

Kosovo: Minority Rights versus Independence*

**Krinka Vidaković Petrov
Institute for Literature and Art, Belgrade**

The issue of minority rights versus independence is of interest today given the fact that many states are confronted with minority issues that in some cases involve armed separatist movements seeking independence. The manner of resolving the Kosovo¹ issue will by no means be an exception. On the contrary, it will function as a model for resolving similar issues in a regional and international framework, especially since this model will be one sanctioned and implemented by the Security Council of the United Nations. What is at stake is the principle of sovereignty and territorial integrity of member states, some of which are confronted with armed separatist movements and terrorism seeking to achieve independence rather than minority rights.

In a strong and stable political framework such as the European Union, the questions of Northern Ireland, the Pais Basco, and Cyprus are fairly controlled and declining. However, the issue of the Kurds in Turkey and its neighbors seems less so, and as we move further east there is a long list of cases involving not only political action but also varying degrees of violence: Chechnya, Ossetia, Nagorno-Karabakh, Kashmir, Tibet... Whether the United Nations should assume the power and responsibility of invalidating the principle of territorial integrity of its member states and redrawing international borders is a question that directly affects Serbia today; however, it may affect other states in the future.

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¹ The Serbian province known as Kosovo actually consists of two regions: Kosovo and Metohia. Both are Serbian toponyms. The name Kosovo is derived from the word *kos*, meaning *blackbird*. Metohia comes from the words *metoh*, indicating *property of a monastery*. Both regions are studded with old Serbian churches and monasteries dating from the medieval period of the Serbian state that was centered in these regions. Metohia received this name due to the fact that most of the land had been granted to numerous monasteries established by Serbian rulers. The Battle of Kosovo, that took place in 1389, confronted the Serbian defense with the Ottoman military forces. The leaders of both armies—Prince Lazar and Sultan Murad—died in the battle. Under the rule of Prince Lazar's son, Stefan, the capital of the Serbian state was transferred to Belgrade.

Furthermore, taking away Serbian territory in order to establish an independent Kosovo means that there would be not one, but two Albanian states—Kosovo and Albania—sharing a common border and with all probability seeking to unite into a future “greater Albania.” It would come as no surprise if someone then posed the question regarding Macedonia, a state in which the ethnic Albanians, concentrated in the Western part of the country adjacent to Kosovo, comprise 25% of the total population (compared to 16% of the population of Serbia).

Unfortunately, this part of the Balkans has a history of failed political experiments that seemingly resolve existing problems by generating new and more challenging ones. Stabilizing the region is a reasonable and desirable goal. However, rewarding violence and redrawing international borders is a risky experiment that is bound to be counterproductive in the long run.

Looking back into the past, the only time when a part of Kosovo was annexed to Albania was during World War II, when Serbia was occupied and dismembered by Nazi Germany and its allies. One part of Kosovo was occupied by Germany, the other by Italy. Italy annexed the latter to Albania. Kosovo Albanians welcomed the occupational forces, as they perceived the Axis Powers as serving their anti-Yugoslav and anti-Serb interests. Following the example of the Bosnian Muslim SS Division *Handjar*, a similar SS division, called *Skenderbey*, comprised of Muslim Albanians, was established in Kosovo. All this resulted in an enormous suffering of the Serbian population in Kosovo and the practical eradication of the small Jewish community from this region.

Yugoslavia was reconstituted after World War II, but Tito’s post-war communist regime inherited not only the ethnic tensions of the pre-war Yugoslavia, but also the effects of the wartime redrawing of borders, i.e., the creation of the Independent State of Croatia (as a satellite of Germany) and Greater Albania (sponsored by Italy). Even after the collapse of the Nazis and their satellites, an armed rebellion of the Albanian nationalists in Kosovo continued until it was neutralized several years following the conclusion of the war.

