

The Kosovo Conflict

Kosovo is an area of less than 11,000 square kilometres in the south of the Republic of Serbia bordering, within the Federal Republic of Yugoslavia, the Republic of Montenegro to the north-west, and having international borders with the Former Yugoslav Republic of Macedonia to the south and Albania to the west and south-west. Kosovo is inhabited by about two million people, ninety per cent of which are ethnic Albanians. Historically, it has been part of the medieval Serbian Kingdom, has belonged, for several centuries, to the Ottoman Empire, did then come to the Kingdom of the Serbs, Croats, and Slovenes, later on to the Yugoslav Kingdom, was united with other Albanian territories to a Greater Albania during the Second World War, and eventually became part of socialist Yugoslavia's Republic of Serbia, under the sovereignty of which it remained after the break-up of Yugoslavia.

While ethnic tensions, calls for secession, and occasional riots were common features throughout Kosovo's more recent history, it is only since the beginning of March, 1998, that organised and violent ethnic conflict has replaced an almost two decades-long peaceful struggle of ethnic Albanians to secure an independent state for themselves. While the Kosovo problem had been somewhat marginalised during the war in Bosnia and Croatia, it became more salient from about 1995/96 onwards, resulting in first acts of violence against Serbs and Serbian security forces by Albanians in response to continuing Serbian oppression and a lack of international commitment to remedy the situation. The recent violent conflict, which was, for the most part, fought between the Kosovo Liberation Army and Serbian security forces, had captured the attention of the world media and triggered hectic diplomatic activity, international outrage about human rights violations, and relief efforts of non-governmental organisations in Kosovo. Yet despite this, the conflict escalated, costing more than 1,200 lives among ethnic Albanians by September 1998.¹ Even with the recently achieved cease-fire, a solution has not come any closer. Since September 1998, the main players in the conflict have discussed the idea of an interim solution. Apart from its shape, which has been hotly debated, the argument is also about the feasibility and ultimate aim of such an approach. Both dimensions are closely linked

¹ The figure given in the monthly report (August) of the Pristine-based Council for the Defence of Human Rights and Freedoms (CDHRF) is 1221 dead between 14 January 1998 and 11 September 1998.

to one another, as only a settlement that is acceptable to both Kosovo Albanians and the Serbian/Yugoslav government could stand a chance of working even temporarily. Yet, the difficulties that the international efforts to manage the conflict have encountered can only be understood against the background of the variety of factors at work in the conflict.

The Situation in Kosovo

Ethnic Albanians

There is no unified political platform of ethnic Albanians in Kosovo and all attempts so far to create one have been frustrated by personal and political rivalries.

Until the mid-1990s, Ibrahim Rugova was the unchallenged leader of the ethnic Albanians' peaceful resistance to Serbian policy in the province and there seemed to be a widespread determination among the existing political parties of Kosovo Albanians to let party-political differences not come in the way of a joint political agenda.² Initially aimed at a restoration of the *status quo ante* plus, i.e., the return to the 1974 constitutional regulations with a simultaneous upgrading of Kosovo to a republic and of ethnic Albanians to one of the constituent peoples of the Yugoslav state, Serbian repression and covert ethnic cleansing soon made Rugova and his party demand independence.³ Presidential and parliamentary elections in 1992 and 1998 confirmed his claim to the presidency of the self-proclaimed Republic of Kosovo. While Rugova thus possesses the democratic legitimacy of political leadership, he has hardly any real power. At an internal level, this has become apparent by the rejection of his authority by the KLA and by his difficulties to form a negotiation team including a broad coalition of ethnic Albanian political parties. Externally, in his relations with Serbia and the FRY, Rugova has not been able to secure any substantial concessions from Yugoslav president Slobodan Milosevic that would justify continued support of his role as Kosovo's president among ethnic Albanians. A severe blow to his strategy of non-violent resistance and of engaging the international community for the cause of an independent Kosovo was dealt by the

² *RFE/RL Research Report* no. 39, 1 October 1993.

³ For the early political platform of the LDK, see the Political Declaration of 5 May 1991, reprinted (in a German translation) in The President of Schleswig-Holstein Parliament (ed.), *Minorities In Europe* (Kiel 1991), pp. 119-120. On the future of Yugoslavia, the declaration states: "A Yugoslavia constituted without the approval of the Albanians can not be their state. In this case, Albanians would

European Union's official recognition of the FRY in 1996 before any resolution of the then already obvious conflict in Kosovo. However to some extent, blame also rests with Rugova himself. Insisting on the necessity and possibility of achieving Kosovo's independence from Serbia, he raised the hopes of ethnic Albanians even at a time when the international community had long made it clear that it did not support a unilateral change of borders. When the non-violent strategy therefore consequently failed, Rugova initially did not take any effective steps to incorporate the KLA into a wider political platform and to make it politically controllable. More threatening, therefore, is now the prospect that, by developing the FARK through financial support from his prime minister Bukoshi, Rugova seeks to create his own power base which he could use in intra-group power struggles against his political opponents.

The political rivals of Rugova's LDK are mainly four – the Independent Union of Albanian Students, which was the first political organisation to defy Rugova openly in 1997 over a disagreement whether to go ahead with student protests or not; Adem Demaci's Parliamentary Party of Kosovo, which now also represents the KLA; the Social Democratic Party of Kosovo, which joined to former two in the boycotts of the March 1998 Kosovo elections; and a newly formed political grouping, called the Albanian Democratic Movement, which was formed at the end of June 1998 recruiting its members and leadership partly from dissatisfied former Rugova allies.⁴ However, it is unclear in how far these groups opposing Rugova are willing and able to co-operate based on a number of common positions, such as the non-recognition of the current parliament.

The major problem that arises from this constellation is that, even if a (temporary) settlement can be negotiated, the structure of talks between Rugova's exclusive negotiating team and Serbian/FRY officials is unlikely to muster sufficient support among ethnic Albanians (and the various political groups that claim to represent them) to implement any agreement successfully that falls short of independence, at least in the short term. This holds particularly true for the KLA, who, through its political representative Adem Demaci, has made it clear on several occasions that only the realisation of full independence, or at least the international

be forced to seek their independence and equality outside of it and in accordance with the principles of self-determination of peoples and in the spirit of the CSCE documents." (ibid.)

community's clear support for this goal, will lead to a permanent end of its struggle.⁵ Another KLA spokesperson emphasised that, despite the agreement reached on Serbian withdrawal in mid-October 1998, the organisations goal remained autonomy with a right to independence, but that a three-year transition period would be acceptable.⁶ While this signals a new preparedness to compromise on part of the KLA, their principal commitment to Kosovo's independence remains. Given the ethnic Albanian population's support for this goal in the 1992 referendum, however, it is unlikely that the KLA's position will be seen as sufficient compromise in Belgrade.

Ethnic Serbs

Although they have the overall backing of the Serbian government in Belgrade and the protection of the Serbian security forces, ethnic Serbs in Kosovo are not in a particularly easy position. Their number shrunk from just under one-third in 1961 to less than one tenth in the 1990s.⁷ This decrease had partly to do with the much lower standard of living Kosovo had compared to any other of the constituent units of Yugoslavia during the years before the break-up of the state. In addition, the Serbian perception of the post-1974 period in Kosovo has also been shaped by the experience of the 'national key' – a system that ensured proportional representation of ethnic groups in the public sector, which, as Yugoslavia had a more or less completely nationalised economy, included almost all sectors of the job market as well. Consequently, Serbs saw themselves as disadvantaged in Kosovo in a variety of ways, especially in comparison to their pre-1974 and pre-war position, and chose to

⁴ The Yugoslav Helsinki Committee's 1995 Human Rights Report characterised the parallel ethnic Albanian social system as a party state not unlike that of Serbia because of the sheer dominance of Rugova's LDK in the elected parliament.

⁵ At a press conference on 6 October 1998, Demaci said "I believe that Kosova Liberation Army is an expression of the Albanian national desire for freedom, and [as long as] oppression continues, this nation will desire its freedom and will express that through its Liberating Army. If the international community will mediate in the direction of realising the Albanian nations' right for independence, and toward the results of the 1991 referendum, where freedom and independence for Albanians and some other rights that would come as a result of Kosova becoming a political subject, are included, then this would open up doors for cessation of the war in the Kosova Liberation Army part. However, if Albanians remain under Serb rule after the termination of fire, it would be an unequal act to ask from Albanians to give up their freedom when you know well that the educational, cultural, economical, financial, political, systems have been destroyed. [...] Requesting the same thing from those whom terrorised and brought this situation upon Albanians by taking away their inherited rights from the multiyear struggle since [World War Two], which means 15 years of semi-colony rights, will be intolerable."

