, April 18, 2018
21. Personal interview with member of the Kosovo government, Prishtina, April 20, 2018
22. Personal interview with a team leader of a technical assistance project supporting the Kosovo government, Prishtina, April 24, 2018
23. Personal interview with a senior official of Kosovo's Ministry of Foreign Affairs, Prishtina, April 3, 2018
24. Personal interview with senior official from Ministry of Justice of Kosovo, Prishtina, April 7, 2018
25. Personal interview with senior official of the EU Office in Kosovo, Prishtina, July 6, 2018
26. Personal interview with a senior official of the Office of the President of Kosovo, Prishtina, July 16, 2018
27. Personal interview with a subcontracted expert from an EU member State, Prishtina, July 26, 2018
28. Personal interview with a senior official of a think-tank monitoring Kosovo-Serbia normalization dialogue , Prishtina, July 27, 2018
29. Personal interview with with a director of a local think-tank monitoring Kosovo-Serbia normalization dialogue , Prishtina, July 30, 2018
30. Personal interview with a director of a local think-tank monitoring rule of law, Prishtina, August 8, 2018
31. Personal interview with a senior official from Kosovo's Ministry of Foreign Affairs, Prishtina, August 14, 2018
32. Personal interview with a senior official of the Office of the President of Kosovo, Prishtina, August 15, 2018
33. Personal interview with a legal analyst in a local NGO, Prishtina, August 16, 2018
34. Personal interview with a senior civil servant from the Ministry of Public Administration of Kosovo, Prishtina, August 18, 2018
35. Personal interview with a government adviser on Public Administration, Prishtina, August 17, 2018
36. Personal interview with a director of a local think-tank monitoring rule of law, Prishtina, August 25, 2018

37. Personal interview via e-mail with a senior member of the Kosovo embassy in Brussels, Prishtina, August 20, 2018
38. Personal interview with a former adviser to the Minister of Justice of Kosovo, Prishtina, August 23, 2018
39. Personal interview with an official of Kosovo's Ministry of Foreign Affairs, Prishtina, August 23, 2018
40. Personal interview with a senior official from Anti-Corruption Agency of Kosovo , August 24, 2018
41. Personal interview with a senior expert on public administration reform, Prishtina, August 27, 2018
42. Personal interview with an embassy staff of an EU member State, Prishtina, August 29, 2018
43. Personal interview via phone with a senior member of an international think-tank monitoring Kosovo-Serbia dialogue , Prishtina, August 30, 2018
44. Personal interview with a senior civil servant from the Ministry of Public Administration, Prishtina, September 10, 2018
45. Personal interview with a member of a local think-tank monitoring public administration, Prishtina, September 11, 2018
46. Personal interview with a senior official from the Ministry of Justice of Kosovo, Prishtina, September 12, 2018
47. Personal interview with a former official at the Kosovo office in Serbia, Prishtina, September 13, 2018-a
48. Personal interview with senior official from the Office of the Prime Minister, Prishtina, September 13, 2018-b
49. Personal interview with a senior official from the EU Office in Kosovo, Prishtina, September 17, 2018
50. Personal interview with a member of the Kosovo government, Prishtina, September 19, 2018-a
51. Personal interview with a former senior adviser in the Office of the Prime Minister, Prishtina, September 19, 2018-b
52. Personal interview with a senior official from the Ministry of Justice of Kosovo, Prishtina, September 20, 2018-c
53. Personal interview with a former senior official from the Ministry for Dialogue of Kosovo, Prishtina, September 20, 2018-d

54. Personal interview with a former senior adviser at the Ministry of Foreign Affairs of Kosovo, Prishtina, January 17, 2018
55. Personal interview with a senior official from the Department for Public Administration Reform, Prishtina, January 18, 2018
56. Personal interview with a member of the Kosovo's negotiating team for normalization dialogue with Serbia, Prishtina, March 13, 2019

Bibliography

Adler-Nissen, R. (2016). Towards a Practice Turn in EU Studies: The Everyday of European Integration. *Journal of Common Market Studies (JCMS)*, 87–103.

Aggestam, K., & Björkdahl, A. (2013). *Rethinking Peacebuilding The Quest for Just Peace in the Middle East and the Western Balkans.* Abingdon: Routledge.

Altwicker, T., & Wieczorek, N. (2015). Bridging the Security Gap through EU Rule of Law Missions? Rule of Law Administration by EULEX. *Journal of Conflict and Security Law*, 115-133.

Ariely, G. (2013). Public administration and citizen satisfaction with democracy: cross-national evidence. *International Review of Administrative Sciences*, 747-766 .

Assembly of Kosovo. (2013, September 19). *Law No. 04/l-209 on Amnesty.* Retrieved from Official Gazette of Kosovo: https://gzk.rks-gov.net/ActDetail.aspx?ActID=8895

Barlovac, B. (2012, February 24). *Kosovo, Serbia Reach Deal on Regional Representation.* Retrieved from BalkanInsight: https://balkaninsight.com/2012/02/24/kosovo-serbia-reach-deal-on-regional-representation/

Barnett, M., Kim, H., O'Donnell, M., & Sitea, L. (2007). Peacebuilding: What Is in a Name? *Global Governance*, 35-58.

Batalli, M. (2011). Impact of Public Administration Innovations on. *International Journal of e-Education, e-Business, e-Management and e-Learning*, 157-162.

BBC. (2008, February 17). *Full text: Kosovo declaration.* Retrieved from BBC News: http://news.bbc.co.uk/2/hi/europe/7249677.stm

BBC. (2018, November 21). *Kosovo hits Serbia with 100% trade tariffs amid Interpol row*. Retrieved from BBC: https://www.bbc.com/news/world-europe-46287975

Beha, A. (2015). Disputes over the 15-point agreement on normalization of relations between Kosovo and Serbia. *Nationalities Papers*, 102–121.

Belloni, R. (2009). European integration and the Western Balkans: lessons, prospects and obstacles . *Journal of Balkan and Near Eastern Studies*, 313-331.

Bergmann, J., & Niemann, A. (2015). Mediating International Conflicts: The European Union as an Effective Peacemaker? *Journal of Common Market Studies*, 957-975.

Bernardi, M., Hart, T., & Rabinowitz, G. (2015). *EU State Building Contracts: Early lessons from the EU's new budget support instrument for fragile states',.* Retrieved from ODI: https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9441.pdf

Beysoylu, C. (2018). Implementing Brussels Agreements: the EU's facilitating strategy and contrasting local perceptions of peace in Kosovo. *Southeast European and Black Sea Studies*, 203-218.

Bieber, F. (2015). The Serbia-Kosovo Agreements: an EU Success Story? *Review of Central and East European Law* , 285-319.

Bieber, F. (2017, May 5). *What is a stabilitocracy? Blob entry* . Retrieved from The Balkans in Europe Policy Advisory Group (BiEPAG): https://biepag.eu/what-is-a-stabilitocracy

Biscop, S. (2005). Security and development: a positive agenda for a global EU-UN partnership. In M. Ortega, *The European Union and the United Nations : Partners in effective multilateralism* (pp. 17-29). Paris: Institute for Security Studies.

Biscop, S., & Whitman, R. G. (2013). *The Routledge Handbook of European Security* . Abingdon: Routledge.

Björkdah, A., & Höglund, K. (2013). Precarious peacebuilding: friction in global–local encounters. *Peacebuilding*, 289–299.

Björkdahl, A. (2018). Republika Srpska: Imaginary, Performance and Spatialization. *Political Geography*, 34-43.

Björkdahl, A., & Buckley-Ziste, S. (. (2016). *Spatializing Peace and Conflict: Mapping the Production of Places, Sites and Scales of Violence* . Basingstoke: Palgrave Macmillan.

Björkdahl, A., & Gusic, I. (2015). 'Global' norms and 'local' agency: frictional peacebuilding in Kosovo. *Journal of International Relations and Development*, 265–287.

Björkdahl, A., Chaban, N., Leslie, J., & Masselot, A. (. (2015). *Importing EU Norms Conceptual Framework and Empirical Findings.* Heidelberg: Springer.

Björkdahl, A., Hall, M., & Svensson, T. (2019). Everyday international relations: Editors' introduction. . *Cooperation and Conflict*, 123-130.

Blagovcanin, S. (2016). *The EU as state builder in the process of European integration - the case of Bosnia and Herzegovina.* Retrieved from Friedrich-Ebert-Stiftung: https://library.fes.de/pdf-files/bueros/sarajevo/13349-20170504.pdf

Blockmans, S. (2010). EU enlargement as a peacebuilding tool. In S. Blockmans, J. Woutters, T. Ruys *The European Union and Peacebuilding: Policy and Legal Aspects* (pp. 77-103). The Hague: T.M.C Asser Press.

Blockmans, S., Wouters, J., Ruys., (eds) (2010). *The European Union and Peacebuilding: Policy and Legal Aspects*. The Hague: T.M.C Asser Press.