Tito’s “Formula” and the Rise of Nationalism

The new communist regime tried to resolve these problems in its own way. Firstly, it did so by drawing internal borders, i.e., by generating six republics—Serbia, Croatia, Slovenia, Macedonia, Montenegro and Bosnia-Herzegovina—that would comprise the federal state. These borders were in some instances ethnic, in others historical, and in still others neither ethnic nor historical. In addition to the six new federal republics, two autonomous re-

gions were established, both of them in Serbia. Although the percentage of ethnic Serbs in Croatia was higher than the percentage of ethnic Albanians in Serbia, no Serbian autonomy in Croatia was even considered (interestingly enough, it seems that the only one among Tito's associates who dared mention the idea of a Serb autonomy in Croatia was Moša Pijade, the highest ranking Jewish official in the new political establishment). Although the percentage of ethnic Albanians in Macedonia was higher than that in Serbia, no autonomous region was established there as well. These obvious inconsistencies in the restructuring of Yugoslavia were designed to impose an artificial balance on the unbalanced reality of Yugoslavia's ethnic map.

Secondly, it did so by promoting "Brotherhood and Unity". The first part of this political catchword practically meant a ban on raising ethnic/national issues regarding the utter violence of the Yugoslav internal conflict during World War II, especially in the Independent State of Croatia and Kosovo. The official position was that these issues had been definitely resolved by the communist revolution. It was expected that the still deep and fresh wounds—resulting from the genocide against Serbs, Jews and Roma—would heal by imposing a policy of ignoring them as much as possible. Thus, during his long post-war reign Tito never once visited the grounds of the Jasenovac death camp where hundreds of thousands Serbs, Jews, and Roma had been killed by the Croatian Ustashes. The leader of the Croatian Ustashes, Ante Pavelić, managed to escape with his closest associates. Some of them managed to come even to the U.S. (such as Andrija Artuković, the Ustasha minister of interior, for example) where they found refuge in the new Cold War framework. Many Serbian families who had survived the Ustasha regime in Croatia were resettled in Serbia. Immediately following the war, a bill was passed prohibiting Serbian wartime refugees from Kosovo to return to their homes. They too were resettled in Serbia.

Unity was a concept pertaining to a different order. The unity of the country was secured by the unity of the communist party and its firm grip on power in Yugoslavia. The party itself was under the autocratic control of Tito. As long as no one questioned the system, there were rewards. However, the new federal system emphasized the difference between constituent nations (such as the Serbs, Croats, or Slovenes), and ethnic minorities (such as Hungarians or Albanians). The former were the basic constituent nations of Yugoslavia, while the latter were minorities, i.e., the representatives of the ethnic majorities of the neighboring states (Hungary, Albania, Rumania, Bulgaria, Italy) living within the borders of Yugoslavia. According to the constitution, some federal republics had two constituent nations (Croats and Serbs in Croatia) or even three (Serbs, Croats and Moslems in Bosnia-Herzegovina). One of

the innovations of Titoism was the classification of Moslems not as a religious community (comprised of ethnic Serbs and Croats who had converted to Islam during the Ottoman period), but rather as a constituent nation. Yugoslavia's policy was to ease up ethnic tensions inherited from the previous period by allowing both constituent nations and ethnic minorities to use their own languages and develop their cultural traditions. The party elite was also subject to an internal national-ethnic balance, which allowed representatives of all nations and minorities to reach the highest party and state positions.

Add to this the fruits of peace following the horrors of World War II, the relative economic prosperity of the post-war Yugoslavia, open borders, contacts with Eastern, Western and Third World countries, the charm of "self-management" as another Yugoslav innovation, Tito's stature as a statesman on the international scene... The formula seemed to work as long as Tito's autocracy and the absolute domination of the ruling communist party remained unquestioned.

Nonetheless, some symbolic cracks appeared when M. Djilas, the first true dissident in Eastern Europe, began questioning the tenets of communist rule. More serious cracks appeared in the early seventies (during the so-called Croatian Spring), when it became obvious that the communist party itself was beginning to suffer from internal ethnic divisions. The riots of Kosovo Albanians and their demands to be treated as a constituent nation instead of an ethnic minority surprised Tito, who was convinced his formula had provided enough freedom to all Yugoslavs. At the same time, old ideological formulas seemed less and less convincing. Nonetheless, they continued maintaining loyalty coupled with waning conviction.