⁶ KLA press statement, 14 October 1998.

⁷ For the years 1961, 1971, and 1981, there are more or less reliable Yugoslav census data. As ethnic Albanians boycotted the 1991 census, all figures for the 1990s are estimates, but there seems a consensus that there is about a ten per cent non-Albanian population in Kosovo.

emigrate in significant numbers. As early as 1993, there have, however, also been reports by independent human rights organisations that Serbs were subjected to intense ethnic discrimination and intimidation on the part of Albanians in Kosovo.⁸

From the mid-1980s onwards, and especially after 1986, ethnic Serbs in Kosovo began to organise themselves in order to oppose more effectively what they perceived as ethnic cleansing and to lobby the central government to act in their favour. In January 1986, prominent Belgrade intellectuals had sent a petition to Serb and Yugoslav authorities claiming an anti-Serbian genocide in Kosovo and demanding decisive constitutional and other steps be taken to reverse the fate of the Slav population in the province.⁹ Towards the end of that year, the Kosovo Committee of Serbs and Montenegrins was formed, sending petition after petition to Belgrade urging for tough measures to ensure the ‘survival of Serbdom’ in Kosovo. The Serb Resistance Movement, which has sponsored the so-called Serb-Serb talks, has taken a more conciliatory approach, recognising the need for an inclusive settlement that equally accommodates ethnic Albanian and ethnic Serb interests. Supported by the Serbian Orthodox Bishop of Kosovo, Artimije Radosavljevic, and Father Sava Janjic, the Senior Monk of the Decani Monastery Brotherhood, Momicilo Trajkovic, the party’s president, has repeatedly called for inclusive talks of all parties involved and equally criticised Yugoslav President Milosevic and the KLA for their uncompromising positions.¹⁰ Even though the party recognises that the main obstacle for a solution of the conflict is the lack of a democratic political process in Serbia, which is a widely shared view in Kosovo, its efforts to promote dialogue have not been very successful, mostly because of the lack of trust between Serbs and Albanians. In this context, it is also important to realise that the Serbian Orthodox Church, although it probably is genuinely committed to the peaceful and democratic resolution of the conflict, has strong interests in a settlement within the existing boundaries of Yugoslavia. In a recent interview, Father Sava referred to the fact that the independence of Kosovo ‘could lead to a large-scale exodus of the Serbian population from the province. If this happened, it is a question whether our church

⁸ International Helsinki Federation for Human Rights, *From Autonomy to Colonisation: Human Rights in Kosovo, 1989-1993* (Helsinki: IHFHR, 1993).

⁹ An English translation of the petition is reprinted in Branka Magas, *The Destruction of Yugoslavia* (London, New York: Verso, 1993), p. 49.

¹⁰ *RFE/RL Features* 16 September 1998.

and monastic communities could remain here.’¹¹ Given the central importance of Kosovo to the Serb Orthodox Church,¹² the church can not be seen as impartial in its mediation efforts.

The more recent decline of the Serb (and Montenegrin) population can also be attributed to the civil war-like conditions in the province and to the policy of the KLA to target Serb civilians in their campaign as well, which has resulted in some 2,000 registered Serb and Montenegrin refugees alone in Montenegro by mid-July 1998.¹³ Serb self-armament and co-operation with the security forces, on the one side, and the KLA targeting of Serbs, on the other, are two factors that act as mutually intensifying processes in the conflict and contribute to the hardening of positions on either side, thus diminishing the anyway slim chances of an inter-ethnic accord as part of an agreement on the future of Kosovo. Without reconciliation between the two major ethnic groups in the area, or at least their acceptance of each other’s right to live there, it is hard to imagine how a non-violent post-conflict environment could be facilitated.

The Refugee Problem

According to official data, the Serbian military campaign and policy of ethnic cleansing has led to more than one quarter of a million Kosovo Albanians being internally displaced or seeking refuge in neighbouring Albania, the FYROM, and Montenegro,¹⁴ while unofficial sources estimate more than 400,000 refugees and internally displaced persons.¹⁵ The largest amount of refugees, about 170,000, is internally displaced in Kosovo, many of them trying to survive in the open. Another 55,000 have been displaced within the FRY, in Montenegro and Serbia. In September 1998, however, Montenegro, which by then had already accommodated some 40,000 refugees from Kosovo decided to deny further sanctuary and expelled about 3,000

¹¹ <http://www.decani.yunet.com/intervju1.pdf>

¹² As one of its most important historical events, the Serbian Orthodox Church regards the 1346 recognition of the archbishop of Serbia as patriarch with headquarters in Pec.

¹³ Yugoslav Helsinki Committee, *Report on Refugees from Kosovo Situated in Montenegro*, <http://helsinki.opennet.org.eizv9.htm>

¹⁴ The UNHCR reported 241,700 refugees by 1 September 1998. See UN Inter-Agency Report no. 59, Document no. YUGBE/MS/HCR/1341. The UN Secretary General’s Report of 3 October 1998 gives the number of refugees and displaced persons at 280,000 people. Cf. UN Secretary General, “Report of the Secretary-General Prepared Pursuant to Resolutions 1160 (1998) and 1199 (1998) of the Security Council”, UN Document no. S/1998/12.

¹⁵ Kosovo Daily Report 1552, 14 September 1998.

refugees, in an effort to get rid of KLA fighters using refugee camps as bases.¹⁶ About five thousand people fled to Bosnia and Herzegovina, 14,000 to Albania, and 1,000 to Macedonia. To these must be added more than 100,000 asylum seekers who have come to Western Europe earlier in the 1990s.

The creation of such a significant amount of refugees and internally displaced persons has a number of consequences for the further development of the conflict and the possibility and shape of any future solution. First, refugees in these numbers are likely to upset carefully maintained ethnic balances in the neighbouring republics and states. The use of the term 'visitors' rather than 'refugees' for ethnic Albanians who fled to the FYROM indicates the problems that can be anticipated if the refugee situation persists on the current level, let alone if it worsens. The situation in Serbia and Montenegro is similar, although it does not have the immediate danger of erupting into a violent ethnic conflict as in Macedonia. Second, refugees crossing the border to Albania and Macedonia, rather than moving internally in the FRY, increase the danger of drawing either of the two countries into a direct confrontation with Yugoslavia. This becomes more and more likely if the sheer number of refugees increases and they become more radicalised because of the deteriorating humanitarian situation. Simultaneously, the use of refugee camps as KLA bases would have a similar effect. Finally, the destruction of much of Kosovo's rural housing and infrastructure as a consequence of the fighting will make the return of refugees to their former homes a difficult and costly undertaking, as the number of houses destroyed in Kosovo is currently officially estimated between 15,000¹⁷ and 40,000.¹⁸

The Political Importance of the Conflict for Serbia and the FRY

Politically, current Yugoslav President Milosevic began his advent to become an essential player in the region in 1986/87 on a platform of Serbian nationalism focussing on Kosovo. With political support for him now declining and the potential danger of his party splitting similar to events in Montenegro lurking in the background, Milosevic's grip on power depends more than ever on his ability to

¹⁶ Reuters, 13 September 1998, CNN, 15 September 1998. Within one month these figures had increased significantly – in October 1998, Albania was harbouring around 20,000 refugees, Montenegro 45,000, Bosnia-Herzegovina 7,000, and the FYROM between 3,000 and 5,000. Cf. UN Secretary General, "Report of the Secretary-General Prepared Pursuant to Resolutions 1160 (1998) and 1199 (1998) of the Security Council", UN Document no. S/1998/12.

¹⁷ Reuters News Agency, 28 August 1998.

