The Issue of Problematic States: Kosovo - A Failed State? Political and Economic Analysis - Outline of Problem

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Abstract

This paper explains how the current situation in Kosovo confirms that it is a failed state. Political and socio-economic factors of Kosovo were taken into account, mainly after 2008. Discussions on Kosovo's sovereignty have been going on for many years. Most topic experts agree with the statement that an independent Kosovo has created a dangerous precedent, which can be used by other separatist movements. Until 2008, Kosovo was part of Serbia and for many years had been a highly divisive and economically backward area. The proclamation of independence by Kosovo Albanians in no way helped to change the negative aspects of Kosovo. Moreover, the situation in some political as well as economic and social aspects deteriorated even further. Based on the information available in the field of Kosovo's domestic and foreign policy and economic data, the author argues that this former autonomous province of Serbia, now a sovereign Kosovo meets the conditions in favour of the failed state.

Keywords: Kosovo, Serbia, failed state

Introduction

Nowadays, the issue of failed, failing or weak states is extremely important for international security. History proves that weak political entities destabilize their environment and, over the centuries, we can identify a number of countries whose downfall complicated the political and economic situation in a particular region of the world. States would and will fall mainly due to economic and political reasons (the Ottoman Empire, the Soviet Union) or their multi-ethnicity (Austria-Hungary, Yugoslavia). The term 'failed state' was first used in the early 1990s by Gerald B. Helman and Steven R. Ratner, who defined the implications and consequences of a crisis in state structures. However, since the emergence of this concept, there were many doubts as to the accurate definition, and thus the interpretation remained unrestricted. In the literature of political science or international relations, a precise definition of failed states is generally discarded and replaced with a descriptive and vague recognition of this issue. There is also a shortage of exact attributes of a failed state. There are several reasons: the most important of them is the range of areas of life, which covers the issue of a failed state: from administration through economics, law, healthcare, internal and external security, international status, and more.

This wide range makes precise definitions difficult. Furthermore, the phenomenon remains in a permanent process of change; as it evolves, new circumstances and events arise and give a new perspective on the issue of state failure. The term 'failed state' generally defines a state whose power structures were decomposed to such an extent that it operates only in formal and legal terms. As a result of the disintegration of state power, the state has de facto ceased to be capable of performing its core functions, especially in the field of public safety. The result is the collapse of not only the legal, but also social and economic order, which results in intensified conflicts, rapidly progressive fragmentation of society, the weakening of the basic structures forming supra-local communities and breaking territorial ties. Legible criteria were used when creating The Failed State Index recognizing that we are dealing with a failed state if: the government does not exercise effective control over its territory; its legitimacy is not recognized by a significant part of the population; it is not able to effectively provide internal security; it does not provide its citizens with basic social services; it does not have a real monopoly on the use of force.
A later statement also added such features as unbridled corruption, lack of rule of law and deep ethnic and religious divisions. Africa is not the only place where failed states can be found. In regions considered stable, such as Europe, we can identify countries with very low international prestige and weak state structures. One of such countries is the Republic of Kosovo, the former southern province of the Republic of Serbia. It should be noted that Kosovo is still financed by the European Union and the United States. Importantly, without the financial, economic and political support obtained from third parties, this state would not exist. Therefore, whether or not Kosovo has been a failed state since its inception deserves to be considered.

Bearing in mind the question of the legitimacy of the country with the capital of Priština, an analysis must be made on several levels. Firstly, it is necessary to present the political situation both internally and externally. Secondly, it is essential to assess the state of Kosovo's economy. Thirdly, it is important to show the social issues, with particular regard to Serbian-Albanian relations.