Instead of tackling core ideological issues requiring reforms and fundamental democratization, including the introduction of a multiparty system, Tito evaded them by manipulating nationalism. Communist ideology and the firm power of the party remained unchanged. However, the party itself was allowed to "democratize," i.e., develop divisions along national/ethnic lines. This formula worked as long as Tito was alive and able to maintain his personal and unquestionable rule. However, this policy postponed an authentic debate on democratization, which could have moved Yugoslavia closer to the West. Formally, nothing changed after Tito's death in 1980, but Tito's autocracy could not survive the passing away of its main and unique protagonist. What remained was the Party plagued by the lack of political will to reform and by disputes that were gradually dismantling "Brotherhood and Unity" as the confronted multiplicity of nationalisms blocked Yugoslavia once again from authentic democratization. Attempts at diverting attention from nationalism to core democratic issues were thwarted by post-Tito communist offi-

cials, who confronted each other on ethnic interests, but remained quite united on their common need to stay in power.

Only when the Berlin Wall was dismantled in 1989 did it become clear that coping with the democratization issue could no longer be postponed. However, by then nationalism had become irreversible, pushing towards what seemed a historic opportunity to dismantle Yugoslavia if such a scenario received crucial outside backing.

Thus, almost overnight, a generation of Yugoslav nationalist communists turned into even more nationalist critics of communism. Those who resisted nationalism and still believed that a multinational Yugoslav state was quite compatible with democratization, reform, and integration into the West—since it had been way ahead of its Eastern European neighbors—were defeated in the first multiparty elections held in each republic separately. No elections on the federal level were held due to the fact that Slovenia and Croatia would not participate in them after having hastily proclaimed their independence.

The fall of the Berlin Wall signaled that Yugoslavia had lost its Cold War status of a “buffer state” between East and West. Thus, the idea of “balkanizing” the Yugoslav federation into a number of small client states became feasible. This scenario would fan the existing conservative nationalisms “wrapped” in the packaging of liberal democracy. Coupled with the collapse of communist ideology in 1989 and the subsequent dismantling of the Soviet Union, this scenario quickly moved into its implementation stage. Thus, the issues of transition, shared with other Eastern European countries, were overshadowed by nationalism as an instrument of dismantling Yugoslavia.

Dismantling Yugoslavia

Why did the dismantling of Yugoslavia bring the Serbian question back in focus?

For a long historical period, the Balkan Peninsula has period been on a fault line between two political, cultural, and religious “continents”: first the divide between Byzantium and Rome, later between European powers and the vast Ottoman domain. Symbolically speaking, it was a house located on the middle of the road along which many foreign armies moved north, south, east, and west. Historically speaking, the Serbian national body was separated for centuries along the above mentioned fault line. The Serbs had paid a dear price for their resistance and centuries-long rebellions, first against the Ottomans, later against Austria-Hungary in World War I, and finally against the Nazis in World War II. The establishment of Yugoslavia following World

War I was in the interest of the Serbs, Croats, and Slovenians due to the fact that these three nations finally had a state of their own, although one they shared.

The secession of Slovenia in 1991 was effected relatively painlessly due to the fact that this former Yugoslav republic had a rather homogenous ethnic population as well as geographical borders not susceptible to dispute. Although the Yugoslav Prime Minister Ante Marković ordered the intervention of the Yugoslav army in June of 1991, the secession of Slovenia *per se* did not affect the rest of Yugoslavia, except by indicating that the process of dismantling Yugoslavia had begun. However, it was obvious that the next step—the secession of Croatia—would trigger violence.