¹⁸ Kosovo Daily Report 1552, 14 September 1998.

instrumentalise the Kosovo crisis for his purposes. So far, he has been successful in rallying Serbian nationalist support behind him. The current government coalition includes the Serbian Radical Party and the Serbian Renewal Movement, two serious political rivals for Milosevic. By incorporating them in his coalition, Milosevic has managed to include two possible major critics of his Kosovo policy into his government, where they now have to share in the responsibility for domestic and international consequences of government policy in Kosovo.¹⁹ Against this background of growing influence of extreme nationalists, Milosevic has also been able to present himself as an indispensable guarantor of stability to the international community because of his influence in the region and because of undesirable possible alternatives after his departure. More importantly, internally he has managed to prevent a democratisation of the political process in Serbia and the FRY by keeping some one million Albanian voters off the polls and by keeping inner-Serbian and inner-Yugoslav democratic opposition parties split.²⁰

The National Assembly of the Republic of Serbia approved a number of conclusions regarding the Kosovo conflict on 28 September 1998, in which its members emphasised the need for a speedy resolution of the ensuing humanitarian crisis.²¹ The conciliatory stance adopted by the parliament followed the adoption five days earlier of Resolution 1199(1998) by the UN Security Council. Although these conclusions contain important commitments in relation to the humanitarian dimension of the crisis, they do not mean that Serbia has fundamentally changed its political approach to the resolution of the Kosovo conflict.

Against this background of Milosevic gaining politically in more than one respect from an ongoing conflict in Kosovo, initiatives aimed at a permanent settlement of the Kosovo conflict are hardly to be expected without stronger international pressure. Without it, it is more likely that Milosevic will pursue a policy of moderate de-escalation (to avoid the risk of international intervention) but continuing high tension in Kosovo (to maintain the conflict at a low-intensity and

¹⁹ International Crisis Group, *Again, the Visible Hand. Slobodan Milosevic's Manipulation of the Kosovo Dispute* (Brussels: ICG, 1998).

²⁰ Cf. United States Institute of Peace Special Report, June 1998, *Serbia – Democratic Alternatives* <http://www.usip.org/oc/sr/SerbiaDemocratic.html>.

²¹ UN Secretary General, "Report of the Secretary-General Prepared Pursuant to Resolutions 1160 (1998) and 1199 (1998) of the Security Council", UN Document no. S/1998/12.

manageable level), as Kosovo so far is the only ‘victory’ of Milosevic and the nationalist lobby.

The Impact of the Albanian Dimension²²

The collapse of communism in Central and Eastern Europe affected Albania at the beginning of the 1990s as well. Multi-party elections in 1992 and 1996 resulted in Sali Berisha’s Democratic Party winning overwhelming victories. As early as 1990, this party had re-introduced the idea of a ‘Greater Albania’ and in particular that of a union with Kosovo into the emerging democratic political process in Albania. Among the first practical steps in this respect, Berisha’s government, in 1992, confirmed a 1991 decision of the Albanian parliament to recognise the Republic of Kosova²³ and remodelled the concept of Albanian citizenship along *jus sanguinis* lines to include all ethnic Albanians regardless of their country of residence.²⁴ Official support for Kosovo’s independence from the Albanian government, however, did not extend far beyond verbal declarations, and even these stopped after the government recognised the existing borders with the FRY in the wake of the escalating war in the neighbouring country in 1994.

In early 1997, Albanian society was at the brink of collapse and only narrowly escaped civil war when pyramid investment schemes collapsed taking with them the savings of a majority of the anyway poor Albanian population. The situation was blamed largely on the government-in-office, which were defeated in early elections in 1997. The change in government was, owed to the crisis in the country, rather dramatic. The Democratic Party, which had won 122 out of 140 seats in the 1996 elections, lost almost 100 seats in 1997 coming in as second strongest party with 26 seats. The Socialist Party increased its share in the polls from 10 to 101 out of 155 seats.²⁵

The incoming government of Albania, preoccupied with the country’s internal problems of a declining economy and increasing crime rates has tried not to get

²² Good overviews are The Foreign and Commonwealth Office, *Albania: A Survey of Recent Developments* at <http://mprofaca.cro.net/kosovo.html>, the *IHF Annual Report 1998* on Albania, <http://listserv.acsu.buffalo.edu/archives/albanews.html>, and Jonathan Sunley, “Kosova’s Woes Are Albania’s Too,” *Wall Street Journal Europe* 29 June 1998, <http://listserv.acsu.buffalo.edu/archives/albanews.html>

²³ Cf. http://www.yugoslavia.com/Society_and_Law/Kosovo/G18.htm

²⁴ Cf. International Crisis Group, *The View from Tirana: The Albanian Dimension of the Kosovo Crisis* (Brussels: ICG, 1998).

involved too deeply in the ongoing Kosovo conflict and, above all, not to lose critical western support in the rebuilding of Albanian society. Facing over the months an increasing influx of refugees,²⁶ it has so far pursued a policy of de-escalation and of recognition of the existing borders of the FRY, favouring a solution within Yugoslavia giving Kosovo equal status with Serbia and Montenegro.²⁷ At a top-level meeting of the leaders of seven Balkan countries in November 1997, new Albanian Prime Minister Fatos Nano and Yugoslav President Slobodan Milosevic had a private meeting at which they discussed the Kosovo issue. While the meeting did not result in a break-through regarding the constitutional position of Kosovo, it did at least indicate that the new Albanian government would continue to respect existing borders, rather than inflame the then latent violent conflict by making irredentist claims to Kosovo.²⁸ On the other hand, this seemingly prudent approach taken by the new government in 1997 did not just coincidentally fall together with the radicalisation of the political spectrum in Kosovo and the increasing influence of forces determined to realise the goal of independence by all means possible, including the use of violence. Statements by government officials in Tirana accusing the KLA of terrorism and rejecting the idea of an independent Kosovo have not been popular in any of the ethnic Albanian political factions in Kosovo.²⁹ More recently, Albania's policy towards Kosovo has changed from one of neglect and condemnation of 'KLA terrorism' to a more sober analysis of the situation, weighing carefully domestic and international interests. While public opinion seems almost entirely in favour of showing solidarity with ethnic Albanians in Kosovo,³⁰ the degree to which this should include more active involvement differs greatly. Through family ties, the influx of refugees, and the operation of KLA support and supply networks, Albanians in the north of the country are already much deeper involved in the conflict than their fellow citizens in the south. The lack of government control over the northern region, the existence there of organised crime, drug trafficking, and weapons smuggling networks run by Kosovo

²⁵ CNN Election Watch – Albania.

²⁶ According to latest UNHCR figures, the number of refugees from Kosovo in Albania is currently estimated at 14,000. Cf. above.

²⁷ Cf., for example, ARTA News Agency 27 April 1998.

²⁸ "Balkan States: Leaders Seek to Ease Tensions", RFE/RL Feature, 6 November 1997.

²⁹ On recent statements, see for example, ATA News Agency, 10 September 1998, AFP, 11 September 1998.

³⁰ Jonathan Sunley, "Kosovo's Woes are Albania's Too", *Wall Street Journal Europe*, 29 June 1998.

Albanians³¹ as well as cross-border pursuits of the Serbian security forces has increased the danger of a spill-over of the conflict, in which Albania as a whole, however, can obviously not have an interest. Yet at the same time, it is not entirely clear in how far the government lends support to the KLA and co-operates in this with diaspora groups, especially in Switzerland and Germany, to all of which it has at least some ideological affiliations.³²

In assessing Albania's role in the Kosovo conflict, the country's political and economic dependency on other international actors needs to be taken into consideration as well. Relationships with Greece, Italy, and Macedonia are very complex and in one way or another related to the Kosovo conflict. Greece, a country traditionally close to Serbia because of existing religious ties, has its own Albanian minority. Italy as a member of the Contact Group on Former Yugoslavia, has had to accommodate a large number of Albanian refugees in the past both from Albania proper and Kosovo. While relations with Macedonia have improved in recent years, the issue of the Albanian minority there remains sensitive, in particular because of close ties between Northern Albanians, ethnic Albanians in Macedonia, and their kins in Kosovo.

Albania's internal weakness and in particular its almost complete lack of an effective defence force has increased the country's dependence on western military support. The Partnership for Peace agreement between NATO and Albania has provided the Albanian government with some assistance in handling the evolving crisis in Kosovo.³³ However, even if NATO or the UN were planning a border control mission in Albania similar to the one in the FYROM, the lack of infrastructure in Albania would seriously delay any such operation, probably beyond the point of its usefulness in conflict preventive policy.³⁴ The inability to protect effectively its northern borders together with the ongoing feud among Albania's political parties and

³¹ Cf. United Nations Economic and Social Council, Commission on Crime Prevention and Criminal Justice, Fifth Session, 21-31 May 1996 (Doc. ECN.15/1996/2) and U.S. Department of Justice, Drug Enforcement Administration, *NNICC Report 1996*, <http://www.usdoj.gov/dea/pubs/intel/nnicc97.htm>.