Börzel, T. A., Pamuk, Y., & Stahn, A. (2008). *The European Union and the Promotion of Good Governance in its Near Abroad. One Size Fits All?* Berlin: SFB-Governance Working Paper Series, No. 18, Research Center (SFB).

Bourdieu, P. (1977). *Outline of a Theory of Practice" (1st ed.).* Cambridge: Cambridge University Press.

Brandenburg, N. C. (2017). EU Mediation as an Assemblage of Practices: Introducing a New Approach to the Study of EU Conflict Resolution. *Journal of Common Market Studies*, 993-1008.

Brooks, R. E. (2005). Failed States, or the State as Failure? *The University of Chicago Law Review* , 1159-1196.

Brown, J. (2015, December 21). *Kosovars use bricks, tear gas protesting EU agreement.* Retrieved from Al Jazeera: https://www.aljazeera.com/features/2015/12/21/kosovars-use-bricks-tear-gas-protesting-eu-agreement/

Bryman, A. (2012). *Social Research Methods (4th edition).* Oxford: Oxford University Press.

Bueger, C., & Mireanu, M. (2015). Proximity. In C. Aradau, J. Huysmans, A. McNeal, & N. Voelckner, *Critical Security Methods: New Frameworks for Analysis* (pp. 118-141). London: Routledge.

Burlyuk, O. (2015). Variation in EU External Policies as a Virtue: EU Rule of Law Promotion in the Neighbourhood. *Journal of Common Market Studies (JCMS)*, 509-523 .

Capussela, A. (2015, April 16). *Eulex report exposes EU failure in Kosovo.* Retrieved from EUObserver: https://euobserver.com/opinion/128343

Casini, L. (2008). *Models of public administration: comparative analysis of administrative organisation* . Centre for Administration Innovation in the Euro-Mediterranean Region (C.A.I.M.E.D.).

Castillejo, C. (2015). *Fragile states: an urgent challenge for EU foreign policy* . Madrid/Spain: Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE).

Cavalcante, A., Press, A., & Sender, K. (2017). Feminist reception studies in a post-audience age:returning to audiences and everyday life. Feminist Media Studies, 1-13.Cerimagic, A. (2018, August 26). *(2018) Alpbach appeal to Vucic, Thaci and European leaders* . Retrieved from European Stability Initiative (ESI): https://www.esiweb.org/rumeliobserver/2018/08/26/alpbach-appeal-to-vucic-thaci-and-european-leaders-adi-cerimagic/

Certeau, M. d. (1984). *The Practice of Everyday Life.* Berkley: University of California Press.

Chaban, N., Elgström, O., & Knodt, M. (2019). Perceptions of EU mediation and mediation effectiveness: Comparing perspectives from Ukraine and the EU. *Cooperation and Conflict*, 506–523.

Chandler, D. (2007). EU Statebuilding: Securing the Liberal Peace through EU Enlargement. *Global Society*, 593-607.

Chandler, D. (2010). *International Statebuilding: The Rise of Post-Liberal Governance,* . Abingdon: Routledge.

Chandler, D. (2010b). The EU and Southeastern Europe: the rise of post-liberal governance. *Third World Quarterly*, 69-85.

Chandler, D. (2013). International Statebuilding and the Ideology of Resilience. *Politics*, 276–286.

Chandler, D., & Sisk, T. D. (2013). Introduction: International statebuilding in war-torn societies. In D. Chandler, & T. D. Sisk, *Routledge Handbook of International Statebuilding* (pp. xix-xxvii). London and New York: Routledge.

Chesterman, S. (2005). Transitional administration, state-building and the United Nations. In S. Chesterman, M. Ignatieff, & R. Thakur, *Making states work: State failure and the crisis of governance* (pp. 339-358). Tokyo, New York and Paris : United Nations University Press.

Chesterman, S. (2007). Ownership in Theory and in Practice: Transfer of Authority in UN Statebuilding Operations. *Journal of Intervention and Statebuilding. Available at SSRN: https://ssrn.com/abstract=969559*, 4-26.

Chopra, J. (1999). *Peace-Maintenance: The evolution of international political authority.* London: Routledge.

CIG. (2015, June 6). *A GROUP FOR COOPERATION IS ESTABLISHED BY PARLIAMENTS OF KOSOVO AND SERBIA.* Retrieved from Council for Inclusive Governance (CIG): http://www.cigonline.net/implementation-of-brussels-agreement-and-european-integration-prospects-for-kosovo-and-serbia-10/

CIG. (2019, October). *Advancing Normalization.* Retrieved from Council for Inclusive Governance (CIG) : http://www.cigonline.net/wp-content/uploads/2019/11/Advancing-Normalization-ENG-1.pdf

Coibion, T. (2017). *How Effective Is the EU as a Mediator? The Case of the Former Yugoslav Republic of Macedonia.* Brugge: College of Europe/EU Diplomacy Papers 1/2017.

Coning, C. d. (2015, February). *Regional Approaches to Peacebuilding.* Retrieved from United Nations University, Centre for Policy Research: https://collections.unu.edu/eserv/UNU:3224/unu_cpr_regional_approaches_to_pb.pdf

Constitutional Court of Kosovo . (2013, September 9). *Constitutional review of the Law, No. 04/L-209, on Amnesty, Case No. KO 108/13.* Retrieved from Constitutional Court of the Republic of Kosovo : https://gjk-ks.org/wp-content/uploads/vendimet/gjkk_ko_108_13_ang.pdf

Cooperation and Conflict. (2019). Everyday IR (special issue). *Cooperation and Conflict*, Volume 54, Issue 2.

Coremans, E., & Kerremans, B. (2017). Agents as Information Asymmetry Managers in EU Trade Policy-Making . In T. Delreux, & J. Adriaensen, *The Principal Agent Model and the European Union* (pp. 227-254). Cham: Palgrave Macmillan.

Cornut, J. (2015). To be a diplomat abroad: Diplomatic practice at embassies. *Cooperation and Conflict*, 385-401.

Council of the European Union. (2003). *The European Security Strategy: A Secure Europe in a Better World.* Retrieved from EU: https://www.consilium.europa.eu/media/30823/qc7809568enc.pdf

Council of the European Union. (2005, October 13). *EU Concept for ESDP support to Security Sector Reform (SSR).* Retrieved from Europa.eu: http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2012566%202005%20REV%204

Council of the European Union. (2008, December 5). *Javier SOLANA, EU High Representative for the CFSP, announces the start of EULEX Kosovo.* Retrieved from Europa.eu: https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/104525.pdf

Council of the European Union. (2009, November 10). *Concept on Strengthening EU Mediation and Dialogue Capacities.* Retrieved from Europa.eu: https://eeas.europa.eu/archives/docs/cfsp/conflict_prevention/docs/concept_strengthening_eu_med_en.pdf

Council of the European Union. (2016, June). *A Global Strategy for the European Union's Foreign And Security Policy.* Retrieved from Europa.eu: https://eeas.europa.eu/sites/eeas/files/eugs_review_web_0.pdf

Council of the European Union. (2016, June). *Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign And Security Policy.* Retrieved from European External Action Services: http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

Council of the European Union. (2020, April 3). *Belgrade-Pristina Dialogue: EU appoints a new Special Representative.* Retrieved from Europa.eu: https://www.consilium.europa.eu/en/press/press-releases/2020/04/03/belgrade-pristina-dialogue-eu-appoints-a-new-special-representative/

Crisis Group Europe . (2010, May 19). *The Rule of Law in Independent Kosovo.* Retrieved from Refworld.org: https://www.refworld.org/pdfid/4bf4e3b82.pdf

Davis, L. (2018). The EU as a Multi-Mediator: The Case of the Democratic Republic of Congo. *International Negotiation*, 177-198.

Deda, I., & Qosaj-Mustafa, A. (2013). *Zbatimi i Marrëveshjes së Dialogut Politik Kosovë-Serbi.* Prishtina: Kosovar Institute for Policy Research and Development (KIPRED).

Delreux, T., & Adriaensen, J. (2017). Introduction. Use and Limitations of the Principal–Agent Model in Studying the European Union. In T. Delreux, & J. Adriaensen, *The Principal Agent Model and the European Union* (pp. 1-34). Cham: Palgrave Macmillan.

Derks, M., & Price, M. (2010). *The EU and the Rule of Law Reform in Kosovo.* Clingendael: Netherlands Institute of International Relations.

Doyle, M. W. (2005). Three Pillars of the Liberal Peace. *The American Political Science Review*, 463-466.

Doyle, M. W., & Sambanis, N. (2000). International Peacebuilding: A Theoretical and Quantitative Analysis. *The American Political Science Review*, 779-801.

Doyle, M. W., & Sambanis, N. (2006). *Making War and Building Peace.* Princeton: Princeton University Press.