The partial rehabilitation of the wartime heritage of the Independent State of Croatia was pushed forward by Franjo Tuđman, the new Croatian president. This instilled authentic fear in the Serb population in Croatia. The fear was reinforced by the tangible pressure exerted on local Serbs, such as arbitrary dismissals from job, threats, arrests, and violent killings. Legally, Serbs were degraded from “constitutional nation” to “ethnic minority” whose rights began to be questioned. The illegal purchase of arms by the new Croatian establishment, meant to bolster “territorial defense” and create a national Croatian army, was another indication that local violence would escalate. The escalation happened when local Serbs countered with organized resistance supported by the Yugoslav National Army, which was still stationed in its military facilities located on the territory of Croatia.

The dismantling of Yugoslavia ran clearly against Serbian interests for several reasons. Firstly, because it would leave a very high percentage of Serbian population within the borders of new independent states, which was a problem because of the lack of basic human and ethnic rights in the new fiercely nationalistic framework. Secondly, because they would be degraded to the status of an ethnic minority instead of constituent nation. Thirdly, because the spreading violence practically suspended the rights of those opposed to local nationalism. These were the real reasons why Serbs sought to resist the dismantling of Yugoslavia and why they were positioned on a collision course with the West, which had decided to recognize the independence of Slovenia and Croatia in 1991 and Bosnia-Herzegovina in 1992.

Much like his counterparts in other Yugoslav republics, Slobodan Milošević had taken note of the rising power of nationalism. However, a key feature specific to Serbian nationalism was that it ran counter to all other nationalisms on the issue of dismantling Yugoslavia. The use of national myths came part and parcel with every single nationalism in Yugoslavia, mainly as an effective instrument of mass political mobilization. However, the

war of political and economic interests supported by the confrontation of national myths led to violence which in turn escalated into an armed conflict when the Yugoslav National Army broke up along ethnic and territorial lines. Unlike the negotiated separation of the two parts of Czechoslovakia, the dismantling of Yugoslavia began in June of 1991 with the precipitated, non-negotiated secession of Slovenia and Croatia, effected through violence and counter-violence. The real problem was the secession of Bosnia-Herzegovina in 1992 because this former federal republic was specific in two respects: first, because it had three constituent nations but none of them with a clear numeric majority, and second, because of the involvement of the Islamic factor.

The civil war in Bosnia highlighted the involvement of the Islamic factor which would also play an important role in the case of Kosovo in view of events taking place on the global scene: the rise of Al Qaeda, the situation in Afghanistan, the terrorist attack in New York. The time when President Alija Izetbegović was propagating his *Islamic Declaration* in Bosnia, Osama Bin Laden was translating the ideology identified with Al Qaeda into an organizational framework based in Afghanistan. Jihadist fighters, seasoned in the war in Afghanistan, assessed the situation in Bosnia as an excellent opportunity to gain a foothold in a new theater: the Balkans. At the same time, Western support for the Moslems in Bosnia and Kosovo was part of a policy designed to attract potential allies from the Islamic world. The question one might pose today is: To which extent did this policy work? Subsequent events—the 9/11, the spreading of Al Qaeda related terrorist activities around the world, the breakdown of the peace process in the Middle East, the unresolved problems with Afghanistan and Iraq, the questions regarding Iran—have moved the issue of global terrorism to the forefront. However, they have also placed the U.S. in a delicate position regarding its image in part of the Islamic world. The situation in Iraq has effectively given way to a strong radicalization of Moslems all over the world, overshadowing the conflict in Bosnia that ended in 1995.

The results of the first multiparty elections in Bosnia indicated that interethnic relations had become a priority issue just as in all the other Yugoslav federal units. However, Bosnia was the only unit in which there was no sizable ethnic majority and where the Moslem community had been promoted into one of three constituent nations (Serbs, Croats, and Moslems). Due to the fact that the basis for this specific constituent nation was religious rather than ethnic, the conflict was complicated by the additional involvement of the religious factor and the policy of Bosnian Moslems of reinforcing their local interests by promoting their status of representatives of the global Islamic

community in the Balkans. This was in line with Izetbegović's *Islamic Declaration*, which emphasized the precedence of religion over ethnicity. However, the strong antiseccular element of Izetbegović's policy produced a reislamization of Bosnia. Together with the developing conflict, the latter turned Bosnia into a magnet for Jihadist fighters no longer needed in Afghanistan, which under the control of the Taliban regime had become a base for Bin Laden.