³² Cf. Mero Baze, "The Risk of Misleading Knowledge on the 'Albanian Dimension of the Crisis' in Kosovo", *Independent Albanian News Agency*, no date.

³³ On details of the PfP with Albania see NATO Press Release (98)69 of 29 May 1998 and George Katsirdakis, "Albania: A Case Study in the practical Implementation of Partnership for Peace," *NATO Review* web edition, vol. 46, No. 2, Summer 1998, pp. 22-26.

³⁴ Cf. International Crisis Group, *The View from Tirana: The Albanian Dimension of the Kosovo Crisis* (Brussels: ICG, 1998).

the response to it from the ethnic Albanian parties in Kosovo has once more increased the potential of a spillover of the conflict into Albania.

The Role of Macedonia

Together with Albania, Macedonia is among the countries most affected by the Kosovo conflict while at the same time also having a significant impact on the development of the conflict and its future solution. Although Macedonia's secession from the Yugoslav federal state was peaceful, the country has experienced the same ethnic tensions as elsewhere in the region and the government's relationship with the three major national minorities – Albanians, Turks, and Serbs – remain difficult.

After a 1991 census was boycotted by the Albanian population and the size of the minority could only be estimated, an internationally monitored census in 1994 revealed that among the FYROM's two million citizens there are a little less than half a million Albanians, some 80,000 Turks, and almost 40,000 Serbs.³⁵

The three major political parties³⁶ of Albanians in the FYROM – the Party for Democratic Prosperity (PPD), the Party for Democratic Prosperity of Albanians in Macedonia (PPDSh), and the People's Democratic Party (PDP) – are not fundamentally different in their demands anymore. Initially, the PDP had a very radical programme, threatening to fight for a single all-Albanian state in the Balkans, should its demands for improved living conditions in Macedonia not be met. However, since 1992 the party has retreated to more moderate positions arguing for the need of equality of all citizens, a bicameral parliament, and the federalisation of the FYROM. The PPD, after supporting the PDP initiated census and referendum boycott in 1991 and not voting in favour for the adoption of the FYROM's constitution in the same year, has become a junior partner in the governing coalition after the last elections. This step, however, has resulted in the creation of the PPDSh, whose members and leadership comprises mostly of former PPD members dissatisfied with this party's policy of co-operation. Even though the PPDSh can be considered a

³⁵ Both Serbs and Turks have their own political parties claiming to represent their respective national groups. While the Democratic Party of Serbs, legalised in March 1992, has come under the influence of radical pro-Serbia circles after an agreement was signed between the originally more moderate and co-operation-orientated leadership in 1993, which was subsequently annulled, the Democratic Party of Turks supported Macedonia's statehood and the new constitution, yet remained determined to represent essential interests of its ethnically defined electorate, bringing it more than once onto a confrontational course with subsequent Macedonian governments.

more right-wing party, its demands for autonomy are not fundamentally different from those of the PPD. Supported by the results of an unofficial referendum organised by the PPD in 1992, in which 90% of the ethnic Albanian electorate in Macedonia participated and of which roughly three quarters supported the idea of their own political and territorial autonomous structures,³⁷ ethnic Albanian parties argue for changes in the FYROM's constitution to elevate the ethnic Albanian population to the status of a constituent people of the FYROM, for improvements of the Albanian language situation (including increased employment of native Albanian teachers, the foundation of a teacher training seminar for ethnic Albanians, the issuing of official documents also in Albanian, and Albanian language programmes on national TV), the establishing of an Albanian university, and the inclusion of ethnic Albanians in government institutions.³⁸

The relationship between the FYROM and the Republic of Albania is complex and has undergone a variety of changes throughout the post-independence period of Macedonia. In the period between 1992 and 1997, during the presidency of Sali Berisha and the two successive Democratic Party governments, official relations between the FYROM and Albania were strained by Albania's actions against the FYROM's membership in the Conference for Security and Co-operation in Europe (CSCE, renamed in 1995 to OSCE). Even though the post-1997 government in Tirana has pursued a more conciliatory policy vis-à-vis Macedonia, it has also made it clear to its counterpart in Skopje that it will not turn a blind eye on the fate of the ethnic kin-group in Macedonia.³⁹

With a Macedonian army hardly in existence, the country depends heavily on United Nations support for ensuring its territorial integrity and patrolling and monitoring its borders with Serbia and Albania. An UNPREDEP force has been in place since 1992, its mandate being extended by the Security Council on a semi-annual basis, most recently until 28 February 1999. Yet, with only 1050 personnel the

³⁶ Detailed information on the party system in the FYROM can be found at <http://www.b-info.com/places/Macedonia/republic/parties.html>

³⁷ International Crisis Group, *The Albanian Question in Macedonia: Implications of the Kosovo Conflict on Inter-Ethnic Relations in Macedonia* (Brussels: ICG, 1998).

³⁸ Cf., for example, Anthony Georgieff, "Macedonia: Local Albanian Leader Complains of Discrimination" *RFE/RL Feature*, 23 February 1998.

³⁹ Cf. Patrick Moore, "Balkan States: Crete Summit Points to More Instability", *RFE/RL Features* 6 November 1997.

force is hardly more than a symbolic gesture, confirming the commitment of the international community to ensure the FYROM's territorial integrity.⁴⁰

With an unresolved border dispute with Serbia, Greece's refusal to recognise Macedonia's name, and Bulgaria's failure to acknowledge the existence of a Macedonian language and nation, the Albanian problem in the FYROM may be only one among a number of issues threatening political stability in the country. However, as elsewhere it might be perceived as a purely internal matter that can be instrumentalised to rally electoral support. Thus, the danger is not merely one of a spillover of the conflict from Kosovo but also one of a self-intensifying conflict in Macedonia with the potential to contribute to the ongoing destabilisation of the region. This is particularly likely if a settlement is implemented for Kosovo that grants the ethnic Albanian community there either far-reaching autonomy or, even though this is unlikely, independence. This could, from a Macedonian point of view set an unwelcome example for its own latent ethnic conflict with the Albanian national minority. The Macedonian interest in a more limited Kosovo settlement could lead to a Macedonian-Serbian rapprochement, including a parallel Macedonian suppression of ethnic Albanians.⁴¹

The further frustration of ethnic Albanian demands in Macedonia, therefore, could then lead to a similar violent conflict emerging there. Yet equally dangerous would be a development when neither problem is solved and ethnic Albanians in both areas join forces. Existing ties between Kosovo and western Macedonia are already being used for the smuggling of weapons, the provision of support bases and funds, and the recruitment of militarily experienced fighters for the KLA.⁴²

⁴⁰ United Nations Security Council, *Resolution 1186 (1998)*, S/RES/1186 (1998). The figure of 1,050 troops is an increase to the previous 750. More detailed on the role of UNPREDEP in the FYROM, see UN Secretary General, "Report of the Secretary-General Prepared Pursuant to Resolution 1160 (1998) of the Security Council," 4 June 1998, <http://www.nato.int/ifor/un/1998/u970512a.htm> and UN Secretary General, "Report of the Secretary-General on the United Nations Preventive Deployment of Force," 14 July 1998, S/1998/644.

⁴¹ Already in the late 1980s, early 1990s a parallel development in the then Yugoslav republics of Macedonia and Serbia in relation to ethnic Albanians occurred, when Macedonia took a more aggressive stance against its Albanian population, too.

⁴² International Crisis Group, *The Albanian Question in Macedonia: Implications of the Kosovo Conflict for Inter-Ethnic Relations in Macedonia* (Brussels: ICG, 1998).

The Involvement of the International Community

The more systematic involvement of the international community in the Kosovo conflict dates back to 1990 as regards governmental organisations⁴³ and back to 1980s as regards non-governmental international actors.⁴⁴ There are two main rationales for involvement. One is the appalling human rights situation in Kosovo, which in itself might be considered a sufficient reason for intervention. The other, and probably more compelling, reason for governments to get involved in Kosovo, is the danger of the conflict triggering a wider regional crisis involving a number of Balkan countries, beyond Serbia/FRY, Albania, and the FYROM, including Bulgaria, Turkey, and Greece. As regards Bulgaria, not only are this country's relationships with the FYROM very sensitive over issues of language, nationality, and the existence of minorities, but Bulgaria does potentially also have territorial claims towards the FRY with respect to territories ceded before 1945.⁴⁵ The potential involvement of Turkey could become an actuality through a treaty on mutual defence and co-operation that links Albania and Turkey. Greece, on the other hand, has been traditionally close to Serbia in religious terms. The treatment of Albania's Greek minority and of migrant Albanian workers in Greece as well as border demarcation disputes between the two countries have been sources of tensions between Greece and the Republic of Albania. Moreover, Greek-Turkish relations over, for example, Cyprus have been a constant worry in the region.

