

# A BRIEF HISTORY OF THE KOSOVO CONFLICT WITH SPECIAL EMPHASIS ON THE PERIOD 1988-2008.

László Gulyás<sup>1</sup>.

<sup>1</sup>University of Szeged, Hungary. E-mail: gulyas1@t-online.hu

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**Abstract:** The prolonged and bloody dissolution of the so called second Yugoslav state founded by Tito in 1945, has created several situations, which today function as destabilising factors on the Balkans. Our current study aims at outlining one of these elements, namely, the brief history of the Kosovo conflict. In the first section of the study the medieval, as well as the modern-age roots of the conflict are introduced; also, those methods are described, which were used to deal with the Albanian problem in Kosovo by the first (Kingdom of Yugoslavia) and the second Yugoslav states (Tito's Yugoslavia). Further chapters of the study introduce and analyse related events from the period of 1988-2008.

**Keywords:** History of the Balkans, Kosovo, Albanian-Serbian conflicts

## 1. THE MEDIEVAL AND MODERN-AGE ROOTS OF THE KOSOVO CONFLICT.

The first Serbian state – the so-called Raška, or Rascia – was brought about in the 12th century, in the vicinity of the castle of Raš, which can be found near present-day Novi Pazar. The Serbian state, in the period of its formation, composed part of the Byzantine empire. From the point of view of constitutional law, the medieval Serbian state can be considered independent from 1217, when the first Serbian king, Stephen Nemanja I was crowned.<sup>1</sup> In the opinion of Serbian historians the area which is today called Kosovo, was already part of the Serbian state as early as its foundation. But in fact, Kosovo at that time was not yet part of the Serbian state. It was somewhat later that Kosovo was annexed to Serbia by Uros Stephen Milutin II, another monarch of the Nemanja dynasty, who reigned from 1282-1321. On the other hand, we have to agree with

Serbian historians that it was as early as the 14th century, that Kosovo became central part of the Serbian state, from political, religious-cultural (the foundation of the patriarchy of Peč and of several other monasteries) as well as from economic point of view (the mining of precious metals). This period, especially the reign of King Stephen Dušan (1331-1355), was the golden age of the medieval Serbian state.<sup>2</sup>

The decline of the medieval Serbian state began in 1389, the year, when the Serbs suffered a heavy blow from the Turkish army in the battle of Kosovo Polje (near present-day Priština). But - due to the prolonged internal crisis of the Turkish Empire, which also included their defeat by Timur the Lame (Tamerlane) - the Serbian state fell apart only 50 years later. Then, the Turkish Empire, having successfully resolved its own internal problems, eventually occupied Serbia in 1455, and the Turkish conquest continued towards the area of the Kingdom of Hungary. Thus Kosovo got under Turkish rule for almost 500 years, until as late as 1912.

At the beginning of the Turkish rule (1455) the majority of Kosovo's population was Serbian; according to contemporary Turkish tax registers, in the 600 settlements of the area there were only 84 with Albanian inhabitants, who never represented a majority.<sup>3</sup> But the ethnic composition of Kosovo radically changed in the nearly 500 years of Turkish rule. The formula was very simple: in several waves a considerable number of the Serbian population moved to the southern parts of the Kingdom of Hungary. It was in 1690, during the eighth, and at the same time, last wave of Serbian emigration, that 40,000 Serbs led by Arzenije Crnojević, a patriarch of Peč, moved to the area of the Kingdom of Hungary<sup>4</sup>; at the same time, in several waves, Albanians came to Kosovo to replace the Serbian population.