The Bosnian conflict was a tragedy for all those involved—Moslems, Serbs, and Croats. At the same time it was an opportunity exploited by Al Qaeda to expand its network and begin preparing for a priority objective that became obvious only after the spectacular terrorist attack in New York. In turn, the 9/11 imposed the realization that terrorism as an instrument for achieving political goals was no longer a local, but a global threat. However, the Bosnian conflict took place in 1992–95, a period when attention was focused on the positive effects of the ongoing peace process in the Middle East, when optimism seemed to overshadow the growth of the ideological and organizational potential identified later with Al Qaeda. Although none of the three parties in the Bosnian conflict were innocent, the focus of guilt was laid on the Serbian side from the very beginning, mainly because the Serbian side presented organized armed resistance to the dismantling of Yugoslavia: not in Slovenia and Macedonia, but in Croatia and Bosnia-Herzegovina (where there were substantial local Serbian population). Both conflicts ended in 1995. In Croatia, it ended with the forced mass exodus of the local Serbian population. In Bosnia-Herzegovina, it ended with the signing of the Dayton Accords by Milošević, Tudjman and Izetbegović.

This period (1995–96) was very critical for Milošević in Serbia for two reasons. The first had to do with the realization that Milošević's policy regarding Croatia and Bosnia-Herzegovina had had been a costly failure. The second had to do with the exposure of the election fraud in Serbia. However, Milošević's regime survived due to two reasons, one internal and the other external: the political opposition in Serbia still lacked the proper unity and strength, and Milošević had accepted and signed the terms of the Dayton Accords. Milošević stayed in power until 2000, when he was deposed democratically, through elections that he lost to the opposition. However, the three years (1997–2000) preceding his demise would become years of an extreme pressure on Serbia regarding Kosovo.

Kosovo: Minority Rights versus Independence

The issues involved in the case of the former Yugoslav federal republics Croatia and Bosnia-Herzegovina had to do with the relations among the republics of the Yugoslav federation. Kosovo is a different case for two reasons:

because it was a province within one of the federal units (Serbia) and because the Albanians in Yugoslavia were not a constituent nation but an ethnic minority. In this sense, they had basically the same status as other ethnic minorities in Yugoslavia (Hungarians, Rumanians, Slovaks, etc.) and in other European countries: Hungarians in Rumania, Slovakia, and Serbia; Austrians in Italy (Tyrol); Slovenians in Austria, etc.

Standards for minority rights may be higher or lower. However, they exclude the right to self-determination since the latter would invalidate the principle of territorial integrity of one state in relation to another state with which it shares an international border. The principle of territorial integrity was upheld in the case of the former Yugoslav republics that became independent (regarding the Serb minority in Croatia; both Serb and Croatian populations in Bosnia-Herzegovina; the Albanian minority in Macedonia). The same principle was upheld in the case of other Eastern European states (such as the Hungarian minority in Rumania and Slovakia).

Serbia must not be an exception or a precedent-setting case regarding the Albanian minority within its international borders. Kosovo is not only the cradle of Serbian statehood and culture. Kosovo represents 15% of the territory of Serbia, a democratic state with a right to territorial integrity as any other member state of the United Nations.

Basically, the Kosovo issue was generated by a combination of several factors: territory, ethnicity, and history. Before the Ottoman conquest of the Balkans, Kosovo had been the center of the Serbian medieval state. Several centuries of Ottoman domination caused the forced partial migration of Serbs from Kosovo, which was settled by neighboring ethnic Albanians in line with the Ottoman policy of rewarding the only Balkan nation—the Albanians—who adopted Islam *en masse*. Thus began the demographic change on the territory of Kosovo. After the withdrawal of the Ottomans from the Balkans and the restoration of the Balkan states, including Serbia and Albania, Kosovo stayed within the borders of Serbia. This changed only during World War II, during the Nazi occupation of Serbia, when a part of Kosovo was occupied by Italy and annexed to Albania under the sponsorship of Mussolini's Italy. Following the post-war restoration of the country under Tito, Kosovo was reincorporated into Yugoslavia as part of the territory of Serbia. However, Serbia was the only Yugoslav federal republic in which two autonomies were established: Vojvodina in the north (where there was a sizable Hungarian ethnic minority) and Kosovo in the south (with a substantial Albanian ethnic minority).