Dubois, V. (2009). Towards a critical policy ethnography: lessons from fieldwork on welfare control in France. *Critical Policy Studies*, 221-239

Duit, A. (2016). Resilience Thinking: Lessons for Public Administration. *Public Administration*, 364-380.

Duke, S., & Courtier, A. (2009). *EU Peacebuilding: Concepts, players and instruments.* Retrieved from Centre for the Law of EU External Relations (CLEER): https://www.peacepalacelibrary.nl/ebooks/files/335882072.pdf

Duke, S., & Courtier, A. (2010). EU Peacebuilding: Concepts, players and instruments. In S. Blocmans, J. Wouters, & T. Ruys, *The European Union and Peacebuilding: Policy and Legal Aspects* (pp. 15-54). The Hague: T.M.C. Asser Press.

ECA. (2012). *European Union Assistance to Kosovo related to the rule of law.Special Report No 18/2012.* Retrieved from European Court of Auditors (ECA): https://www.eca.europa.eu/Lists/ECADocuments/SR12_18/SR12_18_EN.PDF

Eckhard, S. (2016). Political guidance or autonomy in peacebuilding? EU police reform in Afghanistan and Kosovo. *International Peacekeeping*, 363-388.

Economides, S., & Ker-Lindsay, J. (2015). Pre-Accession Europeanization': The Case of Serbia and Kosovo. *Journal of Common Market Studies (JCMS)*, 1027–1044.

Edmunds, T., & Juncos, A. E. (2019). Constructing the capable state: Contested discourses and practices in EU capacity building. *Cooperation and Conflict*, 4-21.

EEAS. (n.d.). *The Civilian Planning and Conduct Capability (CPCC)*. Retrieved from European External Action Services : https://eeas.europa.eu/headquarters/headquarters-homepage/5438/civilian-planning-and-conduct-capability-cpcc_en

Einsiedel, S. v. (2005). Policy responses to state failure. In S. Chesterman, M. Ignatieff, & R. Thakur, *Making states work: State failure and the crisis of governance* (pp. 13-35). Tokyo, New York and Paris: United Nations University .

Ejdus, F. (2017). "Here is your mission, now own it!" The rhetoric and practice of local ownership in EU interventions, . *European Security*, 461-484.

Ejdus, F. (2018). Local ownership as international governmentality: Evidence from the EU mission in the Horn of Africa. *Contemporary Security Policy*, 28-50.

Ejdus, F., & Juncos, A. E. (2018). Reclaiming the local in EU peacebuilding: Effectiveness, ownership, and resistance. *Contemporary Security Policy*, 4-27.

Elbasani, A. (2018). State-building or state-capture? Institutional exports, local reception and hybridity of reforms in post-war Kosovo. *Southeast European and Black Sea Studies*, 149-164.

Elgström, O., Chaban, N., Knodt, M., Müller, P., & Pardoe, S. (2018). Perceptions of the EU's Role in the Ukraine-Russia and the Israel-Palestine Conflicts: A Biased Mediator? *International Negotiation*, 299-318.

Emerging Europe. (2019, February 14). *Kosovo PM attacks EU Commissioner Mogherini.* Retrieved from Emerging-Europe: https://emerging-europe.com/news/kosovo-pm-attacks-eu-commissioner-mogherini/

Emini, D., & Stakic, I. (2018). *Belgrade and Pristina: lost in normalisation?* Paris: European Union Institute for Security Studies (EUISS).

Enloe, C. (2011). The Mundane Matters. *International Political Sociology - IPS Forum Contribution (issue. 4, volume.5)* , 446–462.

Epstein, R. A., & Jacoby, W. (2014). Eastern Enlargement Ten Years On: Transcending the East–West Divide? *Journal of Common of Market Studies*, 1-16.

Ernst, A. (2014). The April Agreement - A Step towards Normalization between Belgrade and Pristina? *Contemporary Southeastern Europe* , 122-126 .

EU Policy Hub. (2017). *Budget support: a tool to implement the European Union financial assistance.* Tirana: Open Society Foundation for Albania (OSFA) and Friedrich-Ebert-Stiftung (FES).

European Commissio. (2019, May 29). *Kosovo Country Report 2019.* Retrieved from Europa.eu: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf

European Commission. (1996, March 7). *PREVENTING CONFLICTS IN AFRICA - A COMPREHENSIVE RESPONSE BY THE EUROPEANUNION.* Retrieved from Europa.eu: https://ec.europa.eu/commission/presscorner/detail/en/IP_96_207

European Commission. (2001, April 11). *Communication from the Commission on Conflict Prevention.* Retrieved from Europa.eu: http://eeas.europa.eu/archives/docs/cfsp/crisis_management/docs/com2001_211_en.pdf

European Commission. (2007, November 6). *KOSOVO UNDER UNSCR 1244 2007 ROGRESS REPORT.* Retrieved from Europa.eu: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2007/nov/kosovo_progress_reports_en.pdf

European Commission. (2008, November 5). *KOSOVO (UNDER UNSCR 1244/99) 2008 PROGRESS REPORT.* Retrieved from Europa.eu: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/press_corner/key-documents/reports_nov_2008/kosovo_progress_report_en.pdf

European Commission. (2012). *VISA LIBERALISATION WITH KOSOVO* ROADMAP.* Retrieved from Europa.eu: https://eeas.europa.eu/sites/eeas/files/visa_liberalisation_with_kosovo_roadmap.pdf

European Commission. (2013, April 22). *Serbia and Kosovo*: historic agreement paves the way for decisive progress in their EU perspectives.* Retrieved from Europa.eu: https://ec.europa.eu/commission/presscorner/detail/en/IP_13_347

European Commission. (2014, January). *Promoting good governance: European Social Fund thematic paper.* Retrieved from Europa.eu: http://ec.europa.eu/esf/BlobServlet?docId=444&langId=en

European Commission. (2015, November 10). *Western Balkans and Turkey: enlargement process key to strengthened economic and political stability in the region.* Retrieved from Europa.eu: https://ec.europa.eu/commission/presscorner/detail/en/IP_15_5976

European Commission. (2016, May 4). *European Commission proposes visa-free travel for the people of Kosovo.* Retrieved from Europa.eu: https://ec.europa.eu/commission/presscorner/detail/en/IP_16_1626

European Commission. (2016). *Kosovo* 2016 Report, Accompanying the document: Communication from the Commission to the European Parliament, the Council, the*

European Economic and Social Committee and the Committee of the Regions. Brussels: European Commission.

European Commission. (2017, November 22). *European semester thematic factsheet quality of public administration.* Retrieved from Europa.eu: https://ec.europa.eu/info/sites/info/files/file_import/european-semester_thematic-factsheet_quality-public-administration_en_0.pdf

European Commission. (2017-a, September). *Budget Support Guidelines (Tools and Methods Series: Guidelines N°7).* Retrieved from Europa.eu: https://ec.europa.eu/international-partnerships/system/files/budget-support-guidelines-2017_en.pdf

European Commission. (2017-b, November). *A comparative overview of public administration characteristics and performance in EU28.* Retrieved from Europa.eu: https://ec.europa.eu/social/BlobServlet?docId=19208&langId=en

European Commission. (2018, February 2). *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans.* Retrieved from Europa.eu: https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf

European Commission-b. (2015). *Kosovo* 2015 Report, Accompanying the document: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.* Brussels: European Commission.

European Union. (2011, September 2). *PRESS STATEMENT: EU facilitated dialogue: Agreement on Customs Stamps and Cadastre.* Retrieved from Europa.eu: https://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/124501.pdf

European Union. (2012, February 24). *PRESS STATEMENT: EU facilitated dialogue: Agreement on Regional Cooperation and IBM technical protocol.* Retrieved from Europa.eu: https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/128138.pdf

European Union Office in Kosovo . (2018, May 15). *Kosovo's progress on Public Administration Reform.* Retrieved from Europa.eu: https://eeas.europa.eu/delegations/kosovo_en/44545/Kosovo's%20progress%20on%20Public%20Administration%20Reform

European Union Office in Kosovo. (2016 , July 22). *700,000 euro awarded to two projects in northern Kosovo municipalities from Development Fund.* Retrieved from Europa.eu: https://eeas.europa.eu/delegations/kosovo/7235/700000-euro-awarded-two-projects-northern-kosovo-municipalities-development-fund_en

European Union Office in Kosovo. (2018, March 13). *Call for project ideas: The EU-facilitated Dialogue between Belgrade and Pristina.* Retrieved from Europa.eu: https://eeas.europa.eu/delegations/kosovo/41212/call-project-ideas-eu-facilitated-dialogue-between-belgrade-and-pristina_en

Fox, J. E., & Miller-Idriss, C. (2008). Everyday nationhood. *Ethnicities*, 536-576.

Fukuyama, F. (2004). *State-Building: Governance and World Order in the 21st Century.* New York: Cornell University Press.

Furness, M. (2014). *Let's Get Comprehensive: European Union Engagement in Fragile and Conflict-Affected Countries.* . Bonn/Germany: German Development Institute / Deutsches Institut für Entwicklungspolitik. .