This spontaneous Albanian migration was intensified by the politics of the Turkish state; the Turks supported Islamic expansion through backing the resettlement of Albanians, since they had converted to Islam. Thus by the end of the 19th century Kosovo became a predominantly Albanian province within the Turkish Empire (Kosovo Vilajet). According to contemporary Turkish statistical figures, the proportion of Albanians in Kosovo was approximately 61.4% in 1912.<sup>5</sup>

The first and the second Balkan wars (1912-1913) resulted in the formation of the independent Albanian state<sup>6</sup>, but Kosovo, with its Albanian population as majority, was acquired by Serbia. Thus in 1913 Kosovo became part of Serbia, then in 1918 it was integrated in the new – first - Yugoslav state.

## **2. KOSOVO WITHIN THE FIRST YUGOSLAV STATE (1918-1941).**

The first Yugoslav state (1918-1941) looked upon Kosovo as 'an old Serbian territory', the heart of King Stephen Dušan's former empire, and treated the Albanian majority living in the area as enemy; the Albanians were considered a centrifugal force threatening the pure existence of the Yugoslav state.<sup>7</sup> The Albanian population was treated accordingly: their party was banned as early as 1926; they were not granted any collective cultural rights and at schools the language of education was Serbian. Due to this latter fact 90% of the Albanian population remained illiterate. There were negative features in the economic sphere as well. In Yugoslavia between the two world wars only 5% of the capital was invested in South Serbia (as Kosovo and Macedonia were commonly called). As a logical consequence of all these characteristics, Kosovo was the most backward part of the first Yugoslav state. In addition, the period between the two world wars was also characterised by very serious Albanian-Serbian conflicts.

During the second world war (1941-1945) Kosovo first became part of the Italian-controlled Greater Albania, but then, in 1945, it was returned to the second Yugoslav state with Tito as head of state.<sup>8</sup>

## **3. KOSOVO WITHIN THE SECOND YUGOSLAV STATE (1945-1991).**

In our opinion the history of Kosovo within the second Yugoslav state (1945-1991) can be

divided into three shorter periods: 1. First Tito period (1945-1965) 2. Second Tito period (1966-1980) 3. Post-Tito period (1980-1991).

In the first Tito period (1945-1966) the situation of the Kosovo Albanians could be characterised by a kind of duality.<sup>9</sup> On the one hand there were positive characteristics including the following. The Yugoslav constitution, proclaimed on January 31st, 1946, created the autonomous region of Kosovo-Metohija. The Albanian population was allowed to open their own educational institutions – meaning that they could learn in their mother tongue. The highlight of this period was when in the 1950s a college, later a university faculty opened in Priština. Daily papers, magazines and books were published in Albanian. In 1963 the autonomous region became a province, meaning, that the Albanian population had even more rights. In addition, as the most backward area within Yugoslavia, Kosovo had access to funds from the central budget.

On the other hand there were negative features as well, which can be outlined as follows. Belgrade held Kosovo under very strict control from political, and also from an administrative point of view. It was part of this scheme that almost all the significant public and party positions were filled by Serbians, and, there was an overwhelming Serbian dominance in the areas of internal affairs and intelligence, both of which exercised considerable control over people's everyday life. It was Alexander Ranković, a Serbian minister of the interior, who gave his name to a new, strict trend in Kosovo politics. He founded the UDBA – State Security Administration – an organization, which registered even the names of those people, who purchased Albanian newspapers.

In the second Tito period (1966-1980) the Albanians of Kosovo got entitlement to new privileges and the reforms in Yugoslavia also broadened Kosovo's autonomy. As a gesture toward the Kosovo Albanians, the word 'Metohija' was dropped from the name of the province; Albanian was raised to the status of official language and new rights were granted to the population in the areas of culture and education. One of the most significant manifestations of this new trend was that the university faculty of Priština, brought about in 1960 as a faculty of Belgrade University, became autonomous in 1969. It also meant that Albanian became the language of higher

education as well. The University of Priština, with its 40,000 students, was Yugoslavia's third largest university in the early 1980s.<sup>10</sup> Since in 1971 Yugoslavia and Albania reestablished diplomatic relations, new possibilities opened up for the Kosovo Albanians and they could legally establish cultural relations with the mother country. There were enhanced opportunities for the educated Albanian elite in political life as well; eventually they were able to get hold of important positions in state, provincial and party administration. The privileges granted to the Kosovo Albanians reached their highest peak in the Yugoslav constitution of 1974. Due to constitutional regulations the province had its independent government organs; it had direct representation in the federal party and state organisations, while it was able to maintain the autonomous administration of its own internal affairs. Kosovo's 'de facto' status as a republic differed only in one significant aspect from having a 'de jure' status, namely, that as a province Kosovo had no right to secede from Yugoslavia, a right, which had been granted to other republics.