As far as demography is concerned, in 1948 Kosovo had a total population of around 728,000 (63.7% Albanian, 27.3% Serb); in 1961 the total

population had risen to 963,988 (67% Albanian, 27,4% Serb). However, the census of 1971 shows a sharp rise in total population (1,243,693), a rise in the percentage of Albanians (73.7%) and a decrease of the percentage of Serbs (20.9%). This tendency continued more intensively in the seventies and eighties. In 1981 the total population was 1,584,441 (77.4% Albanians compared to 14.9% Serbs) and in 1991 the total population was 1,956,196 (81.6% Albanians compared to 11% Serbs). This demographic change could be explained by the closed and rather conservative traditional culture of the Albanians, their resistance to modernization and integration (especially in rural environments), the fact that Kosovo inherited a situation of economic underdevelopment, the very high birthrate among Albanians (enhanced by conservative religious cultural patterns) and the illegal influx of immigrants from Albania (after the upgrading of Kosovo autonomy in the early seventies). The religious factor is an interesting point: while the Hoxha regime had literally banned religion in Albania, the relatively liberal religious policies of the Tito regime in Yugoslavia tolerated religious freedom.

One feature specific to the Albanian minority in Yugoslavia, separating it from other ethnic minorities, was the promotion of the nationalist ideology through violent means. After World War II, Tito's regime had to cope with armed Albanian groups seeking to maintain the wartime union of Kosovo with Albania. In 1968, in spite of enjoying more rights compared to other ethnic minorities in Yugoslavia, Kosovo Albanians staged anti-Yugoslav demonstrations in Priština. In 1981, a year following Tito's death, Albanian separatists in Kosovo organized an armed rebellion, harassing the non-Albanian population in order to cause their exodus. The Yugoslav federal government, which had until then followed a policy of appeasement, tightened the police and military control in Kosovo, which the international community viewed as a legitimate response. However, this tendency only continued in the nineties, especially following the dismantling of Yugoslavia. This process culminated in the years following the end of the conflict in Bosnia.

The Albanians had already established the Kosovo Liberation Army (KLA),² which was well armed and engaged in systematic terrorism against

² The Kosovo Liberation Army consisted of two ideological factions. One was positioned on the far right of the political spectrum. It was connected with the KLA's fascist predecessors who were active during World War II as allies of Hitler's Germany and Mussolini's Italy. The other ideological faction was positioned on the far left and comprised of the "old" Stalinists of the Hoxha type (due to the influence of Albania in Kosovo during the seventies and eighties) and the "new" leftists generated by the ruling communist elite in Yugoslavia in the period 1945–89. *"The two KLA factions have little sympathy or understanding of democratic institutions, Split bitterly between radical left and radical right, they are now arguing over whether to carry the fighting to the pockets of ethnic Albanians who live in Western Macedonia"*

the Serbs in Kosovo. In the years that lead to 1998, Serbia regarded the KLA as a terrorist organization. So did the United States. However, once the Clinton administration declared the KLA to be a “liberation organization,” it became clear that the KLA would be able to advance its goal: to gain complete control over Kosovo.

In 1998 Bin Laden had already declared war on the United States, but the issue of global terrorism was not clear enough to assume a central position in the considerations of the Clinton administration. Terrorism in Kosovo was viewed as a local problem affecting only Serbia. In addition, it had the effect of undermining Milošević’s regime and therefore could be used as an instrument for inducing regime change in Serbia. On a global political level, supporting the cause of Kosovo Albanians would appeal to the Islamic world and neutralize its concerns over an alleged Western bias towards its interests. At the same time it presented a new challenge for NATO in the process of redefining its mandate in an environment changed by the conclusion of the Cold War.