Galtung, J. (1969). Violence, Peace, and Peace Research, . *Journal of Peace Research*, 167-191.

Gashi, K. (2020). Simulated Power and the Power of Simulations: The EuropeanUnion in the Dialogue between Kosovo and Serbia. *Journal of Common Market Studies*, 1-16.

Gashi, K., Musliu, V., & Orbie, J. (2017). Mediation Through Recontextualization: The European Union and The Dialogue Between Kosovo and Serbia. *European Foreign Affairs Review*, 533–550.

Gashi, S., & Novaković, I. (2017). *From Technical Negotiations to Comprehensive Normalization: Relations Between Belgrade and Pristina.* Belgrade: Friedrich Ebdert Stiftung.

Glasius, M., & Kostovicova, D. (2009). The European Union as a State-Builder: Policies towards Serbia and Sri Lanka. In J. Raue, & P. Sutter, *Facets and Practices of State-Building* (pp. 127-153). Leiden and Boston: Martinus Nijhoff Publishers.

Government of Kosovo. (2011, December 2). *IBM Agreed Conclusions.* Retrieved from Office of the Prime Minister of Kosovo: http://kryeministri-ks.net/wp-content/uploads/docs/agreement_0210_ibm.pdf

Government of Kosovo. (2013, January 17). *Brussels Agreement on Customs Revenue Collection.* Retrieved from Office of the Prime Minister of Kosovo: http://kryeministri-ks.net/wp-content/uploads/docs/Agreement_on_Customs_revenue_collection_of_17_January_2013.pdf

Government of Kosovo. (2013). *First agreement of principles governing the normalization of relations.* Retrieved from Office of the Prime Minister of Kosovo: http://kryeministri-ks.net/wp-content/uploads/docs/First_agreement_of_principles_governing_the_normalization_of_relations_April_19,_2013_Brussels_en.pdf

Government of Kosovo. (2014). *STATE OF PLAY IN IMPLEMENTATION OF THE BRUSSELS AGREEMENTS: REPORT SUBMITTED TO THE EUROPEAN UNION /EUROPEAN EXTERNAL ACTION SERVICE BY THE GOVERNMENT OF THE REPUBLIC OF KOSOVA.* Prishtina: Government of Kosovo.

Government of Kosovo. (2015, August 25). *Association/Community of Serb majority municipalities in Kosovo – general principle/main element.* Retrieved from Office of the Prime Minister of Kosovo: http://kryeministri-ks.net/wp-content/uploads/docs/150825_02_Association-Community-of-Serb-Majority-Municipalities-in-Kosovo-General-principles-Main-elements_en.pdf

Government of Kosovo. (2015, September). *Strategy for Modernization of Public Administration 2015-2020.* Retrieved from Office of the Prime Minister: http://www.kryeministri-ks.net/repository/docs/Strategy-for-Modernisation-of-PA-2015-2020.pdf

Government of Kosovo. (2016-a, November). *European Reform Agenda (ERA).* Retrieved from Ministry of European Integration of Kosovo web site: http://mei-ks.net/en/european-reform-agenda-era#sthash.vKb4mEk5.dpuf

Government of Kosovo. (2016-b). *BRUSSELS AGREEMENTS IMPLEMENTATION STATE OF PLAY: REPORT SUBMITTED TO THE EUROPEAN UNION /EUROPEAN EXTERNAL ACTION SERVICE BY THE GOVERNMENT OF THE REPUBLIC OF KOSOVO.* Prishtina: Government of Kosovo.

Government of Kosovo. (2017, October 11). *Government of Kosovo and the United Kingdom sign a Memorandum of Understanding.* Retrieved from Office of the Prime Minister: https://kryeministri-ks.net/en/government-of-kosovo-and-the-united-kingdom-sign-a-memorandum-of-understanding/

Government of Kosovo. (2018). *Action Plan 2018-2020 for implementation of SMAP 2015-2020.* Retrieved from Offical web site forpPublic consultations of the Government of Kosovo: : http://konsultimet.rks-gov.net/Storage/Consultations/11-48-26-06042018/EN-Draft%20Plani%20i%20Zbatimit%20te%20SMAP%20Ver.%2026.01.2018.docx

Grabbe, H. (2002). European Union Conditionality and the "Acquis Communautaire". *International Political Science Review*, 249-268.

Gray, A., & Heath, R. (2018, August 25). *Serbia, Kosovo presidents broach border changes for historic deal.* Retrieved from Politico.eu: https://www.politico.eu/article/aleksandar-vucic-hashim-thaci-serbia-kosovo-balkans-eu-enlargement-alpbach-forum/

Green, R. (2019). Democracy, Populism and Public Administration. *Administration & Society*, 1519-1520.

Grimm, S. (2014). The European Union's ambiguous concept of 'state fragility'. . *Third World Quarterly*, 252-267.

Grimm, S., & Weiffen, B. (2018). Domestic elites and external actors in post-conflict democratisation: mapping interactions and their impact, . *Conflict, Security & Development*, 257-282.

Guillaume, X. (2011). The International as an Everyday Practice. *International Political Sociology - IPS Forum Contribution (issue 4, volume. 5)*, 446–462.

Guzina, D., & Marijan, B. (2014). *A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations.* Waterloo/Canada: Centre for International Governance Innovation (CIGI).

Haastrup, T., Bergmann, J., Whitman, R., Niemann, A., Davis, L., Natorski, M., & Richter, S. (2019, April). *Version 2.0: Rebooting the EU's International Mediation Role.* Retrieved from UACES: https://euaimblog.files.wordpress.com/2019/05/euintmd-policy-brief-2019-larger-font-no-spreads.pdf

Hackenesch, C. (2016). *Good Governance in EU External Relations: What role for development policy in a changing international context?* Brussels: European Parliament.

Hackenesch, C. (2016). *Good Governance in EU External Relations: What role for development policy in a changing international context?* Brussels: European Parliament.

Hahn, J. (2014, November 12). *Reinforcing public administration reform in the enlargement process (pp.5-8).* Retrieved from Sigmaweb: http://www.sigmaweb.org/publications/Final%20conference%20report%20-%20PAR%20conference%2012%20Nov%202014.pdf

Hameiri, S. (2010). *Regulating Statehood: State Building and the Transformation of the Global Order.* London: Palgrave Macmillan.

Hamilton, A., & Šapić, J. (2013). *Dialogue-induced Developments on the Ground: Analysis on implementation of the EU-facilitated agreements on freedom of movement and trade between Kosovo and Serbia.* Prishtina: Group for Legal and Political Studies (GLPS) and INTER.

Hammersley, M., & Atkinson, P. (2007). *Ethnography: Principles in Practice* . Abingdon: Routledge.

Harding, S., & Norberg, K. (2005). New Feminist Approaches to Social Science Methodologies: An Introduction. Journal of Women in Culture and Society, 2009-2015.

Hayoz, N., Jesień, ., & Jesien, L. (. (2005). *Enlarged EU – Enlarged Neighbourhood: Perspectives of the European Neighbourhood Policy (1st Edition).* Bern: Peter Lang AG.

Hearn, S. (2015). *Peacebuilding and Institution-building.* New York: United Nations University/Centre for Policy Research.

Hehir, A. (2010). Introduction: Kosovo and the International Community. In A. Hehir, *Kosovo, Intervention and Statebuilding: The International Community and the Transition to Independence* (pp. 1-16). Abingdon: Routledge.

Heredia, M. I. (2017). *Everyday resistance, peacebuilding and state-making Insights from 'Africa's World War'.* Manchester : Manchester University Press.

Hertogh, M. (2016). Your rule of law is not mine: rethinking empirical approaches to EU rule of law promotion. *Asia Europe Journal*, 43-59.

Hill, C. (1993). The Capability-Expectations Gap, or Conceptualizing Europe's International Role. *Journal of Common Market Studies*, 305-328.

Holland, B. (2017). The Perpetual Peace Puzzle: Kant on persons and states. *Philosophy and Social Criticism* , 599–620.

Hout, W. (2013). EU Statebuilding through Good Governance. In D. Chandler, & T. D. Sisk, *The Routledge Handbook of International Statebuilding* (pp. 362-374). Abingdon: Routledge.

Hyde-Price, A. (2008). A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'. *International Affairs*, 29-44 .

ICISS. (2001, December). *The Responsibility to Protect.* Retrieved from International Commission on Intervention and State Sovereignty : http://responsibilitytoprotect.org/ICISS%20Report.pdf

ICJ. (2010, July 22). *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, I.C.J. Reports.* Retrieved from International Court of Justice (ICJ): https://icj-cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf

Ilazi, R. (2018). Challenges and Opportunities of the Public Administration Reform Process in the Western Balkans: Good Governance, Democratic Systems, and Public Service Delivery. In R. o. Balkans, *Esch, Valeska; Zijverden, Olga van* (pp. 85-92). Berlin: Aspen Institute Germany.