In addition to the continuously expanding circle of rights in the areas of politics and public law, Kosovo economy also received considerable aid from Belgrade. Since Kosovo was the most underdeveloped region in Tito's Yugoslav state,<sup>11</sup> it regularly received central funds as compensation. When considering the four most backward regions of the Yugoslav state (see Column 1, Table 1), from 1970 onward, it was Kosovo, that received the largest proportion of federal funds.

**Table 1.** Allocation of developmental funds for the development of underdeveloped regions: Kosovo's share

Four underdeveloped areas	1966-1970	1971-1975	1976-1980
Kosovo	30,0%	33,3%	37,0%
Bosnia	30,7%	32,4%	30,7%
Macedonia	26,2%	22,9%	21,6%
Crna Gora	13,16	11,4%	9,9%

Source: P. Ramet: *Nationalism and Federalism in Yugoslavia*. Bloomington. 1984. pp. 199.

On the basis of the above it can be stated, that Tito intended to solve the Kosovo problem by strengthening Kosovo Albanians' loyalty toward the Yugoslav state. He granted them several economic and political privileges; in summary,

the centrifugal force, represented by the Kosovo Albanians, was to be transformed by him into a centripetal force.<sup>12</sup>

The period after Tito's death (1980-1991) brought radical changes in Belgrade's Kosovo politics. These changes can partly be explained by political, partly by demographical reasons. Tables 2 and 3 clearly explain that the demographical aspect is an element of utmost significance in understanding the Kosovo conflict. As it can be seen in Table 2, from 1961 onward the number of Kosovo's Albanian population soared. As a result, their proportion grew from 67% in 1961 to 84% in 1991. At the same time, the number of Kosovo's Serbian population decreased considerably from the 27.5 % of 1961 to a mere 10% in 1991. In other words, Kosovo got utterly Albanised. Furthermore, as it is evident from Table 3, the Albanian ethnicity was gaining importance not only in Kosovo, but in general within the borders of the Yugoslav state as well. ( From 4,8% to 9,2%)

**Table 2.** Ethnic proportions in Kosovo 1921-1991.

Year	Number of population (persons)	Albanians (%)	Serbians (%)	Other ethnicities (%)
1921	439 000	65,5	20,4	13,9
1931	630 000	62,9	27,9	9,2
1961	964 000	67,1	27,5	5,4
1991	1 983 000	84,0	10,0	6,0

Source: László, Bíró: *Kosovó Jugoszláviában*. História 2007, volume 2. pp. 18.

**Table 3.** Ethnic proportions (%) in the second Yugoslav state 1948-1991.

Ethnic groups	1948	1981	1991
Serbs	41,5%	36,2%	35,9%
Crnogorans	2,7%	2,6%	2,8%
Croatians	24,0%	19,8%	19,7%
Muslims* (as ethnic group, mainly Bosnians)	5,1%	8,9%	9,9%
Macedonians	5,1%	6,0%	6,3%
Slovenians	9,0%	7,8%	7,4%
Albanians	4,8%	7,7%	9,2%

\* As ethnic group, according to Yugoslavian practice (this group contains mainly Bosnians)

Source: Author's own compilation

These demographical processes scared the Serbs, who could not and did not want to accept the federal constitution of 1974, and they decided to take political steps. Those economic and political privileges, that had been granted to Kosovo, were seen by many Serbs as signs of the existence of a 'de facto' Albanian state within the body of Serbia. The riots that took place in Kosovo in March 1981, gave Belgrade the excuse to deploy armed forces and introduce special measures. They removed several officials from the regional administration and party organizations, and this move was followed by the issuance of several party decisions in relation to the settlement of the 'Kosovo' problem. Essentially, what all this meant was, that a new wave of Serbian nationalism took off.