The culmination of this process was the 78-day-long bombing of Yugoslavia by NATO forces from March to June 1999.³ Serbia posed no threat regarding weapons of mass destruction because it had none. Serbia did not have a link with anti-American terrorism. The NATO bombing campaign killed 2,500 Yugoslavs, produced a large-scale destruction of civilian infrastructure and economic assets, and generated a huge humanitarian and refugee problem. However, it did not remove Milošević from power. On the contrary, it prolonged the life of his regime until October 2000, when Serbia affirmed its democratic choice by voting him out of power. In June of 2001 Milošević was transferred to the Hague Tribunal.⁴

Although according to the UN SC Resolution 1244 Kosovo remained within the borders of Yugoslavia, the Yugoslav army and police had to leave Kosovo. An international military force (KFOR) replaced the Yugoslav army

and neighboring Montenegro. [...] Given these deep divisions, it is no accident that the KLA has failed to create a political organization or even a vague platform. [...] Leaders of the KLA, especially those that have not lived abroad, are convinced that they have embarked on the century-long dream of a Greater Albania. Many KLA commanders tout themselves as ‘a liberation army for all Albanians’—precisely what frightens the NATO alliance most” (Chris Hedges, “Kosovo’s Next Masters?”, in *Foreign Affairs*, May/June, 1999).

³ For an analysis of the political implications of the bombing campaign see Krinka Vidaković Petrov, “Breaking the Balkans: Yugoslavia ’99,” in *Kosovo-Serbia: A Just War?*, ed. F. Columbus, Nova Science Publishers, Inc., 1999.

⁴ In the years that followed the same was done with several other high ranking indicted civilian and military officials: another Serbian president, a minister of foreign affairs, two chiefs of General Staff, several generals, politicians, and others.

and police, but basically NATO took military control of the province and soon established a large military base there (Bondsteel). A UN civil administration (UNMIK) took over the running of civilian affairs according to the UN SC Resolution 1244, mandating “*a political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of [...] the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia [now Serbia].*” Part of the mandate was also “to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo...to assure the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo...and to protect and promote human rights.”

However, after June 1999, only Albanian refugees were secured a safe and sustainable return, while around 280,000 non-Albanian refugees and displaced persons (mostly Serbs) were not. Since June of 1999, the non-Albanians, especially Serbs, remaining in Kosovo have been continuously harassed, killed, kidnapped, their children beaten, their homes and livelihood destroyed and their churches—over 150 of them—burned and demolished as they bear witness to the non-Albanian past of the province. Non-Albanians have no freedom of movement. They have been deprived of elementary security and the basic human right—to life itself. The reality of Kosovo, the blatant ethnic discrimination and cleansing carried out by the Albanians, the organized crime (arms, drug, and human trafficking), and corruption, have persistently been ignored. After the 9/11, Afghanistan, and Iraq, one more question warrants serious consideration: Is Kosovo also open to the trafficking of global terrorism?

The events that took place in March 17–19, 2004, after almost five years of UN administration in Kosovo, assumed proportions of a pogrom and ethnic cleansing of the remaining Kosovo Serbs. This event unveiled more forcefully than ever the failure of the UN mandate to protect the life, freedom, safety, property, religious sites, and cultural heritage of the Kosovo Serb community. Although NATO troops were much needed elsewhere, the KFOR was reinforced with an additional 2,000 troops, as the international community admitted that the reality of Kosovo was far from being satisfactory.

The Epilogue

There are two issues at stake regarding the Kosovo case. One is the future status of this Serbian province: whether Kosovo will have the highest possible degree of self-government within Serbia and in accordance with the principle of Serbia’s sovereignty and territorial integrity, as proposed by Serbia and mandated by the UN SC 1244; or whether it will be given independence—

“delayed” or “supervised”—as proposed by the Albanians, involving the invalidation of the principle of territorial integrity and sovereignty of democratic Serbia, and imposed on Serbia by a new SC UN resolution.