1. The Political Situation of Kosovo

Kosovo has been a sovereign state since 17 February 2008. The Declaration of Independence was adopted unanimously by the Assembly of Kosovo, headed by a former militant of the Kosovo Liberation Army (Ushtria Çlirimtare e Kosovës, UÇK), Hashim Thaçi. Just two months later, the text of the constitution was prepared and entered into law on 15 June 2008. Under the provisions of the Basic Law, the State is a democratic parliamentary republic, operating on the principle of separation and balance of powers (Constitution of the Republic of Kosovo, 2008, Art. 4). Legislative power is vested in the Assembly of the Republic of Kosovo (parliament), elected directly by citizens every four years. The parliament consists of 120 deputies, including 20 seats reserved for minorities, i.e. Serbs (10 seats), Roma, Bosnians, Turks, and others (Constitution of the Republic of Kosovo, 2008, Art. 63-66). The executive power is concentrated in the hands of the President of the Republic of Kosovo and the government. The president is elected by secret ballot by parliament for a five-year term by a majority of two thirds of the deputies present in the room (Constitution of the Republic of Kosovo, 2008, Art. 86-87). The process of government creation is similar to that in most democratic countries. After the parliamentary elections, the President of Kosovo proposes before the Assembly of Kosovo a candidate for prime minister, derived from the winning party or coalition. The candidate for prime minister presents the structure of the government, which must be approved by parliament (simple majority). A prerequisite is to provide two ministerial portfolios for national minorities (including one for the Serb minority) (Constitution of the Republic of Kosovo, 2008, Art. 95-96). The judicial power is attributed to independent courts headed by the Supreme Court. At least three judges of the Supreme Court must belong to ethnic minorities (Constitution of the Republic of Kosovo, 2008, Art. 108).

The first general elections in independent Kosovo took place on 12 December 2010. The accelerated election was caused by the motion of no confidence in the incumbent Prime Minister, Hashim Thaçi, who up to this point had received support from the coalition established by the elections held before the declaration of independence. The Democratic Party of Kosovo (PDK) won, with more than 32% of the votes. The Democratic League of Kosovo (LDK) took second place with nearly 25%. The third place, with more than 12% support, taken by the radical Vetëvendosje party, was a surprise. Due to irregularities in the conduct of the elections, on 9 January 2011, they were carried out again in 21 committees. The relatively low turnout of 47.5% in the whole country was a big problem. Also, in municipalities inhabited by Serbs, attendance was practically nil, e.g. in Leposavic out of almost 17 thousand registered voters 70 people (about 0.8%) participated in the elections! (Centralna Izborna Komisija, 2011: 3-45). The good result for Vetëvendosje was also certainly disturbing, since this party is characterized by a negative position towards the interference of international organizations in the internal affairs of Kosovo. Parliamentary elections have not led to major changes; again, the Democratic Party of Kosovo, under the leadership of Thaçi, established a government (See Table 1. Main Political Parties in Kosovo - after parliamentary election, 2010).

At this point it is worth taking a closer look at the figure of the Prime Minister. In the 1990s Hashim Thaçi was a partisan in the ranks of the Kosovo Liberation Army, recognized as a terrorist organization by e.g. the U.S. State Department (Kubo, 2010: 1142-1149). Thaçi organized a crime syndicate called the Drenica Group, responsible for 10-15% of crimes in Kosovo. The militants’ main source of income involved smuggling weapons, trafficking in stolen vehicles, trafficking in human beings, oil and cigarettes, and organizing prostitution. The Drenica Group was also responsible for maintaining contacts with the Albanian, Czech and Macedonian mafias.
It is also worth noting the marriage between Thaçi's sister and Sejdi Bajrush, one of the leaders of the Albanian mafia (Karpat, 2006). Despite his controversial past, Thaçi led his party to victory in the elections of November 2007 and was appointed head of the government. This period was marked by his dynamic attitude towards the issue of Kosovo's independence. He effectively pushed the international arena to secure sovereignty for the Serbian province of Kosovo inhabited by Albanians. At the end of 2010, Dick Marty, a Swiss politician acting on behalf of the Council of Europe, formulated a series of accusations against Thaçi. The report officially accused the Prime Minister of Kosovo of human organ trafficking and other serious crimes (Marty, 2010: 12-18).