Ioannides, I. (2014). *Rule of Law in European Union External Action: Guiding Principles, Practices and Lessons Learned.* Stockholm: International Institute for Democracy and Electoral Assistance.

Ioannides, I., & Collantes-Celador, G. (2011). (2011) The internal–external security nexus and EU police/rule of law missions in the Western Balkans. *Conflict, Security & Development*, 415-445.

Journal of the EU. (2018). *Consolidated Version of the Treaty on European Union.* Retrieved from Official Journal of the European Union: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

Juncos, A. E. (2012). Member state-building versus peacebuilding: the contradictions of EU state-building in Bosnia and Herzegovina. *East European Politics*, 58-75.

Juncos, A. E., & Blockmans, S. (2018). The EU's role in conflict prevention and peacebuilding: four key challenges. *Global Affairs*, 131-140.

Juncos, A. E., & Gross, E. (2011). Introduction. In A. E. Juncos, & E. Gross, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (pp. 1-14). London and New York: Routledge .

Kaldor, M. (2012). The EU as a New Form of Political Authority: The Example of the Common Security and Defence Policy. *Global Policy Volume*, Supplement 1.

Kappler, S. (2014). *Local Agency and Peacebuilding EU and International Engagement in Bosnia-Herzegovina, Cyprus and South Africa.* Basingstoke: Palgrave Macmillan.

Kappler, S., & Richmond, O. (2011). Peacebuilding and culture in Bosnia and Herzegovina: Resistance or emancipation? *Security Dialogue*, 261–278.

Kartsonaki, A. (2020). Playing with Fire: An Assessment of the EU's Approach of Constructive Ambiguity on Kosovo's Blended Conflict. *Journal of Balkan and Near Eastern Studies*, 103-120.

Kastrati, D. (2019, March 12). *Assembly appoints head of Property Agency with 'political ties* . Retrieved from Prishtina Insight: https://prishtinainsight.com/assembly-appoints-head-of-property-agency-with-political-ties/

KDI. (2018). *Kosovo-Serbia Dialogue Challenges and the way Forward* . Prishtina: Kosova Democratic Institute (KDI).

Keil, S. (2013). Europeanization, state-building and democratization in the Western Balkans. *Nationalities Papers*, 343-353.

Keil, S., & Arkan, Z. (2014). *The EU and Member State Building: European Foreign Policy in the Western Balkans* . London & New York: Routledge.

KIPRED. (2013-a, July 4). *Open letter of Kosovo's civil society on Law on Amnesty.* Retrieved from KIPRED: http://www.kipred.org/en/news/Open-letter-of-Kosovos-civil-society-on-Law-on-Amnesty-208

KIPRED. (2013-b, July 19). *Citizen petition submitted to President.* Retrieved from Kosovar Institute for Policy Research and Development (KIPRED): http://www.kipred.org/en/news/218?

Kirchner, E. (2013). Common Security and Defence Policy peace operations in the Western Balkans: impact and lessons learned. *European Security*, 36-54.

Kleiboer, M. (1996). Understanding Success and Failure of International Mediation . *The Journal of Conflict Resolution*, 360-389.

Kliewer, B., & Stivachtis, Y. A. (2007). Democratizing and Socializing Candidate States: The Case of EU Condtionality. In Y. A. Stivachtis, *The State of European Integration* (pp. 143-160). Aldershot : Ashgate.

Kmezić, M. (2018). EU Rule of Law Conditionality: Democracy or 'Stabilitocracy' Promotion in the Western Balkans? In J. Džankić, S. Keil, & M. Kmezić, *The Europeanisation of the Western Balkans: A Failure of EU Conditionality?* (pp. 87-109). London: Palgrave Macmillan.

Kmezić, M. (2019). EU Rule of Law Conditionality: Democracy or 'Stabilitocracy' Promotion in the Western Balkans? In J. Dankic, S. Keil, & M. Kmezić, *In: Jelena Dzankic, Soeren Keil, and Marko Kmezić, (eds) The Europeanisation of the Western Balkans: A Failure of EU Conditionality?* (pp. 87-109). Basingstoke: Palgrave Macmillan.

Koeth, W. (2010). State Building without a State: The EU's Dielemma in Defining Its Relations with Kosovo. *European Foreign Affairs Review*, 227-247.

Kohler-Koch, B. (2010). Civil society and EU democracy: 'astroturf' representation? *Journal of European Public Policy*, 100-116.

Kornprobst, M. (2015). Building agreements upon agreements: The European Union and grand strategy. *European Journal of International Relations*, 267–292.

Kosovo Assembly. (2016, November 3). *Law No. 05/L-010 on Kosovo Property Comparison and Verification Agency.* Retrieved from Official Gazette of Republic of Kosovo: https://gzk.rks-gov.net/ActDetail.aspx?ActID=13023

Kosovo/EU. (2015, October 27). *STABILISATION AND ASSOCIATION AGREEMENT BETWEEN KOSOVO* , OF THE ONE PART, ANDTHE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE OTHER PART.* Retrieved from Ministry of European Integration of Kosovo: http://mei-ks.net/repository/docs/20171027102511_kosovo-eu_saa_final_en.pdf

Kosovo/EU. (2017, December 15). *FINANCIAL AGREEMENT FOR IPA 2016, PART TWO, BETWEEN THE REPUBLIC OF KOSOVO AND THE EUROPEAN UNION.* Retrieved from Official Gazette of Kosovo: https://gzk.rks-gov.net/ActDetail.aspx?ActID=15707

Kostovicova, D., & Bojicic-Dzelilovic, V. (2011). External Statebuilding and Transnational Networks: The Limits of the Civil Society Approach. In D. Kostovicova, & M. Glasius, *Bottom-Up Politics: An Agency-Centred Approach to Globalization* (pp. 93-111). Basingstoke: Palgrave Macmillan.

Krause, J., & Ronzitti, N. (20012). *The EU, the UN and Collective Security: Making Multilateralism Effective.* Abingdon: Routledge.

KS-PAG. (n.d). *Projects Promoting and Communicating Benefits of the Kosovo-Serbia EU Facilitated Dialogue.* Retrieved from Kosovo Serbia Policy Advocacy Group: http://k-s-pag.org/en/projects/

Lajmi. (2016, May 26). *Kosova ka ligje të mira por mungon zbatimi i tyre [Kosovo has good laws but their implementation lacks]* . Retrieved from Lajmi.net: https://lajmi.net/kosova-ka-ligje-te-mira-por-mungon-zbatimi-i-tyre/

Lederach, J. (1995). Conflict Transformation in Protracted Internal Conflicts: The Case for a Comprehensive Framework. In K. Rupesinghe, *Conflict Transformation* (pp. 201-222). London: Palgrave Macmillan.

Lehne, S. (2012, March). *Kosovo and Serbia: Toward a Normal Relationship.* Retrieved from Carnegie Endowment for International Peace: https://carnegieendowment.org/files/Kosovo_and_Serbia.pdf

Lemay-Hébert, N. (2013). Critical Debates on Liberal Peacebuilding . *Civil Wars*, 242-252.

Lemay-Hébert, N. (2013). Rethinking Weberian approaches to statebuilding. In D. Chandler, & T. D. Sisk, *The Routledge Handbook of International Statebuilding* (pp. 3-14). London and New York: Routledge.

Lemay-Hébert, N. (2014, September-December). *Research on Liberal Peacebuilding*. Retrieved from Academic Foresights: http://www.academic-foresights.com/Liberal_Peacebuilding.html

Lemay-Hébert, N., & Kappler, S. (2016). What attachment to peace? Exploring the normative and material dimensions of local ownership in peacebuilding. *Review of International Studies*, 895–914.

Lequesne, C. (2015). EU foreign policy through the lens of practice theory: A different approach to the European External Action Service. *Cooperation and Conflict*, 351-367.

Lëvizja FOL. (2011). *Sfidat e Dialogut Kosovë-Serbi: Refleksion mbi karakterin dhe natyrën e dialogut.* Prishtina: Lëvizja FOL.

Lewis, J. (2003). Institutional Environments and Everyday EU decision making: Rationalist or Constructivist? *Comparative Political Studies*, 97-124.

Lottholz, P., & Lemay-Hébert, N. (2016). Re-reading Weber, reconceptualizing state-building: from neo-Weberian to post-Weberian approaches to state, legitimacy and state-building. *Cambridge Review of International Affairs*, 1467-1485.

Mac Ginty, R. (2010). Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace. *Security Dialogue*, 391-412.

Mac Ginty, R. (2011). *International Peacebuilding and Local Resistance: Hybrid Forms of Peace.* Basingstoke: Palgrave Macmillan.

Mac Ginty, R. (2013). Indicators +: A proposal for everyday peace indicators. *Evaluation and Program Planning*, 56-60.

Mac Ginty, R. (2014). Everyday peace: Bottom-up and local agency in conflict-affected societies. *Security Dialogue* , 548-564.