The theoretical summary of the ideology was embodied in the Serbian Academy of Sciences and Arts Memorandum of 1986.<sup>13</sup> The report, compiled for the centenary of the Serbian Academy of Sciences and Arts, bravely criticized the Tito era. According to the report the Constitution of 1974 divided Serbia –the Serbian Member-Republic - into three parts, namely Serbia, Kosovo and Voivodina. Kosovo politics, it added, was clearly anti-Serbian, also meaning, that economic policy discriminated against the Serbs. The conclusion of the Memorandum was, that the practice, outlined by the constitution of 1974 – strong Yugoslavia, weak Serbia - had to be eliminated.

It was against this background that Milošević, who became head of the Serbian Communist Party in 1986,<sup>14</sup> emerged. In April 1987 Milošević went to Kosovo and on the site of the battle of Kosovo Polje he delivered one of the most important speeches of his life, inciting his fellow Serbians with the following words:

“Nobody shall lay a violent hand on you! ... You must stay here. This is your land. These are your pastures and gardens. This is your memory. You cannot leave your mother country only because it has become difficult to live there, because you are oppressed there and because you are subjects to injustice.”<sup>15</sup>

Due to this speech Milošević was to become the leading figure of greater Serbian nationalism, and he would also act soon: he initiated constitutional amendments with the intention of reintegrating the provinces of Kosovo and Voivodina. It meant that the rights of the two

autonomous provinces were radically cut. On March 28th, 1989 the Kosovo provincial parliament, the building of which was surrounded by Yugoslav police force, 'voted for' the act, curtailing the province's autonomy; they also acknowledged the supremacy of the laws of the Republic of Serbia. It also meant that the provincial parliament gave up Kosovo's former rights of having its own education, its autonomy in internal affairs, economic and financial matters, which had been granted by Tito. This renouncement was forced by Milošević's greater Serbian nationalism, and, as a response, the Albanians started to build a parallel - shadow - Albanian state in Kosovo.

#### 4. THE THIRD YUGOSLAV STATE AND KOSOVO (1991-1999)

The strengthening of Milošević's greater Serbian nationalism provoked nationalistic feelings in the other nations of Yugoslavia as well, including Croats, Slovenians, Macedonians etc. In 1991 four out of the former 6 member republics of Yugoslavia – Slovenia, Croatia, Bosnia and Herzegovina, Macedonia - declared their independence. This event practically meant that the second Yugoslav state came to an end, although, due to the ongoing wars, the process of the country's disintegration was a several-year-long process.<sup>16</sup> In 1991 Kosovo also wanted to follow the examples of the newly independent member republics, so, in September, the Kosovo Albanians backed the issue of independence in a 'secretly organised' referendum. In accordance with its outcome the provincial parliament declared Kosovo an independent state on October 19th.<sup>17</sup> On the other hand, except for Albania, Kosovo was not recognized by any other state, and, as a result, Serbia could increase its military presence in the province.<sup>18</sup>

Two of the remaining member republics of the second Yugoslav state, Serbia and Crna Gora (Montenegro) founded the new Federal Republic of Yugoslavia on April 27, 1992. The third Yugoslav state was not seen by the Albanians of Kosovo as their home country. This situation can be proven by the following facts. First, the Albanian officials left both the state and the political scenes of the third Yugoslav state, meaning that they did not take part in the parliamentary and the local elections, called by the Belgrade government. Second, they refused to hold positions in Serbian state organizations.