The other one has to do with the internal organization of Kosovo: developing accountable self-government institutions, decentralization, instruments for providing security and freedom of movement for non-Albanians, the protection of their economic and cultural assets, the reduction of organized crime, the demilitarization of the KLA, and the curbing of ethnic hatred and harassment. Most of these elements were actually included in the “standards” mandated by the UN, whose fulfillment was a precondition for the consideration of the future “status” of Kosovo. Unfortunately, after seven years of UNMIK administration, these “standards” remain very far from fulfillment. Thus, the initial objective “standards before status” has given way to the consideration of “status” regardless of “standards.”

Those advocating the independence of Kosovo argue that this is the only way to appease the Albanians and prevent greater outbreaks of violence on their part. This could be interpreted as an admittance that terror and blackmailing are effective and would encourage others in the world to follow the same model for the achievement of their political goals.

In an interview published a few years after the 1981 Albanian rebellion in Kosovo, Andre Malraux offered an interesting commentary on the situation in Yugoslavia: *“Your country is implementing a national policy that is playing with state interests [...] You have interpreted the multinational character of your country in a literal sense, but to what effect? All European states are basically centralistic, except Yugoslavia. Does that tell you anything? The notion of citizenship could be a substitute for nationality without threatening the worthy human feeling of belonging to a certain nation. I have a great deal of sympathy for your country: Serbia’s role in the World War I was admirable; the organization and strength of your resistance in World War II was impressive [...]. I also appreciate Yugoslavia’s historic break with Stalin in 1948. However, how do you expect to endure the challenges of independence if you are not a strong and unified country? Nationalism can be manipulated, provoked, designed to make your country vulnerable, and perhaps this is already under way. The smallest country, Albania, is already taking advantage of it, and I am afraid it will have a tragic outcome. What could happen when the same is done by the great powers, whose influences are felt everywhere in the world?”*⁵

This view of the direction Yugoslavia was moving in was presented over twenty years ago in the wake of Tito’s death. What it shows is that the drama

⁵ Interview with A. Malraux by Živorad Stojković, *Revue des Etudes Slaves*, Paris, 1984.

of nationalism had been in progress in Yugoslavia for a long time before its protagonists of the 1990's took center stage. Even those latest protagonists—Tudjman, Izetbegović, Milošević—have passed away and their legacy is passing away as well. Serbia is a new democratic state whose democratic achievements deserve respect and support rather than extreme and unprecedented punitive measures such as establishing an independent state of Kosovo on 15% of its territory.

Regarding punishment and reward and the question if the Kosovo Albanians should be rewarded with independence, the former UN special envoy to the Balkans Carl Bildt has offered the following commentary: *“In the US, some are now saying that [...] in the wake of violence we should reward the perpetrators with immediate independence: status without standards. But giving in to violence today would give a powerful incentive to the ethnic cleansers of tomorrow. It is a principle as dangerous in the fight against ethnic violence as it is in the fight against terrorism. It risks betraying everything we have stood and fought for in the region for more than a decade.”*⁶

And finally a commentary by the Canadian General Lewis MacKenzie,⁷ former Commander of UNPROFOR in Bosnia-Herzegovina: *“The Kosovo Albanians have played us like a Stradivarius. We have subsidized and indirectly supported their violent campaign for an ethnically pure and independent Kosovo. We have never blamed them for being the perpetrators of the violence in the early 90's and we continue to portray them as the designated victims today in spite of evidence to the contrary, When they achieve independence with the help of our tax dollars combined with those of Bin Laden and Al Qaeda, just consider the message of encouragement this sends to other terrorist-supported independence movements around the world.”*

The negotiations on the future status of Kosovo are ongoing, so the question of minority rights versus independence in this case is still open.

sashapt@hotmail.com

⁶ Quoted according to “Kosovo and Metohija: Towards Future Status Negotiations,” paper prepared by the Serb Unity Congress, December, 2005 (available on the SUC website).

⁷ *Ibid.*