A number of international governmental organisations have been involved in Kosovo before and after the violent escalation in 1998. These included on the global level the United Nations and the International Conference on the Former Yugoslavia and its successor organisations (the Peace Implementation Council and the Office of the High Representative), on the transatlantic level NATO, the CSCE/OSCE, and the Contact Group on Bosnia-Herzegovina, and on the European level the EU, the WEU, the European Parliament, and the Parliamentary Assembly of the Council of Europe. Apart from this, there have been a number of bilateral and regional initiatives, such as

⁴³ On 11 October 1990, the European Parliament adopted its first "Resolution on Kosovo."

⁴⁴ Amnesty International and other human rights organisations have monitored, and reported on, the situation in Kosovo for many years. Cf., for example, Amnesty International, *Yugoslavia: Recent Events in the Autonomous Province of Kosovo* (1989).

⁴⁵ Cf. Shinasi A. Rama, "The Serb-Albanian War and the International Community's Miscalculations", <http://listserv.acsu.buffalo.edu/archives/albanews.html>

the Kinkel-Védrine Initiative of November 1997⁴⁶ and the Turkey-inspired initiative to create a multinational Balkan rapid intervention force which was joint by Albania, Bulgaria, the FYROM, and Romania.⁴⁷ Individually, the governments of Russia, the United States, and, to a lesser degree, Germany, Italy, and Greece have played a major part in the international community's response to the evolving and subsequently escalating conflict in Kosovo.

The difficulties the international community is experiencing in formulating and implementing a consistent and effective policy approach towards the conflict in Kosovo are several and they have their sources within the Federal Republic of Yugoslavia, within the wider region, and among the main actors in the international arena. Together they have, from the outset, limited the range of possible courses of action, allowing the Serbian position to be hardened, and nurturing a certain distrust among ethnic Albanians vis-à-vis the international community. So far, international governmental actors in the Kosovo conflict have failed, individually and collectively, to prevent and subsequently to settle the conflict.

Within Yugoslavia, the problems result mostly from the political constellation there. The process of post-communist democratisation and economic recovery is far from complete and nationalism seems to be one of the uniting elements in Yugoslav, or more precisely, Serbian, society. Although President Milosevic's position of power has weakened over the years, he still is the most influential player and determined to hold on to his power. Furthermore, there are hardly any democratic, less nationalist alternatives available, and the support his Kosovo policy receives currently from the Serbian public makes it unlikely that, even in the case of Milosevic withdrawing from the political scene, a change for the better would occur. In Kosovo, on the other hand, no such overwhelmingly influential and powerful politician exists. Although the consensus among political parties is in favour of independence, there is no common strategy or united action. Furthermore, Kosovo Albanians, after their hopes for independence, and the belief that they can be realised through international pressure have been cultivated over years, have come increasingly to distrust international efforts to act on their behalf. The current position of the powerful KLA not to

⁴⁶ This initiative is summarised in a letter by the two foreign ministers to Slobodan Milosevic, dated 19 November 1997. The official German and French versions are reprinted in Stefan Troebst, *Conflict in Kosovo: Failure of Prevention? An Analytical Documentation, 1992-1998* (Flensburg: ECMI, 1998 = ECMI Working Paper #1).

negotiate for anything less than independence also makes the stand of the international community more difficult, as there is still a predominant determination to preserve existing borders and to find a solution within them.⁴⁸

At the regional level, the major problem is that the Kosovo crisis is only one among several factors affecting regional stability. The continuous implementation of the Dayton Peace Accord requires considerable international resources and still seems to take priority in international strategic considerations. The perceived dependence of the international community on Yugoslav President Milosevic for the implementation of the Dayton agreement is closely linked to international considerations about developments within the FRY. In the negotiations, Kosovo was not an issue and as such has only been mentioned in passing in the agreement in relation to human rights and the lifting of the 'outer wall of sanctions' imposed on Serbia and Montenegro.⁴⁹ Especially after the recent elections in Bosnia-Herzegovina indicate a further radicalisation of the Serb population in the region, the prioritisation of Bosnia-Herzegovina by the international community is unlikely to change in the near future. In addition, ethnic Albanians in Kosovo are only one of several external Albanian minorities. While implications for Albanians in Greece and Italy alongside with those in other West European countries and the United States are by no means of a political dimension, this is not the case for those living in the FYROM and, although to a lesser extent, for those living outside Kosovo in Serbia and in Montenegro.⁵⁰ Existing ethnic tensions will eventually require steps to be taken to settle existing disputes. Whatever the outcome of the Kosovo conflict in terms of an institutional settlement, it will affect the demands and hopes of Albanian diaspora groups in the neighbouring countries. Consequently, these diaspora groups as well as the authorities of their

⁴⁷ On details regarding the latter cf. <http://www.weu.int/assembly/WEU/newwebsite/docu/e-1608.html>

⁴⁸ Cf., for example, European Council, *Policy Paper on Former Yugoslavia* (EU Bulletin 10-96), European Parliament, "Resolution on the Situation in Kosovo of 12 March 1998," *Official Journal of the European Communities* C 104, 6 April 1998, pp. 216-217, Contact Group Statements on Kosovo of 24 September 1997, 8 January 1998, 25 February 1998, 9 March 1998, 25 March 1998, and 8 July 1998, NATO Press Releases M-NAC-1(98)61 of 28 May 1998 (Ministerial Meeting of the North Atlantic Council, M-NAC-D 1(98)77 of 11 June 1998 (Meeting of the Defence Ministers of the North Atlantic Council), US Department of State, "Press Statement on Meeting between Secretary Albright and Ibrahim Rugova" 30 May 1998, and the UN Security Council Resolution 1160 (1998) of 31 March 1998.

⁴⁹ Cf. "The General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes Thereto" UN Doc. 5/1995/999.

⁵⁰ According to the 1981 Yugoslav census, 37,735 ethnic Albanians lived in Montenegro, today their number is estimated at around 50,000 without refugees. In Serbia outside Kosovo, the number of Albanians is currently estimated to be around 80,000.

respective host-states have their own interests with regard to a solution of the Kosovo conflict, interests that will require consideration in an international mediation effort to ensure the stability of any settlement.

The second factor at the regional level that adversely affects the ability of the international community to approach the Kosovo conflict more effectively is the relative weakness and instability of the Republic of Albania. Neither of the two is integrated in effective regional organisations that could assist in facilitating negotiations, nor is there any other power that would be equally influential and respected in either of the two countries and Kosovo.

The third major set of problems for effective conflict resolution policies results precisely from the international community being forced into this role of a partner in settlement negotiations, instead of merely facilitating them, as there is no unified approach to the problem. Not only is there a multitude of individual and collective players on the scene, with different mandates and capabilities, but there is also the problem of different allegiances, degrees of influence on the adversaries, and strategic interests, particularly the rift between the western powers in the contact group and Russia. Since the idea of a potential NATO military intervention to restore peace in Kosovo was born, Russia has fundamentally opposed it and constantly reiterated its conviction that there can be no military, but only a political solution to the conflict.⁵¹ Russia's refusal to support a NATO strike in Kosovo in the UN security council has also been accompanied by the implicit threat that such a move would be to the detriment of other strategic western interests as it would alienate Russia and the Russians from NATO and other western-dominated international organisations.⁵² Furthermore, Russia also fears that it is going to lose even more influence on the developments in the Balkans⁵³ and therefore seeks to remain involved in the international mediation efforts in Kosovo.

However, Russia's position can not be described as only destructive. The policy approach Russia has taken toward the Kosovo conflict has included both the

⁵¹ See, for example, Reuters, 25 June 1998, AP, 6 July 1998, *Washington Post*, 13 July 1998, Kosovo Daily Report 1514, 7 August 1998, and RFE/RL Newslines 30 June 1998 and 15 July 1998.

⁵² UPI, 25 June 1998.