Third, they aimed for creating their own parallel Albanian state. As part of this scheme, on May 24, 1992, the Albanians held presidential and parliamentary elections in Kosovo. In these elections it was Ibrahim Rugova who won, a moderate politician, representing his party, the Democratic League of Kosovo. Although Belgrade did not recognize these elections, they did not interfere.

Thus from 1991-1998 the system of political and governmental institutions practically doubled in Kosovo; there was a Serbian system, obeying Belgrade and an Albanian system, which was run by the local Albanian political forces. In addition, the economic system also doubled and an Albanian 'grey' system came into being, which was strong enough to maintain the parallel Albanian state and its network of institutions. From 1991-1998 Kosovo was characterized by a unique stalemate. Actually an Albanian state came into being within Yugoslavia; surprisingly, this fact passed unmarked in Belgrade. In order to understand Belgrade's viewpoint, it is important to know that in this period Yugoslavia was preoccupied with the Croatian-Serbian and the Bosnian wars on the Balkans, consequently; they had no intention of opening a new front in Kosovo.<sup>19</sup>

It was the radicalization of the Albanians' movement that changed the situation. In addition to the moderate politics of Rugova, the radical Kosovo Liberation Army (known by its Albanian initials as the UCK) also came to the foreground. Belgrade wanted to put an end to the strengthening of the UCK by using the strategy of a so-called 'preventive military strike'. In February 1998 the Serbian army attacked UCK forces,<sup>20</sup> then the military actions spread onto the entire area of Kosovo. As a consequence, approximately 1 million Albanians fled Kosovo, taking refuge in Albania and Macedonia.<sup>21</sup>

On October 12, 1998 the Serbians and Albanians signed an armistice, which was followed by the Rambouillet conference, held in France in February 1999. The international peacemakers came up with the following suggestions: Kosovo provisionally is to remain part of Yugoslavia, but has the right for self-determination until the final decision on its status is made within 3-5 years. In order to keep the provisions of the agreement, the presence of NATO forces was necessary in the area. The Albanians were not content with the agreement

for not mentioning the necessity of a referendum on independence; the Serbs were not content either, and they were reluctant to accept the presence of NATO soldiers in Kosovo. In January 1999 the Serbs attacked the UCK again, a move, which led to the second wave of refugees leaving Kosovo. In this situation the NATO decided to solve the problem by the means of air raids. From March 24, 1999 to June 9, 1999 NATO planes bombed their targets on a daily basis. The air strikes were aimed at destroying Serbian military targets, including bridges and airports, while the UCK performed land operations against the Serbian army. On June 9th Belgrade retreated and requested an armistice.<sup>22</sup>

## 5. UN SECURITY COUNCIL RESOLUTION 1244 AND ITS IMPLEMENTATION.

As an aftermath of the NATO's 78-day war in the air, the UN Security Council adopted its Resolution 1244 on June 10, 1999, which states that the UN Interim Administration Mission in Kosovo (UNMIK) would grant autonomy for Kosovo's inhabitants within Yugoslavia until the problem of the status of Kosovo is resolved. Resolution 1244 in practice placed Kosovo under UN protection. The UN followed the strategy of establishing autonomous institutions (parliament, government) under the control of UNMIK and built out the system of local administration. This scheme was called 'standards before status' policy. On the other hand, the UN did not intend to deal with the final solution of Kosovo's status. The status issue was put off until a later, unspecified date.

In July 1999 Kofi Annan, UN secretary-general appointed Bernard Kouchner, a French diplomat as head of UN Interim Administration Mission (UNMIK) in Kosovo. Kouchner had to face tasks of enormous significance, a fact, which is shown by his words in an interview, given in November 1999. '.... After 40 years of communism, and 10 years of apartheid leading to bloody ethnic cleansing, in Kosovo we are to build up from nothing a legal democratic state and a working system of administration.' In the light of the above he considered it an achievement, that while formerly, upon the entry of the KFOR (June 1999), 140-150 people had been killed every week in Kosovo, now, by November 1999, this number was down to 7-8.