The emerging issue related to the head of state is equally problematic. Until the end of September 2010, Fatmir Sejdiu was the president; however, he resigned after being accused of violating the Constitution of Kosovo (BBC News, 2010). From 22 February 2011, the office of the President of the Republic of Kosovo was held by Behgjet Pacolli. His mandate had weak support and raised serious controversy not so much in Kosovo, as among EU policy makers. Not until the third ballot with 67 deputies of the 120 present, did the Kosovar parliament push Pacolli's candidacy with 62 votes (won by 1 vote!). This high absence rate of MPs was caused by the boycott of opposition parties in relation to the doubts raised by Pacolli's candidacy. It should be noted that Pacolli, also holding Swiss citizenship, was an immigrant who had lived in Germany and Switzerland for a long period of his life. In Switzerland he founded a construction company that won beneficial contracts in Russia (including the restoration of the Moscow Kremlin) (Nicović, 2006: 349). In the period of this economic activity a series of corruption charges were issued against Pacolli and colleagues of the then President of Russia, Boris Yeltsin. In 2002 the investigation was discontinued because of lack of evidence. Upon joining the presidential elections, in his declaration of assets the Kosovar businessman estimated his financial resources at 420 million euros (about $520 million), but it is estimated that they were actually somewhere near 2.2 billion dollars (Joannin, 2011). Behgjet Pacolli received the office of the head of state due to support received from Thaçi's party. Hashim Thaçi supported Pacolli's presidential candidacy in return for Pacolli siding with his candidacy for the seat of Prime Minister of Kosovo. In this way, under the principle of mutual benefit, the two prominent positions in the country were secured in a partnership agreement. However, on 30 March 2011, the Constitutional Court of Kosovo declared the election of Pacolli invalid and the President, who had only been in office for a month, resigned (Connor, 2011). In response to the prolonged political crisis Christopher Dell, U.S. ambassador in Kosovo, proposed the candidature of Atifete Jahjaga. As it turned out, the American intervention proved to be effective and Jahjaga, having obtained a majority in the parliament of Kosovo, was elected head of state (Chelsom-Pill and Connor, 2011). Jahjaga was not controversial and was well received in the political circles of the EU and the USA. However, despite her good reputation among foreign political centres, the new president still has an opponent in the Vetëvendosje party, who considers Jahjaga's presidency to be the beginning of the end for Kosovo. This political group maintains the opinion that Jahjaga's election as head of state was a political agreement between Thaçi and Pacolli and the LDK leader, Isa Mustafa. In addition, Vetëvendosje politicians emphasize that Jahjaga is an unknown person in Kosovo as are her views on important political issues, especially relating to negotiations with Serbia.

When analysing political issues, it is worth mentioning the foreign policy of the Republic of Kosovo. Kosovo politicians first seek to strengthen the international position of their country, mainly by establishing bilateral relations with other countries. Membership of various international organizations, especially the UN, the OSCE or the European Union and NATO, is also a priority. Interestingly, the key issue for Kosovo is to develop relations with the United States, but there is no clear strategy for Serbia (The Foreign Policy of Republic of Kosovo). The most important neighbours of the Republic of Kosovo are Albania and Macedonia, especially in terms of the so-called ‘intra-Albanian’ cooperation (The Foreign Policy of Republic of Kosovo). By the end of 2013, the independence of Kosovo had been recognized by 106 countries, including the United States and most European Union countries (Kosovothanksyou.com). The sovereignty of the Serbian province was categorically rejected by Russia and China as well as other countries with problems involving national minorities. It is also noticeable that the recognition of Kosovo's independence in the international arena is slowing down. Even in 2008, bilateral relations with Priština were formed by 53 states, by the end of 2010, another 19 had joined in, with only 13 in 2011 and 2012, and only 8 in 2013. Objectively speaking, due to the limited international confidence, Kosovo will not gain membership of NATO or the European Union; its accession to other international organizations, like the UN, is also questionable.
Despite having sovereign state authorities, Kosovo still has indeterminate international status. The KFOR troops (Kosovo Force) are currently stationed there at a strength of around 5 thousand soldiers (Kosovo Force key facts and figures). In parallel, more than 2 thousand police officers and court staff operate under the auspices of the European Union, as part of the EULEX mission (European Union Rule of Law Mission in Kosovo) (European Union Rule of Low Mission). EULEX took over a number of tasks from the UNMIK mission (United Nations Interim Administration Mission in Kosovo) that used to manage Kosovo from 1999. The current UN tasks are limited to monitoring and supervising the process of privatization of the economy. An important organ is also the Special Representative of the UN Secretary General in Kosovo. This position was filled in 2011 by the Afghan Farid Zarif. In this way, the competences of the Kosovo government bodies are significantly limited by international administration.