⁵³ The latest Russian outcry over such a development was prompted by the formation of the Southeastern European Defense Ministerial on 26 September 1998, consisting of three NATO members (Italy, Greece and Turkey) and Albania, Bulgaria, Macedonia and Romania, with the United States and

refusal by Russia to recognise the KLA as a partner in negotiations over a settlement of the conflict and Russian engagement to broker a peaceful solution. In the context of the latter, a meeting between President Milosevic and President Yeltsin took place on 16 June 1998, in which the former agreed to begin talks with ethnic Albanians led by Ibrahim Rugova, who the Russians see as the only legitimate representative of Kosovo Albanians, and to allow a Diplomatic Observer Mission unrestricted access to Kosovo. At this meeting, Russia took up the Serbian perspective by making it clear that a withdrawal of Serbian security forces without a curbing of KLA activities in the province would lead to a mass exodus of the Slav population and was therefore unacceptable to Serbia.⁵⁴ Furthermore, close co-operation with the United States and other Contact Group members in the Diplomatic Observer Mission has certainly had a positive impact,⁵⁵ as had the joint statement by President Yeltsin and President Clinton during their summit in September 1998, in which they demanded an end of violence, a withdrawal of Serbian forces to their permanent locations, the immediate beginning of negotiations, possibilities for refugees to return to their homes, and increased international monitoring of the situation in Kosovo.⁵⁶ Russia has also participated in the NATO Partnership for Peace exercise in Albania in August 1998 and supported an extension of the UNPREDEP mandate in the FYROM until the end of February 1999. Russia has so far refrained from blaming only Serbia and Milosevic for the escalation of violence. On several occasions, the delay in negotiations and the worsening security situation have been attributed to the ethnic Albanian political parties and their inability to adopt a common position and to the KLA.⁵⁷ In all this, Russia has not completely ruled out a tougher stance against Serbia. At the Contact Group meeting in early July, the Russian delegate agreed to the possible deployment of a multi-national police force in Kosovo.⁵⁸ In August, the Russian government announced that it would support a tough UN resolution on Kosovo, but only if the international community would find a way to control the arms flow into the province,⁵⁹ yet also the new Russian government remained firmly committed to resist

Slovenia acting as observers. Although it will consist of only some 3,000-4,000 troops, the organisation could play an important part in regional co-operation.

⁵⁴ ITN, 6 July 1998.

⁵⁵ Kosovo Daily Report 1481, 5 July 1998.

⁵⁶ Kosovo Daily Report 1541-B, 3 September 1998.

⁵⁷ RFE/RL Newswire, 3 July 1998, 7 July 1998, 8 July 1998.

⁵⁸ RFE/RL Newswire, 10 July 1998.

⁵⁹ RFE/RL Newswire, 12 August 1998.

any attempts of a NATO military intervention and has threatened severe consequences at international level should NATO carry out air strikes against Serbia. Yet again, this has been accompanied by high-level Russian diplomatic engagement in the form of the Russian Foreign and Defence Ministers heading a delegation to Serbia to negotiate with Yugoslav President Milosevic. However, Russia's public statements in relation to a possible NATO intervention have, on the one hand, limited the influence its envoys can exercise on Milosevic, on the other hand, they have also increased the risk of more serious negative repercussions for international relations in general, in which NATO countries can not have an interest either, and thus raised the stakes for military intervention.

Nevertheless, after the likelihood of a NATO-led military operation in Kosovo seemed to have decreased over the Summer of 1998, there were signs in September and October 1998 that a military strike has not been completely ruled out yet.⁶⁰ On the one hand, a willingness to deploy up to 50,000 troops for the enforcing of a negotiated cease-fire has been indicated;⁶¹ on the other hand, a three-stage engagement programme had been made public to express a clear warning to President Milosevic. Stage one of this programme – underpinning of neighbouring countries – is already under way with NATO Partnership for peace agreements and exercises in Albania and the FYROM. Stage two has been described as a phased escalating programme to punish continuous offensive actions, and stage three will be a full commitment of troops.⁶² With the deteriorating refugee situation and no sign of an end to the violence in the conflict international impatience grew. A letter sent by the UN Secretary General to President Milosevic, although it stopped short of threatening military action, demanded immediate steps to end violence and destruction in Kosovo,⁶³ and could, in its directness, be taken as an indication that international patience was wearing thin. Eventually, the UN Security Council passed a resolution on 23 September 1998. Reaffirming its commitment to support a peaceful resolution of the Kosovo problem by means of an enhanced status for the province within the existing borders of the FRY, including a significantly higher degree of autonomy and self-administration, the security council also expressed that the situation in Kosovo is a

⁶⁰ US Department of Defence Bosnia Task Force Briefing, 9 September 1998, and Pentagon Briefing, 10 September 1998.

⁶¹ AP, 9 September 1998.

⁶² US Department of Defence Bosnia Task Force Briefing, 9 September 1998.

threat to peace and security in the region and therefore requires the action of the international community according to Chapter VII of the UN Charter.⁶⁴ In the resolution, the Security Council demanded from both warring parties to put an end to violence and to engage in a constructive dialogue. More specifically, the authorities of the FRY are asked, among other things, to stop all actions against the civilian population in Kosovo; to allow international monitoring, the return of refugees, and humanitarian assistance; and to commit to a timetable for negotiations and confidence building. Kosovo Albanians are requested to pursue their political goals exclusively by peaceful means, and their leadership is urged to condemn all terrorist acts. Most significantly, however, the Security Council reserved for itself the right ‘to consider further action and additional measures to maintain or restore peace and stability in the region’ in case either one or both parties should not comply with the demands of the two resolutions.⁶⁵ This was a much tougher stance than the one adopted in the previous resolution on Kosovo, where the Security Council merely emphasised ‘that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures.’⁶⁶ Eventually, Nato’s obvious determination to act even without UN approval and despite Russian objections was the essential catalyst to force Serbia to back down and withdraw its troops from Kosovo.

Yet even if intervention may still be an option in case Serbia fails to comply with international demands, major problems with this policy remain. One is that intervention in an ongoing conflict, rather than enforcing a prior cease-fire, would be a risky and costly operation, eventually making NATO troops likely targets of both sides. In addition, there is the problem that NATO intervention would be likely and rightly perceived by ethnic Albanians as happening on their behalf. Having been waiting for it for a long time and having generally put high hopes in international intervention, it is probably no exaggeration to assume that such a step would not increase their willingness to constructive compromise in negotiations with Serbia. A thus decreasing certainty of a negotiated solution would either commit NATO troops

⁶³ Reuters, 10 September 1998. The letter had been sent on 1 September 1998.

⁶⁴ Chapter VII is entitled ‘Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression’ and details the mandate of the UN in such cases.

⁶⁵ United Nations Security Council, *Resolution 1199 (1998)*, S/RES/1199 (1998).

⁶⁶ United Nations Security Council, *Resolution 1160 (1998)*, S/RES/1160 (1998).

to an indefinite presence and/or increase the chance of the conflict re-escalating at any time after a partial or complete withdrawal of NATO troops.⁶⁷

Given that there is a minimum of consensus among all international actors, consisting in the determination to end the violence and to find institutional arrangement that would settle the conflict within the current borders, the diversity that exists among them according to how the means by which this goal is to be achieved could be turned into a useful tool in the conflict resolution process, provided that there is a willingness among the international actors to do so.⁶⁸

The complexity of a situation involving a variety of local, regional, and global actors with distinct interest structures, competing goals, and different motivations for their involvement continues to make it the foremost challenge remaining at the moment to initiate an inclusive meaningful negotiation process that is likely to result in a settlement. The difficulties with this are two. The first is to make it clear to all parties involved that, in the absence of easy solutions, a preparedness to compromise and a willingness to settle for less than their maximum demands is the essential prerequisite for this or any other stable long-term solution not only of the Kosovo conflict, but also of some of the region's political problems at large. The second is to bring the representatives of Kosovo Albanians, the Serbian/Yugoslav government, and the international community together and to make each of them accept the legitimate role of the respective other parties in the process. The international community would probably be best represented through the contact group based on a UN endorsed mandate. This would include Russia as a traditional ally of Serbia and thus accommodate Serbian unease with international involvement. Simultaneously, it could improve the weight of Kosovo Albanians in the negotiations, as international representatives could ensure a fair process. On top of that, the international community being a proper party in the negotiation process would increase its later involvement in the implementation process of an agreed settlement. In addition there would have to be either parallel or joint negotiations aiming at an accommodation of

⁶⁷ The Somalia experience of foreign intervention in ongoing conflicts is a recent example of the danger involved.