Mac Ginty, R. (2018). The limits of technocracy and local encounters: The European Union and peacebuilding. *Contemporary Security Policy*, 166-179.

Mac Ginty, R. (2018). The limits of technocracy and local encounters: The European Union and peacebuilding. *Contemporary Security Policy*, 166-179.

Mac Ginty, R., & Richmond, O. P. (2013). The Local Turn in Peace Building: a critical agenda for peace. *Third World Quarterly*, 763-783.

Mahr, E. (2018). Local contestation against the European Union Rule of Law Mission in Kosovo. *Contemporary Security Policy*, 72-94.

Major, C., & Mölling, C. (2010). *Towards an EU Peacebuilding Strategy? EU Civilian Coordination in Peacebuilding and the Effects of the Lisbon Treaty. Brussels.* Brussels: The European Parliament.

Manners, I. (2002). Normative Power Europe: A Contradiction in Terms? *Journal of Common Market Studies (JCMS)*, 235–58.

Manners, I. (2008). The Normative Ethics of the European Union. *International Affairs*, 45-60.

Marović, J., Prelec, T., & Kmezić, M. (2019). *Strengthening the Rule of Law in the Western Balkans: Call for a Revolution against Particularism.* Belgrade: Balkans in Europe Policy Advisory Group (BiEPAG).

Marsden, M., Ibañez-Tirado, D., & Henig, D. (2016). Everyday Diplomacy: Introduction to Special Issue. *The Cambridge Journal of Anthropology*, 2-22.

McCormick, J. (2011). *European Union Politics.* New York: Palgrave Macmillan.

Meier, K. J., Compton, M., Polga-Hecimovich, J., Song, M., & Wimpy, C. (2019). Bureaucracy and the Failure of Politics: Challenges to Democratic Governance. *Administration & Societ*, 1576-1605.

Metais, R., & Thépaut, C. (2013). Introduction: What Is Structural Foreign Policy? . In R. Metais, C. Thépaut, & S. Keukeleire, *The European Union's Rule of Law Promotion in its Neighbourhood: A Structural Foreign Policy Analysis* (pp. 5-10). Bruges: College of Europe.

Miall, H. (2007). The EU and the Peacebuilding Commission. . *Cambridge Review of International Affairs*, 29-45.

Migdal, J. S. (2001). *State in Society: Studying How States and Societies Transform and Constitute One Another.* Cambridge : Cambridge University Press.

Ministry for Dialogue of the Government of Kosovo. (2015, January 15). *The Republic of Kosovo Government Program on the Brussels Dialogue 2014 – 2018.* Retrieved from Office of the Prime Minister of Kosovo: http://kryeministri-ks.net/wp-content/uploads/docs/Kosovo_Government_Program_for_Brussels_Dialogue_2014-2018_150115.pdf

Ministry of Public Administration. (2016). *Review of Institutions and Agencies of the Assembly and Central Bodies of the Government.* Prishtina: Ministry of Public Administration/Government of Kosovo.

Ministry of Public Administration. (2018). *Action Plan for Rationalization of Agencies.* Prishtina: Ministry of Public Administration.

Morina, D. (2017, November 24). *Kosovo Court Acquits Limaj of All Charges.* Retrieved from BalkanInsight: https://balkaninsight.com/2017/11/24/fatmir-limaj-acquitted-of-corruption-charges-11-24-2017/

Morina, D. (2017, February 5). *Kosovo Demolishes Controversial Serb-Built Wall.* Retrieved from BalkanInsight: https://balkaninsight.com/2017/02/05/kosovo-demolish-the-wall-in-north-02-05-2017/

Muharremi, R. (2010). *The European Union Rule of Law Mission in Kosovo (EULEX) from the Perspective of Kosovo Constitutional Law.* Retrieved from Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht: https://www.zaoerv.de/70_2010/70_2010_2_a_357_380.pdf

Musliu, V., & Geci, S. (2014). Deconstructing and defining EULEX . *Central European Journal of International and Security Studies*, 66–80.

Mutluer, D., & Tsarouhas, D. (2018). EU foreign policy and 'perceived coherence: the case of Kosovo. *Southeast European and Black Sea Studies*, 419–438.

Newman, E. (2009). ''Liberal'' peacebuilding debates. In E. Newman, R. Paris, & O. P. Richmond, *New Perspectives on Liberal Peacebuilding* (pp. 26-53). Tokyo-New York-Paris: United Nations University.

Newman, E., Paris, R., & Richmond, O. P. (2009). Introduction. In E. Newman, R. Paris, & O. P. Richmond, *New Perspectives on Liberal Peacebuilding* (pp. 3-25). Tokyo, New York, Paris: United Nations University Press.

Newman, E., Paris, R., & Richmond, O. P. (2009). *New perspectives on liberal peacebuilding'* . New York: United Nations University Press.

NGO Aktiv. (2017). *Agreement on Cadastre: the Forgotten Failure of the Brussels Agreement.* North Mitrovica: NGO Aktiv.

Nicolaidis, K., & Kleinfeld, R. (2012). *Rethinking Europe's « Rule of Law » and Enlargement Agenda: The Fundamental Dilemma (SIGMA Paper No. 49).* Paris: OECD.

Noutcheva, G. (2009). Fake, partial and imposed compliance: the limits of the EU's normative power in the Western Balkans. *Journal of European Public Policy*, 1065-1084.

Siphokazi, M. (2013). The Personal Is the International: For Black Girls Who've Considered Politics When Being Strong Isn't Enough. *Politikon: South African Journal of Political Studies*

O'Brennan, J. (2008). The EU in the Western Balkans: Enlargement as Empire? A Response to David Chandler . *Global Society*, 507-518.

Official Journal of the European Union. (2012, October 26). *Consolidated Version of the Treaty on European Union.* Retrieved from Europa.eu: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

Okemuo, G. (2013). The EU or France? The CSDP Mission in Mali the Consistency of the EU Africa policy . *Liverpool Law Rev*, 217-240.

Ongaro, E., & Kickert, W. (2020). EU-driven public sector reforms. *Public Policy and Administration 2020*, 117–134.

Osland, K. M., & Peter, M. (2019). The double proximity paradox in peacebuilding: implementation and perception of the EU rule of law mission in Kosovo. *European Security*, 493-512.

Pace, M. (2012). The European Union and democratization. In J. Haynes, *Routledge Handbook of Democratization* (pp. 310-321). London: Routledge.

Paris, R. (1997). Peacebuilding and the Limits of Liberal Internationalism. . *International Security*, 54-89.

Paris, R. (2002). International peacebuilding and the ‘mission civilisatrice’. . *Review of International Studies*, 637-656.

Paris, R. (2004). *At War's End: Building Peace after Civil Conflict.* Cambridge : Cambridge University Press.

Pavlović, S. (2016, December 23). *Montenegro’s ‘stabilitocracy’: The West’s support of Đukanović is damaging the prospects of democratic change.* Retrieved from LSE

Blogs: https://blogs.lse.ac.uk/europpblog/2016/12/23/montenegros-stabilitocracy-how-the-wests-support-of-dukanovic-is-damaging-the-prospects-of-democratic-change/

Pawluch, D., Shaffir, W., & Miall, C. (2005). Part 2: Ethnography in process: Case studies of everyday life. In D. Pawluch, W. Shaffir, & C. Miall, *Doing Ethnography: Studying Everyday Life* (pp. 157-164). Toronto: Canadian Scholars' Press Inc.

Pech, L. (2012). *Rule of law as a guiding principle of the European Union's external action.* Retrieved from Centre for the Law of EU External Relations (CLEER): https://www.asser.nl/media/1632/cleer2012-3web.pdf

Peci, E., & Barlovac, B. (2012, December 10). *Kosovo, Serbia Put Border Deal in Action.* Retrieved from BalkanInsight: https://balkaninsight.com/2012/12/10/kosovo-serbia-put-border-deal-in-action/

Petrova, I., & Delcour, L. (2020). (2020) From principle to practice? The resilience–local ownership nexus in the EU Eastern Partnership policy,. *Contemporary Security Policy*, 336-360.

Phillips, D. L. (2017). *Implementation review of the Kosovo-Serbia Dialogue' Program on Peace-building and Rights* . New York: Institute for the Study of Human Rights/Columbia University.

Plänitz, E., & Stojanovic, S. (2017). *Report on impact of EU engagement on mediation and local level dialogue initiatives in Western Balkans.* Roskilde and Belgrade: Roskilde University and Belgrade Centre for Security Policy.

Pojani, D., & Stead, D. (2017). When West–East planning policy advice fails to gain traction. *Journal of Environmental Planning and Management*, 1402-1419 .

Pomorska, K., & Vanhoonacker, S. (2015). Europe as a Global Actor: the (Un)Holy Trinity of Economy, Diplomacy and Security. *Journal of Common Market Studies (JCMS)*, 216-229.