This is an undisputable fact that in the fall of 1999 –due to the presence of KFOR soldiers - the number of atrocities radically decreased, but, at the same time, a considerable number of Serbian inhabitants –according to some estimates about 100 thousand - fled Kosovo in fear of revenge by the Albanians. In other words, one of the reasons of the decreasing figures was the flight of potential (Serbian) victims. Ethnic tension can be illustrated by the fact that KFOR units also increasingly became targets of atrocities. In February 2000, two French peacekeepers were shot by snipers, while in March a Russian soldier was mortally wounded. Behind these events one can discover that the Albanians were growing tired of the great powers doing nothing to appreciate their efforts to gain independence. This changing attitude also meant, that KFOR soldiers, who had first been greeted in Kosovo as liberators, were increasingly seen as unwanted enemies.

It was difficult in these circumstances to introduce the UN- imposed standards. The work, done by the Kosovo interim governing structures, established in late 1999, was first boycotted by the Kosovo Serbs. In June 2000 Bernard Kouchner and the representatives of the Kosovo Serbs, members of the Serbian National Council, agreed that the Serbs would take part in the work of the interim governing bodies in Kosovo, and, in return, UN police forces would strongly protect the settlements, inhabited by Serbs. As a response to this agreement, members of the largest Albanian party in Kosovo, the Kosovo Democratic Party (PDK), left the platform of the interim governing bodies. PDK leader, Hashim Thaqi, who, formerly had been an UCK commander, justified this move by explaining that the agreement between Bernard Kouchner and the Serbian National Council was nothing else but a step toward the partitioning of Kosovo. From this time on boycotting became a common practice in politics; the Serbs stated that they were not willing to register for the elections to be held in October 2000 until the 100 thousand Serbians, who had fled Kosovo earlier, would be allowed to return. As a result, Kosovo's first democratic (local) elections were held in October 2000 without Serbian participation. After the elections the Serbs pointed out that they would not accept the state and local governmental positions, offered to them by UNMIK, and also that they would not agree to their minority status.

UNMIK did a lot in order to establish parliamentary democracy, to lay the foundation for a democratic government, in short, to introduce constitutionality. Their ambitions, on the other hand, were overshadowed by the strenuous relationship between Priština and Belgrade. In addition, in the post-1999 years the Kosovo Albanians became increasingly disillusioned, since Kosovo's future remained uncertain even after the UN intervention of 1999. Those UNMIK efforts, which were aimed at preserving ethnic pluralism, were found extremely irritating by Kosovo's Albanian population; in their collective memory they still had vivid pictures of the Serbian 'rule' of the past. Both the moderate and the radical wings of the Albanian political forces in Kosovo were pro-independence, the only difference between them was how to achieve the desired goal.

In October 2003 a slow-moving dialogue started in Vienna between Belgrade and Priština. In the first week of March 2004, a so-called 'technical' consultation was held in order to discuss the issues of energy, as well as transport and telecommunication links between Kosovo and Serbia; further, there were talks to clarify the issue of missing persons on both sides. But these talks were soon to be interrupted. On March 17, 2004, on the bank of the Ibar river in Kosovska Mitrovica, the bodies of two boys were found, who had drowned.

The Albanian television in Kosovo interpreted this event as if the boys had been deliberately driven into the river by some Serbs. In just a few hours after the news had become public, a real state of war ensued, not only in Mitrovica, but in several other settlements as well. Fanaticized Albanians attacked and burnt down the houses of Serbs. In addition, they set fire to 30 Serbian churches and monasteries, several of which were precious monuments dating back to the Middle Ages. By the time it turned out that the Serbs had had nothing to do with the death of the two Albanian boys – they had had an accident – it was too late to stop the events. In Kosovo's 33 settlements violent attacks took place and the number of participating Albanians was about 50,000. 28 of them died, 870 got wounded and 3.5 thousand Serbians were forced to leave their homes. Koštunica, president of Serbia, protested immediately.