2. The Economic and Social Situation in Kosovo

From an economic point of view, Kosovo is among the poorest countries in Europe. The region has been underdeveloped for centuries, both under the rule of the Turks and the Serbs (Vasić, 2006: 169). This unfavourable image has persisted to this day and in the long term, significant improvement is a long way away. The main causes of economic weakness include agricultural underdevelopment and the lack of industrial and service centres. Currently existing farms are characterized by a high fragmentation and a low degree of mechanization. Cultivation mainly includes maize, potato, wheat, and paprika. Industry is concentrated in a few urban centres and in extraction sites of mineral resources. In this respect, a major source of wealth is one of the largest coal deposits in Europe (Karamata, Životić, Jelenković, Bursać, 2006: 365-379). However, the industry is noticeably characterized by low productivity, lack of restructuring and vast technological backwardness. The service sector is poor and not very competitive. In 2012, the GDP was only 4.9 billion euros (Series 3: Economic statistics, gross domestic product by economic activities 2006-2012, 2013: 5), which placed Kosovo among such countries as Haiti and Zimbabwe (The World Factbook). As a result, GDP per capita only reached 2,721 euros (Series 3: Economic statistics, gross domestic product by economic activities 2006-2012, 2013: 8). These data alone indicate the backwardness of Kosovo, not only in relation to European countries, but also to those that are considered underdeveloped.

Trade also appears to be poor. In the absence of its own production, Kosovo is a typical country importing goods and services. In 2012, the value of imports amounted to 2.6 billion euros, while the export volume was just over 900 million euros (Series 3: Economic statistics, gross domestic product by economic activities 2006-2012, 2013: 8). This outlines an enormous disproportion. Kosovars above all import cars, machinery, industrial products, food and fuel. In 2012, goods were imported mainly from Germany (13.8%), Macedonia (11.5%), Serbia (11.1%), Turkey (8.4%) and China (7%). The main export product was coal and other minerals, and simple metal products, which were sold to Italy (24.8%), Albania (15.5%), Switzerland (13.6%), Macedonia (9.6%) and Montenegro (7%) (Series 3: Economic statistics, external trade statistics December 2012, 2013: 11). What Kosovo can offer commercially is limited, and no other commercial products apart from mineral resources are able to compete in both regional and European markets. The lack of domestic production of basic goods necessary for the development of the state is problematic as well.

The former Serbian province has huge problems in attracting foreign investment not only due to unskilled labour, but for more rudimentary reasons. There are no international roads in the country, not to mention highways and expressways. The road network is less than 2,000 km, of which the main roads are only 670 km. Only 17 km of roads (!) were built in the years 2003-2010 (Series 1: General statistic, Kosovo in figures 2010, 2011: 48). In 2011, due to external funding, the first section of the motorway (38 km) was opened, which in the future will connect Priština with Tirana. The enormous underdevelopment of the labour market causes a large percentage of people capable of working to live in extreme poverty (Phillips, 2010: 93). Poverty and the lack of opportunities translate into various types of economic and social pathologies. Only the dynamically functioning gray and black markets provide a profit within 15-30% of GDP (Sen and Kirkpatrick, 2011: 147). In this way, the capital, which could have powered the Kosovo economy, goes to criminal groups (See Table 2. Selected economic indicators of Kosovo from 2008 to 2012).