⁶⁸ This consensus had been expressed once again by the contact group at its meeting on 8 October 1998 when clear demands for a full end to a Serbian crackdown in Kosovo were issued, which US Special Envoy Richard Holbrooke conferred to President Milosevic one day later. They included an end to all violence in the province, withdrawal of Serbian security forces and heavy artillery to pre-March levels, free access for relief agencies, full cooperation with an international war crimes tribunal, return of refugees, a start to negotiations on self-rule with Kosovo's ethnic Albanian majority.

the ethnic Albanian demands at least in the FYROM and thus to provide a framework for regional stability with regard to all external Albanian minorities.

An Interim Arrangement as a Way Forward?

Obviously, the prospects for a solution of the Kosovo conflict in the short term are not too good and there is no guarantee that a political settlement will be achieved and successfully implemented in the near future. Yet, with the cease-fire established in mid-October and the presence of international observers, there is an obvious need for an interim arrangement to provide for conditions in which the cease-fire could stabilise and negotiations about a permanent settlement can be started. Furthermore, essential demands of both sides that must necessarily be fulfilled in order to enter a negotiation process must be met. This would include putting an end to all forms of ethnic cleansing, allowing the safe return of all refugees and displaced persons, and permitting international humanitarian relief efforts and monitoring of the situation. A pre-requisite of such an interim settlement, therefore, would be a rather pragmatic approach of both sides based on the realisation that neither continuing violence nor insisting on maximum demands will benefit any of the two communities and their goals. Even if the political elites, or parts of them, would take such an approach, the decades-long cultivation of inter-ethnic mistrust and hatred would probably make it difficult for them to find the necessary popular support to endorse such a change in strategy. In the long term, this situation could then lead to a political stalemate in which the priority of each community turns from achieving their own goals to preventing the respective other side from achieving theirs, which is possible with far less efforts and would mean an almost indefinite continuation of the conflict at a low-intensity level. Even more, then, is it necessary for the international community to engage in a mediation process and search for (interim) solutions acceptable to both sides.

Even if such an interim arrangement could be found and implemented, there are a number of advantages and disadvantages that need careful consideration in order to be aware of potential problems that might occur in the process of implementing and operating such a temporary settlement. Among the most important disadvantages is the fact that the very nature of an interim arrangement means that there will be no long-term security for either party, as the problem of negotiating and accommodating key demands would remain. More specifically, the question of whether boundaries

would be changed would purposefully not be addressed. While this would be the essential precondition to make an interim settlement possible, each of the parties would want to avoid making too many concessions to the respective other(s) in order to prevent an eventual permanent settlement from being the realisation of the other one's key demand. For example, the preparedness to compromise within the limits of a preservation of existing boundaries would probably be greater on the Serbian side if they could be sure that the issue of secession would not be raised again by the ethnic Albanians once the settlement has been implemented. At the same time, a temporary solution establishes a false sense of calm, especially if a (permanent) cease-fire is part of it, when actually the danger of re-escalating violence remains if negotiations (with or without a timeframe) do not result in a substantial improvement of the situation with both parties seeing their respective positions becoming more and more acceptable. The threat of potential or actual violence by extremists on either side could give the negotiating elites only very limited space to manoeuvre and make concessions. A hardening of their positions in the negotiation process could very well prevent any constructive outcome, thus leading to a breakdown of the temporary settlement and a violent re-escalation of the conflict, probably on an even more intense level.

Another difficulty arises from the extent of an interim settlement. On the one hand, it must obviously go beyond a cease-fire and the opening of negotiations. On the other hand, however, the more comprehensive an agreement is sought to be established in order to satisfy both sides, the more complicated and time-consuming the process of reaching it will be. Ideally, a cease-fire would be the first step, followed by scheduled negotiations with a commitment of both sides to reach a temporary settlement within a given time frame. The situation in Kosovo, however, does not make this ideal scenario an even remotely likely one so that at some point the imposition and enforcement of an arrangement approved by the international community might be the only way to stop the fighting in Kosovo and to create the external conditions for inclusive negotiations. However, even such a scenario contains enormous risks for an international peace force to become the target of both extremist Serbs and Albanians.

Nevertheless, there are also a number of things to be gained from an interim arrangement as compared to an ongoing conflict and parallel (secret) negotiations.

First of all, what had been planned as only a temporary solution might well turn out to be a possible *modus vivendi* for the parties, who may settle in the arrangements made, thus giving them amore permanent character. This, however would require that there is sufficient flexibility and stability inherent in the structures of the interim arrangement, such as an inclusive political process with regular elections and referendums and mediation and arbitration mechanisms to address contentious issues effectively without a need to take recourse to violence. An additional requirement for such a scenario to work out in the long term would be preparedness of the parties involved and of their political representatives to settle for less than their maximum demands and engage in a policy of constructive compromise for their mutual benefit. The most important advantage of any interim arrangement, however, that there would be an end to violence, which would allow the return to some sort of normal every-day life. As such the absence of violence could be the pre-condition for the reconstructing of society and of the political process, for reconciliation, and for economic recovery and the rebuilding of the infrastructure. Even though this hardly a guarantee for a sufficient amount of confidence in the arrangements made in the long term, without it the collapse of the interim settlement is more likely than not.

The Limits of Existing Proposals for the Long Term: Rethinking Secession and Consociation⁶⁹

Secession

Although favoured by a large number of Albanians in Kosovo, secession has been rejected both by Serbia and the international community, including Albania, whose current government has made it clear on several occasions that it did not harbour any irredentist aspirations regarding Kosovo. These rejections are not simply a manifestation of the international community's position to emphasise the territorial integrity of existing states over the (in many ways disputed) principle of self-determination of peoples, they are also grounded on a realistic assessment of the situation in Kosovo and the implications of secession.

The situation in and around Kosovo is not likely to provide the necessary stability for a secessionist solution. Even though the area is ethnically widely

⁶⁹ The following is not meant as an argument against either secession or consociation as a solution for the Kosovo conflict, but rather as an account of foreseeable difficulties with both arrangements which would have to be dealt with in order to achieve a permanent and stable settlement in Kosovo.

homogeneous and the Serbs and Albanians live relatively segregated from one another (thus potentially allowing for a territorial autonomy arrangement for Serbs remaining in Kosovo after the secession), the conditions in the wider region make the outlook for secession as a stable settlement rather bleak. First, the 'Albanian question' is not only confined to Kosovo. A large Albanian population also lives in the FYROM, and Albanian minorities reside in three Serbian municipalities outside Kosovo and in Montenegro. While Kosovo's independence might lead to de-escalation there, it is unlikely to achieve the same in other Albanian-populated areas. Furthermore, several spokespersons for the KLA as the military force behind the drive for Kosovo's independence has declared on a number of occasions its goal of uniting all Albanians of the region. Kosovo's independence, therefore, is likely to be seen by these irredentist forces as an important and welcome stepping stone towards that ultimate goal rather than as a permanent state of affairs. This then would increase tensions and instability at least in the FYROM with the foreseeable possibility of an escalation of the latent ethnic conflict between Albanians and Macedonians there. Second, even if an independent Kosovo government and the government of Albania would commit themselves to refraining from unification attempts, the unstable political situation in Albania proper, the close ties between Kosovo Albanians and the population in the north of Albania make it unrealistic to expect that unification would not become a contentious domestic political issue in Albania which would more likely than not contribute to the countries further destabilisation. Third, there can be no doubt that the secession of Kosovo would have severe implications for the political stability of Serbia and the FRY as a whole. Even if, as has been recently argued by Bugajski,⁷⁰ the worst that can be expected would be 'a weak pariah state' of a 'truncated Serbia,' this is unlikely to contribute to the region's stability. Further Serb truncation would leave a sizeable proportion of ethnic Serbs living outside the country and thus create a mirror image of the Albanian (or for that matter Russian, Hungarian, or German) situation, which can hardly be considered a welcome prospect for the Balkans. For historical reasons, Serbia has strong emotional ties to historical monuments in Kosovo which, given the current overwhelmingly nationalist orientation in the public and political spheres in Serbia, would provide the basis for a permanent, and probably powerful, irredentist movement in Serbia.

⁷⁰ Janusz Bugajski, "The Case for an Independent Kosovo" *Christian Science Monitor* 19 August 1998

Consociational Solutions

Consociational models encounter similar difficulties as they are supported by the international community and officially also by Serbia, but are being rejected as insufficient in the long term by major players on the Kosovo Albanian side.