The riots in March 2004 have shown that, although 5 years passed since the entry of the KFOR and the formation of UNMIK, the

situation did not improve considerably. This point and the tasks relating to it were first clarified on the pages of *The Financial Times* in London by Carl Bildt, former UN special envoy on the Balkans. He argued that Kosovo was Europe's Palestine from several points of view; it had high proportion of young people and remarkably high unemployment rate. This is why, he went on, instead of procrastinations it was necessary to declare that any solution would be acceptable, that Belgrade and Priština were willing to agree on. The agreement, urged by Carl Bildt, was delayed by the Serbian boycott of the elections of October 23, 2004. It was the Democratic League of Kosovo, the party of Ibrahim Rugova, head of state, that won the elections, then it formed a coalition with the election's third largest party, the Alliance for Kosovo's Democratic Future. Thus, in December 2004 the head of this latter party, Ramush Haradinaj was elected prime minister. Haradinaj was an unacceptable negotiator for Belgrade, since formerly he had been the commander of guerilla troops.

## **6. THE EIDE REPORT AND THE VIENNA NEGOTIATIONS (2005-2006).**

In May 2005 Kofi Annan made a statement regarding his discontent with the Kosovo Albanians' interpretation and application of the imposed democratic standards.<sup>23</sup> He commissioned Kai Eide, Norway's NATO representative to investigate the issue of the introduction of democratic standards in Kosovo. Kai Eide's 16-page report was submitted to the Security Council on October 7, 2005. The most important section of the report articulated the necessity of the official solution of the status question. It said that it was a waste of time to delay the negotiations, since it was impossible to identify ideal time for the talks, whereas it was in the interest of all the parties concerned to clarify Kosovo's future status. On the basis of Eide's report it was decided that further negotiations would be initiated in order to finalize the status issue.<sup>24</sup> This decision also meant that upon Eide's recommendation the United Nations gave up their former 'standards before status' policy, which had been elaborated in June 1999. But the negotiations were once again delayed, this time by the death from cancer of Ibrahim Rugova, Kosovo's president, in January 2006.

On February 15, 2006 Boris Tadić, president of the Republic of Serbia, addressed a speech to the

UN Security Council and offered extensive autonomy in it for Kosovo Albanians, also emphasising that he demanded the same for the Serbian minority of Kosovo. Tadić offered a 20-year agreement, also meaning, that he had the intention of keeping Kosovo within the boundaries of the Serbian state for another two decades. These events served as background to the Serbian-Albanian negotiations, which commenced on February 20, 2006 in Vienna. The talks were mediated by the United Nations. As early as the first round of talks it turned out that both negotiating parties were opposed on the question of independence; Belgrade wanted 'more than autonomy, less than independence', while Priština insisted on getting the status of full independence.

After the first round of negotiations in early March, 2006, Martti Ahtisaari, former president of Finland and head of UN mediators, made it clear during his visit to Washington D.C., that it would be necessary for the UN Security Council to have Resolution 1244 replaced by a new one, which would allow Kosovo to become gradually independent. At the same time, the Albanian-Serbian negotiations resumed in Vienna, during which the Serbian delegation put forward Tadić's suggestion in an increasingly concrete form, including the following: Kosovo would remain part of Serbia, but be given expanding autonomy. These issues would be described in details in a 20-year international contract, involving the United Nations. According to this contract Kosovo would have its own constitution, legislative and executive bodies, independent courts, and, in addition, it could exercise all other state functions independently of Belgrade.