The census of 2011 does not reflect the real number of inhabitants of Kosovo. Due to the boycott announced by the Serbian community, the statistics essentially only cover the Kosovar Albanians.
According to data collected in the census, the population of Kosovo is just over 1.8 million people, while in reality it is estimated at over 2 million (Estimation of Kosovo’s population 2012, 2013: 10). The data about Priština are certainly a big surprise, since according to the census, the population there is less than 200 thousand people, which is only about 20 thousand more than in Prizren (the city considered to be twice as small as the capital). This information was controversial, because so far the Kosovo authorities have indicated that the population of the capital city was 400 thousand and received properly inflated international assistance.

When it comes to minorities, the most numerous are certainly the Serbs (up to 5%), Bosnians are also present, as well as Gorani, Turks and Roma (up to 3%). From a geographical point of view, the Serbs are concentrated in the northern areas of Kosovo and in numerous enclaves. In this respect, the city with an extremely tense social situation is Kosovska Mitrovica. The Ibar River divides the city into two halves, not only in the administrative sense, but most of all in terms of ethnic backgrounds. Protests and other forms of clashes between Serbs and Albanians are a common occurrence. This was evidenced by the crisis at the Serb-controlled border crossings, which escalated in the summer of 2011. The dissatisfied Serbian minority barricaded roads leading through their towns and villages. In view of the tense situation in Northern Kosovo, the idea of excluding the ‘Serbian’ areas from under the administration of Priština and connecting them to Serbia is often mentioned (Stepić, 2006: 485-508; Ker-Lindsay, 2011: 231-233; Economides, Ker-Lindsay, Papadimitrious, 2010: 106-110; Gjoni, Wetterberg, Dunbar, 2010: 306-309). Kosovo’s northern areas bordering the Republic of Serbia could potentially be transferable; however, a similar action might be problematic in the Serbian enclaves scattered throughout the territory of Kosovo. The Serbian minority absolutely rejects the supremacy of Priština, and has its own administrative authorities subordinate to the Republic of Serbia. The Serbian government maintains the operation of the Ministry for Kosovo and Metohija, whose task is e.g. to maintain and intensify contacts between Kosovar Serbs and the motherland. It should be emphasized that the support of the Serbs living in Kosovo for the sovereignty of the former Serbian province has not increased in any way.

The most distressing indicator is the unemployment rate, which in 2012 reached over 30%; in fact, this rate may be even higher (Results of the Kosovo 2012 labour forces Survey, 2013: 19). The high unemployment trend has persisted for many years; for example, in the years 2000-2010, it fluctuated between 40-60% (Series 5: Social statistics. Results of the labour force survey 2009, 2010: 25). In this regard, it is alarming that about 55% of young people (under 30) are unemployed (Results of the Kosovo 2012 labour forces Survey, 2013: 19-20). The problem of catastrophic unemployment already existed before independence, and both the communist authorities of Yugoslavia and Serbia could not professionally motivate Albanians. In this matter, the current employment level of just 26% is disastrous! (For comparison, the average level of employment in the EU is about 65%, in neighbouring Albania and Serbia, about 54%, and in Montenegro and Macedonia over 40% of the population are able to work.) (Results of the Kosovo 2012 labour forces Survey, 2013: 11). Over 62% of job seekers are people with no qualifications and education, less than 16% have primary, secondary or higher education (Results of the Kosovo 2012 labour forces Survey, 2013: 20).

Taking into account the age structure of the population of Kosovo, it should be emphasized how dominant the proportion of young people is. Children under 14 account for nearly 27%, while those above 65 years are less than 7% of the population (Index mundi). Thus, the problem of population aging, which mainly affects economically developed societies, remains a distant prospect in Kosovo. The cultural background is poor (for approximately two million people, there are only 15 theatres, 18 museums, 24 galleries and about 160 libraries) (Series 1: General statistics, Kosovo in figures 2010, 2011: 21-22). The average family spends a little over 100 euros per year on entertainment (cinema, theatre, etc.). The situation of the financial expenditure for education is no better, with only 47 euros per household in 2009 (Series 1: General statistics, Kosovo in figures 2010, 2011: 37). Because of high unemployment and the catastrophic level of employment, Kosovo is affected by pathologies on a large scale. Deprived of prospects, young people are forced to emigrate (Ivels and King, 2012: 2).