Popova, E. (2017, February 16). *Foundation stone of first permanent crossing point between Kosovo and Serbia is laid.* Retrieved from PrishtinaInsight : https://prishtinainsight.com/foundation-stone-first-permanent-crossing-point-kosovo-serbia-laid/

Pouliot, V., & Cornut, J. (2015). Practice theory and the study of diplomacy: A research agenda. *Cooperation and Conflict*, 297-315.

Poulsen, K. S. (Director). (2013). *The Agreement* [Motion Picture].

Proksik, J. J. (2018). EULEX and the fight against organised crime in Kosovo: what's the record. *Trends in Organized Crime*, 401–425.

Pugh, M. (1997). Peacekeeping and Humanitarian Intervention . In B. White, R. Little, & M. Smith, *Issues in World Politics* (pp. 134-155). London: Macmillan.

Pugh, M. (2011). Local Agency and Political Economies of Peacebuilding. *Studies in Ethnicity and Nationalism*, 308-320.

Qehaja, F. (2017). *International or Local Ownership?: Security Sector Development in Post-Independent Kosovo.* Washington DC : Westphalia Press.

Radaelli, C. M. (1999). The public policy of the European Union: whither politics of expertise? *Journal of European Public Policy*, 757-774.

Radin, A. (2014). Analysis of current events: "towards the rule of law in Kosovo: EULEX should go". *Nationalities Papers*, 181–194.

Radosavljevic, J. (2019, October 10). *Brussels Agreements: The Impact on Our Daily Lives.* Retrieved from Balkans Policy Research Group (BPRG): https://en.bfpe.org/brussels-agreements-the-impact-on-our-daily-lives/

Richmond, O. (2008). The UN and Liberal Peacebuilding: Consensus and Challenges. In J. Darby, & R. Mac Ginty, *Contemporary Peacemaking:Conflict, Peace Processes and Post-war Reconstruction* (pp. 257-270). London: Palgrave Macmillan.

Richmond, O. P. (2002). *Maintaining Order, Making Peace.* Basingstoke: Palgrave Macmillan.

Richmond, O. P. (2009). A Post-Liberal Peace: Eirenism and the Everyday. *Review of International Studies*, 557-580.

Richmond, O. P. (2009). Becoming Liberal, Unbecoming Liberalism: Liberal-Local Hybridity via the Everyday as a Response to the Paradoxes of Liberal Peacebuilding. *Journal of Intervention and Statebuilding* , 324-344.

Richmond, O. P. (2010). Resistance and the Post-liberal Peace. *Millennium: Journal of International Studies*, 665–692 .

Richmond, O. P. (2011). *A Post-Liberal Peace.* Abingdon: Routledge.

Richmond, O. P. (2013). Failed statebuilding versus peace formation. In D. Chandler, & T. D. Sisk, *The Routledge Handbook of International Statebuilding* (pp. 130-140). London and New York: Routledge.

Richmond, O. P. (2014). *Failed Statebuilding: Intervention, the State, and the Dynamics of Peace Formation.* New Haven: Yale University Press.

Richmond, O. P. (2015). The dilemmas of a hybrid peace: Negative or positive? . *Cooperation and Conflict*, 50-68.

Richmond, O. P., & Carey, H. F. (2005). *Subcontracting Peace: The Challenges of NGO Peacebuilding.* Hampshire: Ashgate Publishing Company.

Richmond, O. P., & Mitchell, A. (2012). Introduction – Towards a Post-Liberal Peace. In O. P. Richmond, & A. Mitchell, *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism* (pp. 1-38). Basingstoke: Palgrave Macmillan.

Richmond, O., Björkdahl, A., & Kappler, S. (2011). The emerging EU peacebuilding framework: confirming or transcending liberal peacebuilding. *Cambridge Review of International Affairs*, 449-469.

Richter, S., & Wunsch, N. (2020). Money, power, glory: the linkages between EU conditionality and state capture in the Western Balkans. *Journal of European Public Policy*, 41-62.

Rodt, A. P., & Wolff, S. (2012). EU conflict management in Bosnia and Herzegovina and Macedonia. In R. G. Whitman, & S. Wolff, *The European Union as a Global Conflict Manager (1st edition)* (pp. 138-151). Abingdon: Routledge.

Rohan, A. (2018). *Kosovo's path to independence* . European Council on Foreign Relations. Retrieved from https://www.ecfr.eu/article/commentary_kosovos_path_to_independence

Rosenthal, J. (2008, February 2). *Corruption and Organized Crime in Kosovo: An Interview with Avni Zogiani.* Retrieved from World Politics Review (WPR):

https://www.worldpoliticsreview.com/articles/1559/corruption-and-organized-crime-in-kosovo-an-interview-with-avni-zogiani

Rrustemi, A., & Baumgärtel, M. (2014). Shooting in the Dark: Evaluating Kosovo's Amnesty Law and the Role of International Actors. *Hague Journal on the Rule of Law*, 115-140.

Rudic, F. (2017, December 20). *Serbia Seeks Russian Role in Kosovo Talks.* Retrieved from BalkanInsight: https://balkaninsight.com/2017/12/20/vucic-russia-willing-to-mediate-serbia-kosovo-talks-12-20-2017/

Russell, M. (2019). *Serbia-Kosovo relations: Confrontation or normalisation?* Brussels: European Parliament/European Parliamentary Research Service.

Salgado, R. S. (2014). *Europeanizing Civil Society: How the EU Shapes Civil Society Organizations.* New York: Palgrave Macmillan.

Sasse, G. (2008). The politics of EU conditionality: the norm of minority protection during and beyond EU accession. *Journal of European Public Policy*, 842-86.

Schmeder, G., & Martin, M. (2011). Peace and the People: How the European Union Rewrites Security. In D. Kostovicova, & M. Glasius, *Bottom-Up Politics An Agency-Centred Approach to Globalization* (pp. 160-174). Basingstoke: Palgrave Macmillan.

Schuster, J. (2017). Why the personal remained political: comparing second and third wave perspectives on everyday feminism. Social Movement Studies, 647-659.Scott, J. C. (1985). *Weapons of the Weak: Everyday Forms of Peasant Resistance.* New Haven: Yale University Press.

Selmanaj, D. (2013, May 21). *Kosova ka ligje të mira, për aq sa ka përkthyes të mirë [Kosovo has good laws, as long as it has good translators]*. Retrieved from Telegrafi.net: https://telegrafi.com/kosova-ka-ligje-te-mira-per-aq-sa-ka-perkthyes-te-mire/

Shapovalova, N. (2016). The power of informality: European Union's engagement with non-state actors in Common Security and Defence Policy. *European Security*, 326-345.

Sharma, A., & Gupta, A. (2006). *The anthropology of the state. A reader.* Oxford: Blackwell.

Shearer, A. (2000). Britain, France and the Saint-Malo declaration: Tactical rapprochement or strategic entente? *Cambridge Review of International Affairs*, 283-298.

SIGMA. (2017). *The Principles of Public Administration.* Retrieved from SIGMA web site: http://www.sigmaweb.org/publications/Principles-of-Public-Administration-2017-edition-ENG.pdf

SIGMA-b. (2017, November). *The Principles of Public Administration: Monitoring Report Kosovo 2017.* Retrieved from SIGMA web site: http://www.sigmaweb.org/publications/Monitoring-Report-2017-Kosovo.pdf

Sil, R., & Katzenstein, P. J. (2010, June). *Analytic Eclecticism in the Study of World Politics: Reconfiguring Problems and Mechanisms across Research Traditions.* Retrieved from Cambridge.org: https://www.cambridge.org/core/services/aop-cambridge-core/content/view/B078D54DEFB199ADA653B7B35004EACF/S1537592710001179a.pdf/analytic_eclecticism_in_the_study_of_world_politics_reconfiguring_problems_and_mechanisms_across_research_traditions.pdf

Sil, R., & Katzenstein, P. J. (2010). Analytic Eclecticism in the Study of World Politics: Reconfiguring Problems and Mechanisms across Research Traditions. *Perspectives on Politics*, 411-431.

Skendaj, E., Babunski, K., Milivojevic, Z., & Bytyçi, S. (2019). Local Ownership and International Oversight: Police Reform in Post-Yugoslav States. *Journal of Intervention and Statebuilding* , 594-617.

Skolimowska, A. (2015). The European Union as a ‘Normative Power’ in International Relations. Theoretical and Empirical Challenges . *Yearbook of Polish European Studies*.

Smith, D. E. (2005). *Institutional Ethnography: A Sociology for People.* Oxford: AltaMira Pres.

Smolar, P. (2013, April 30). *Serbia and Kosovo sign historic agreement* . Retrieved from The Guardian: https://www.theguardian.com/world/2013/apr/30/serbia-kosovo-historic-agreement-brussels

Spernbauer, M. (2010). EULEX Kosovo: The Difficult Deployment and Challenging Implementation of the Most Comprehensive Civilian EU Operation to Date. *German Law Journal*, 769-802.