Among the disadvantages of a consociational arrangement, there is, above all, the political instability and lack of democracy in Serbia and Albania. Neither can Albania provide the same security assistance as the Republic of Ireland and Austria could nor does it have a similarly strong influence on its kin-group or an equally constructive relationship with Serbia/the FRY. At the same time, the lack of a democratic political process makes Kosovo a likely object in a power struggle in Serbia, and potentially in Albania, and the lack of consensus among political parties in government and opposition, particularly in Albania, fails to provide long-term guarantees for the durability of any settlement reached between today's political actors, as it would not be clear whether successive governments would honour respective agreements.

In addition, there is the danger of a further spread of the conflict throughout the region's Albanian-populated areas in Montenegro and Macedonia for which the Kosovo settlement could have a certain example-setting character in the way of either calming or destabilising ethnic relations there. While the already present danger of a spill-over of violence increases the pressure on all parties involved to settle their differences as long as at least some of their aims can be accomplished, the existence of similar problems in relation to other national minorities in the region and in other states, e.g., in Vojvodina, Bosnia-Herzegovina, and Albania, limits the manoeuvrability of all conflict parties. Vojvodina, in particular, is a case that could potentially widen the international dimensions of the conflict beyond the immediate Balkans region. The presence of large Hungarian minority there has recently prompted Hungary to urge Serbia not to include ethnic Hungarian police officers and soldiers in the forces deployed to Kosovo.⁷¹ A similar situation could arise in relation to other national minorities in Vojvodina, such as the Romanians, Slovaks, and Croats.

<http://listserv.acsu.buffalo.edu/archives/albanews.html>

⁷¹ Cf. ATA News Agency, 7 August 1998, <http://listserv.acsu.buffalo.edu/archives/albanews.html>

The high degree of involvement of the international community and its various players with their distinct, and at times incompatible, sets of interests has not contributed positively to the de-escalation, let alone a settlement, of the Kosovo conflict. The pre-determination of key international actors to achieve a settlement within the existing borders has further strengthened the position of Serbia/the FRY, decreased international influence on radical sections within the Kosovo Albanian political spectrum, and has thus diminished the ability to strengthen moderate politicians from the outside. The still existing rift among ethnic Albanian political parties and the increasing influence of the KLA must partly also be attributed to the international community's failure so far to provide acceptable long-term options other than independence.

Eventually, the successful implementation of a consociational settlement would be hindered by the almost complete institutional separation between both communities in Kosovo and by the numerical dominance of ethnic Albanians in Kosovo, which would, in the case of a purely territorial autonomy arrangement, make the Serbian community as vulnerable as it had been in the 1970s and 1980s, even if proportional representation and power sharing could be achieved as part of an institutional arrangement.

Looking Beyond Interim Arrangements: Essential Requirements for a Permanent Settlement of the Conflict in Kosovo

A permanent and stable settlement in Kosovo will only be possible if it has the approval of the four main political actors – ethnic Albanians and ethnic Serbs in Kosovo, the Serbian/Yugoslav government, and the international community. Given the current diversity of stated interests with respect to Kosovo and the feasibility of the two main solution models as discussed above, it is very unlikely that it will be possible to achieve such a solution without compromises. The only possible exception in this regard would be a permanent military involvement of the United Nations resulting in a defeat of Serbia and the forced secession of Kosovo backed and militarily secured by the international community. This is neither a likely scenario at present, nor would it necessarily be a desirable one given the implications of a secessionist settlement.

The requirements of consent and compromise must become operational principles for the negotiation, implementation, and running of any permanent

solution. The essential substantial requirement for a permanent settlement to be stable is the need for an institutional framework within which both the core demands of all involved parties could be addressed and in which future conflicts of interest could be resolved peacefully. Without this flexibility to accommodate change and to respond constructively to challenges, it will be close to impossible to find a durable arrangement to settle the conflict in Kosovo. If the institutional framework set up as the result of a negotiation process is not equipped to meet the demands made vis-à-vis it more or less permanently and on a more or less satisfactory basis that instils all parties with a sufficiently high level of trust to accept compromise on issues important to them, stability is impossible and the settlement would remain an illusion.

In order to achieve this, inclusive negotiations with international supervision and, where necessary, mediation and arbitration are necessary, and Serbia will eventually come to accept this. In addition to the likely conditions necessary for such negotiations to get under way, a parallel process of confidence building will be essential to generate sufficient trust within both ethnic communities in Kosovo and in the Serbian leadership. Without such trust, any negotiated settlement is unlikely to have the support of a majority of people in each community or the wholehearted commitment of their elites to work for its implementation and mutually beneficial operation.

References

- Amnesty International, *Yugoslavia: Recent Events in the Autonomous Province of Kosovo* (1989).
- Baze, Mero, "The Risk of Misleading Knowledge on the 'Albanian Dimension of the Crisis' in Kosovo", *Independent Albanian News Agency*, no date
- Bugajski, Janusz, "The Case for an Independent Kosovo" *Christian Science Monitor* 19 August 1998 <http://listserv.acsu.buffalo.edu/archives/albanews.html>
- European Parliament, "Resolution on the Situation in Kosovo of 12 March 1998," *Official Journal of the European Communities* C 104, 6 April 1998, pp. 216-217
- International Crisis Group, *Again, the Visible Hand. Slobodan Milosevic's Manipulation of the Kosovo Dispute* (Brussels: ICG, 1998)
- International Crisis Group, *The Albanian Question in Macedonia: Implications of the Kosovo Conflict on Inter-Ethnic Relations in Macedonia* (Brussels: ICG, 1998).
- International Crisis Group, *The View from Tirana: The Albanian Dimension of the Kosovo Crisis* (Brussels: ICG, 1998)
- International Helsinki Federation for Human Rights, *From Autonomy to Colonisation: Human Rights in Kosovo, 1989-1993* (Helsinki: IHFHR, 1993)
- Katsirdakis, George, "Albania: A Case Study in the practical Implementation of Partnership for Peace," *NATO Review* web edition, vol. 46, No. 2, Summer 1998, pp. 22-26
- Kosovo Daily Report
- Magas, Branka, *The Destruction of Yugoslavia* (London, New York: Verso, 1993), p. 49.
- Moore, Patrick, "Balkan States: Crete Summit Points to More Instability", *RFE/RL Features* 6 November 1997
- Rama, Shinasi A., "The Serb-Albanian War and the International Community's Miscalculations", <http://listserv.acsu.buffalo.edu/archives/albanews.html>

RFE/RL Features

RFE/RL Newslines

Sunley, Jonathan, "Kosova's Woes Are Albania's Too," *Wall Street Journal Europe* 29 June 1998, <http://listserv.acsu.buffalo.edu/archives/albanews.html>

The Foreign and Commonwealth Office, *Albania: A Survey of Recent Developments* at <http://mprofaca.cro.net/kosovo.html>, the *IHF Annual Report 1998* on Albania, <http://listserv.acsu.buffalo.edu/archives/albanews.html>

The General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes Thereto, UN Doc. 5/1995/999.

The President of Schleswig-Holstein Parliament (ed.), *Minorities In Europe* (Kiel 1991)

Troebst, Stefan, *Conflict in Kosovo: Failure of Prevention? An Analytical Documentation, 1992-1998* European Council, *Policy Paper on Former Yugoslavia* (EU Bulletin 10-96)

U.S. Department of Justice, Drug Enforcement Administration, *NNICC Report 1996*, <http://www.usdoj.gov/dea/pubs/intel/nnicc97.htm>

UN Secretary General, "Report of the Secretary-General on the United Nations Preventive Deployment of Force," 14 July 1998, S/1998/644

UN Secretary General, "Report of the Secretary-General Prepared Pursuant to Resolutions 1160 (1998) and 1199 (1998) of the Security Council", UN Document no. S/1998/12

UN Secretary General, "Report of the Secretary-General Prepared Pursuant to Resolution 1160 (1998) of the Security Council," 4 June 1998, <http://www.nato.int/ifor/un/1998/u970512a.htm>

United Nations Economic and Social Council, Commission on Crime Prevention and Criminal Justice, Fifth Session, 21-31 May 1996 (Doc. E/CN.15/1996/2)

United Nations Security Council, *Resolution 1160 (1998)*, S/RES/1160 (1998)

United Nations Security Council, *Resolution 1199 (1998)*, S/RES/1199 (1998)

United States Institute of Peace Special Report, June 1998, *Serbia – Democratic Alternatives* <http://www.usip.org/oc/sr/SerbiaDemocratic.html>

Yugoslav Helsinki Committee, *Report on Refugees from Kosovo Situated in Montenegro*, <http://helsinki.opennet.org.eizv9.htm>