Kosovo is the black market of Europe, where trafficking in human organs, drugs or weapons is not a marginal phenomenon (Fatić, 2006: 305). Dick Marty’s report of December 2010 not only pointed to the pathologies that affected Kosovo in the 1990s and the early twenty-first century, but also formulated the opinion that criminal dealings have not been eliminated. To date, about two thousand people are considered to be missing (Amnesty International Publications, 2009: 14). Despite this alarming information a fair investigation is yet to be carried out. Furthermore, according to Interpol and Europol the main drug route from Afghanistan to Europe leads through Kosovo.
In the light of some estimates, as much as about 65% of the world heroin trade is transferred through the territory of Kosovo (Nicović, 2006: 346). Reports indicate that 90% (!) of all drugs distributed in the European markets are trafficked through this former Serbian province (The Voice of Russia, 2010). The arms trade is also no stranger to the state. It is stressed that the people of Kosovo are the most militarized society in Europe. Various international organizations estimate that there are about 400 thousand pieces of illegal weapons in the hands of the citizens of Kosovo (Gunpolicy.org). In addition, the generally accepted corruption is a major problem, affecting the highest authorities (The Economist, 2010). It is believed that the majority of economic crimes is backed by the underground intelligence service K-SHIK (Kosovës – Shërbimi Informativ Kombëtar), operating under the patronage of the ruling Democratic Party of Kosovo (Phillips, 2010: 94).

Conclusion

At the beginning of the paper, a discussion was raised as to what a failed state is. At this point it is worth bringing the attributes of the state in general. Namely, the legal criteria of statehood, adopted under the Montevideo Convention of 1933, are defined as follows: 'The state as a person of international law should possess the following qualifications: a permanent population; a defined territory; a sovereign government; and capacity to enter into relations with the other states'. Thus, the sovereignty of the state is not determined by the number of population or the size of the territory. Countries like Luxembourg, Liechtenstein or San Marino are most sovereign despite their small territories and populations. Another issue is the state's functionality, which translates into its international prestige. In this respect, the most important determinant is a state's political and socio-economic condition. Without going into a deeper analysis, we can point out countries in Europe alone that are in a difficult political or economic situation, but are not failed states. Many of them are struggling to overcome the economic crisis. Greece is one such example, whose debt amounts to around 350 billion euros. However, Kosovo is not only characterized by a serious economic problem. It should be highlighted that it is a special case of state (formerly an administrative unit of Serbia), where the economic recession, social (ethnic) conflict and political instability exist simultaneously, and, importantly, in the long run. While analysing the few years' that Kosovo has existed as a sovereign state, it is worth emphasizing the special quality of that independence. This is not independence in the sense that international law sets. It can be argued that Kosovo is a state with an externally (internationally) supervised independence. In this way the Kosovar sovereignty is a political experiment.

The current political situation in Kosovo (public persons involved in trafficking in human organs and other criminal enterprises, radicalization of the political scene, the problem of the Serbian minority, etc.) clearly indicates that the prospect for Europeanization is highly questionable. From an economic point of view, Priština could be the capital of any poorly developed country in Africa. The unemployment rate, one of the highest in the world, and other economic problems contribute to the collapse of state structures. Social issues are also in disastrous shape. The pathologies that are dangerous not only to Kosovo but also the whole region and Europe are exceptionally worrisome.

Kosovo exists only thanks to international aid. Full independence and fundamental self-sufficiency of the state is now impossible, and probably will remain so in the future. Any withdrawal of capital and political support of the European Union and the United States or other international organizations is likely to cause at least the fall of state institutions and chaos in Kosovo as well as massive upheaval in the region.

Speaking about the prospect of Kosovo's accession to the European Union is a huge abuse; the prospect of membership in other international organizations should also be viewed negatively. Of course, this state may be like any other in the future, with the difference that it will require continued international supervision and powerful financial support.

Has Kosovo therefore been a failed state since its inception? The above analysis provides an affirmative answer.
References


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Table 2: Selected Economic Indicators of Kosovo from 2008 To 2012

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<td>Export (in million euro)</td>
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