

Illegal Serbian Structures in the Republic of Kosovo Why these structures are illegal and not parallel?

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Abstract

This paper argues that Serb structures, operating in Kosovo after the forced withdrawal under NATO intervention of Serb-Yugoslav mechanisms of power from Kosovo in June 1999 which marks the end of the war and at the same time the beginning of a new process of peace building, do not represent parallel structures, rather they represent illegal structures. This paper argues that these kinds of structures achieved to be established and being continuously strengthened due to multi-dimensional support of the Republic of Serbia which for its interest needed them to undermine the establishment of functional governance overall in Kosovo but predominantly in the Serb enclaves, and also due to UN Interim Administration in Kosovo which's main interest was peace and stability not functionality of governance. In this paper, it is also argued that these Serb structures do not represent the majority of Serbs living in Kosovo because they are incorporated into the constitutional institutions of the Republic of Kosovo. Through comparing main domestic and international documents by which UN Interim Administration and National Institutions of Governance were established and also data gathered in the field through different reports, this paper concludes that: these structures are unconstitutional structures, and therefore illegal, rather than parallel structures; consideration of them as parallel by UN Interim Administration was a mistake which negatively affected integration, development, and democratization of a part of the Serbian community in Kosovo's northern municipalities; they are also supported by criminal structures which seriously impede the exercise of state power, the legal system, and the development of democracy predominantly in the northern part of Kosovo; and beside of political and diplomatic efforts, a state organized force with an international support is the only answer to criminal structures.

Keywords: Illegal Structures, Parallel Structures, Serb Structures, Security, Integration, Legitimacy.

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