Steele, A., & Shapiro, J. N. (2017). Subcontracting State-Building. *Small Wars & Insurgencies*, 887-905.

Strelkov, A. (2016). The EU and rule of law promotion in Western Balkans – a new role for candidate states' parliaments. *East European Politics*, 505-524.

Sutaj, V. (2017). *How Independent are Regulatory Authorities in Kosovo? A Closer Look at Regulatory Authorities in Competition, Railway, Telecom and Energy.* Prishtina: Democracy for Development (D4D).

Sutter, P. (2009). State-Building or the Dilemma of Intervention: An Introduction. In P. Sutter, & J. Raue, *Facets and Practices of State-Building* (pp. 3-13). 2009: Martinus Njihoff Publishers.

Tadjbakhsh, S. (2011). Introduction: Liberal pace in dispute. In S. Tadjbakhsh, *Rethinking the liberal peace : external models and local alternatives* (pp. 1-15). London and New York: Routledge.

Tardy, T. (2009). UN-EU Relations in Military Crisis Management: Institutionaliation and Key Constraints. *Brussels Journal of International Relations*, 43-52.

The Council of the European Union . (2001, June 7). *Draft European Union Programme for the Prevention of Violent Conflicts* . Retrieved from EU: http://data.consilium.europa.eu/doc/document/ST-9537-2001-REV-1/en/pdf

The Council of the European Union. (2003, December 8). *European Security Strategy: A Secure Europe in a Better World.* Retrieved from Europa.eu: https://data.consilium.europa.eu/doc/document/ST-15895-2003-INIT/en/pdf

The EU. (n.d.). *The European Neighbourhood Instrument (ENI).* Retrieved from Euneighbours.eu: https://www.euneighbours.eu/en/policy/european-neighbourhood-instrument-eni

The European Commissionq. (2016, June). *A Global Strategy for the European Union's Foreign And Security Policy.* Retrieved from Europa.eu: https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

The Global Peace Operations Review. (2008). *Kosovo.* Retrieved from Peaceoperationsreview.org : https://peaceoperationsreview.org/wp-content/uploads/2014/10/2008_kosovo_mission_reviews.pdf

The Nobel Foundation. (2012). *The Nobel Peace Prize 2012.* Retrieved from NobelPrize.org: https://www.nobelprize.org/prizes/peace/2012/summary/

The UN. (1992, June 17). *An Agenda for Peace* . Retrieved from UN Documents: www.un-documents.net/a47-277.htm

The UN. (1995, January 25). *UN's Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations (A/50/60).* Retrieved from The United Nations Security Council: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/UNRO%20S1995%201.pdf

The UN. (2000, August 21). *Comprehensive review of the whole question of peacekeeping operations in all their aspects.* Retrieved from https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Afgh%20S2000%20809.pdf

The UN General Assembly. (2005, December 20). *60/180. The Peacebuilding Commission* . Retrieved from https://undocs.org/A/RES/60/180

The UN General Assembly. (2005b, March 21). *In larger freedom: towards development, security and human rights for all - Report of the Secretary-General.* Retrieved from https://undocs.org/A/59/2005

The UN. (n.d.). *List of peacekeeping operations 1948 – 2017.* Retrieved from United Nations (UN): https://peacekeeping.un.org/sites/default/files/unpeacekeeping-operationlist_1.pdf

The UN Security Council. (2005, December 20). *Resolution 1645.* Retrieved from The UN: https://undocs.org/S/RES/1645%20(2005)

The UNDP. (1994). *Human Development Report 1994.* Retrieved from United Nations Development Programme (UNDP): http://hdr.undp.org/sites/default/files/reports/255/hdr_1994_en_complete_nostats.pdf

Tocci, N. (2008). Profiling Normative Foreign Policy: The European Union and its Global Partners. In N. Tocci, *Who is a Normative Foreign Policy Actor? The European Union and its Global Partners* (pp. 1-21). Brussels: The Centre for European Policy Studies (CEPS).

Tocci, N. (2008). *The European Union, Civil Society and Conflict Transformation.* Brighton: MICROCON - A Micro Level Analysis of Violent Conflict/Institute of Development Studies.

Tocci, N. (2010). The EU as a Peacebuilder: Actorness, potential and Limits. In S. Blockmans, J. Wouters, & T. Ruys, *The European Union and Peacebuilding: Policy and Legal Aspects* (pp. 55-75). The Hague: T-M-C- Asser Press.

UN General Assembly. (2010, October 13). *A/RES/64/298.* Retrieved from Security Council Report: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/ROL%20A%20RES64%20298.pdf

UN Secretary General. (1992, June 17). *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping.* Retrieved from UN-Documents: http://www.un-documents.net/a47-277.htm

UN Security Council. (2007). *Report of the Special Envoy of the Secretary-General on Kosovo's future status (S/2007/168).* New York: United Nations Security Council.

USAID-Kosovo. (2010, March 15). *Legislative Drafting Manual: A Practitioner's Guide to Drafting Laws in Kosovo.* Retrieved from Drejtesia-ks.org: http://www.drejtesia-ks.org/repository/docs/Legislative%20Drafting%20Manual.pdf

Verhoest, K. (2017). Agencification. In E. Ongaro, & S. v. Thiel, *The Palgrave Handbook of Public Administration and Management in Europe* (pp. 327-346). Basingstoke: Palgrave Macmillan.

Vibert, F. (2007). *The rise of the unelected: democracy and the new separation of powers.* Cambridge: Cambridge University Press.

Visoka, G. (2016). *Peace Figuration after International Intervention: Intentions, Events and Consequences of Liberal Peacebuilding.* London : Routledge .

Visoka, G. (2017). *Shaping Peace in Kosovo: The Politics of Peacebuilding and Statehood.* Basingstoke: Palgrave Macmillan.

Visoka, G. (2018). *Acting Like a State: Kosovo and the Everyday Making of Statehood.* London & New York: Routledge.

Visoka, G. (2020). Kosovo. In G. Visoka, J. Doyle, & E. Newman, *Routledge Handbook of State Recognition* (pp. 402-416). London and New York: Routledge.

Visoka, G., & Doyle, J. (2016). Neo-Functional Peace: The European Union Way of Resolving Conflicts. *Journal of Common Market Studies (JCMS)*, 862–877.

Walle, S. V., & Scott, Z. (2009). *The Role of Public Services in State-and Nation-Building: Exploring Lessons from European History for Fragile States.* Birmingham: University of Birmingham/International Development Department .

Walton, O. (2012). Between War and the Liberal Peace: The Politics of NGO Peacebuilding in Sri Lanka. *International Peacekeeping*, 19-34.

Webber, M. (1997). States and Statehood. In B. White, R. Little, & M. Smith, *Issues in World Politics* (pp. 24-44). London: Palgrave.

Weber, M. (1948). Politics as a vocation . In T. b. Mills, *From Max Weber: Essays in Sociology* (pp. 77-129). Abingdon: Routledge.

Weller, M. (1999). The Rambouillet Conference on Kosovo. *International Affairs*, 211-251.

Wessel, R. A. (2020). Normative transformations in EU external relations: the phenomenon of ‘soft’ international agreements. *West European Politics*, 72-92.

Whaites, A. (2008). *States in Development: Understanding State-building [A DFID Working Paper]*. London: UK: Department for International Development (DFID).

Williams, A. (2006). *Liberalism and War: The Victors and the Vanquished.* Abingdon: Routledge.

Wolff, S. (2011). Post-Conflict State Building: the debate on institutional choice. *Third World Quarterly*, 1777-1802.

Yabanci, B. (2016). The (Il)legitimacy of EU state building: local support and contention in Kosovo. *Southeast European and Black Sea Studies*, 345–373.

Yang, Y. (2016). How do EU norms diffuse? Rule of law promotion in EU-China cooperation on environmental governance. *Journal of European Integration*, 63-78 .

Youngs, R. (2004). Democratic institution-building and conflict resolution: emerging EU approaches. *International Peacekeeping*, 526-543.

Zaum, D. (2007). *The Sovereignty Paradox: The Norms and Politics of International Statebuilding.* New York: Oxford University Press.

Zaum, D. (2013). Corruption and State-Building. In D. Chandler, & T. D. Sisk, *Routledge Handbook of International Statebuilding* (pp. 15-28). Abingdon: Routledge .

Zenelaj, A. (2015, February 5). *Hamdi Thaçi dhe Bashkim Dema Dënohen me Nga 15 Muaj Burg.* Retrieved from Kallxo.com: https://kallxo.com/shkurt/permbledhje-lajmeve/hamdi-thaci-dhe-bashkim-dema-denohen-me-nga-15-muaj-burg/

Zupančič, R. (2019). EU peace-building in the north of Kosovo and psychosocial implications for the locals: a bottom up perspective on normative power Europe. *Journal of Balkan and Near Eastern Studies*, 576-593.