Exceptions would include only a few functions, which would be kept by Serbia for itself, these would include only the basics of sovereignty, like foreign affairs, control of national borders, the protection of human rights – in this context the protection of the Serbian minority in Kosovo – as well as fiscal and tax policies. Further, Serbia would lay claim to the protection of the religion and the cultural heritage of Kosovo Serbs. In Vienna the Serbs actually offered Kosovo Albanians all those privileges in 2006, that had been taken away from them in 1989. On the other hand, the Albanian negotiations insisted on being granted the status of full independence. Priština representatives made it clear that none of the Serbian offers would be accepted by them. After these events it was not

surprising that in late July 2006 the first round of Vienna negotiations came to an end without any achievement.

In September 2006 the foreign ministers of the so-called Contact Group countries, including the U.S., Great Britain, France, Germany, Italy and Russia, had a meeting in New York and discussed the new tasks, posed by the failure of the first round of Vienna negotiations. The ministers agreed that the Albanian and Serbian points of view were very distant from each other and they asked Martti Ahtisaari to find a realistic alternative, acceptable for both parties, preferably before the end of the year. During the New York meeting Russia appeared to have been on the side of Serbia by emphasising the importance of the observation of international law, by which no country's borders – including Serbia - could be unilaterally changed. In this case, they claimed, the Security Council was to propose only such a solution, which would be acceptable for Belgrade and Priština as well. By defining the former position, Moscow actually sent a signal to the great powers that without Serbia's consent Moscow would never vote for Kosovo's independence.

The Serbian political elite attempted to solve the question on the level of domestic politics prior to the international decision. In the first half of October 2006 the Serbian parliament voted for Serbia's new constitution, clearly stating that Kosovo was part of Serbia. Parliamentary voting was followed by a referendum, held on October 28 and 29. The referendum was valid, since 54% of those, who were entitled to vote, did turn up and 51% of them voted yes for the proposal. Thus Belgrade used the referendum to solidify its own sovereignty over Kosovo. On the other hand, the Kosovo Albanians did not and could not vote, since they had not been included in the register of voters!

## **7. THE AHTISAARI PLAN AND THE DECLARATION OF INDEPENDENCE (2007-2008).**

In the fall of 2006 Martti Ahtisaari delivered a draft settlement proposal, but did not make it public. It is likely that he did not intend to share the proposal with the parties involved until after the Serbian elections of January 21, 2007. Still, despite the unpublic nature of the proposal, some ideas had been leaked out as early as in November and December 2006. Due to these details, at the end of January 2007, Serbian

prime minister Koštunica refused to receive Ahtisaari, who had come to share his proposal with him. Eventually the proposal became public on February 3, 2007. Its most important provisions were as follows: Kosovo would be given the right to apply for membership in international organizations including the UN, the International Monetary Fund and the World Bank. Kosovo would have the right to have its own army and police forces. Also, national property would be taken over by Kosovo and the presence of the international (UN) mission would be prolonged. The Serbian minority of Kosovo would be given expanding rights, in return, the Albanian majority would grant equal rights and religious freedom to them. In order to achieve this latter aim, protected areas would be brought about around the Serbian Orthodox religious sites.

Although the proposal did not contain the word 'independence', in practice its text endowed Kosovo with several basic features of the status of independence and granted a kind of 'controlled' independence. It could be envisaged that this status would lead Kosovo to actual independence within 3-5 years.

Ahtisaari convened the representatives of Belgrade and Priština on February 13, 2007 in Vienna, in order to discuss his draft proposal. Upon the request of the Serbian party, since after the January elections the new Serbian government had not yet been formed, the meeting was rescheduled, and eventually took place on February 21. The Serbian parliament had held its statutory meeting on February 14, 2007, and already discussed Ahtisaari's draft proposal. All speakers made it clear that Kosovo could be given autonomy, but they would never accept an independent Kosovo. Following these events, on February 21 the two parties eventually sat down to the negotiating table in Vienna. The Serbian delegation initially rejected all those parts of the proposal, which would eventually open the way for Kosovo's independence. Thus they rejected the creation of a Kosovo army, Kosovo's membership in international organizations and the taking over of state property by Kosovo. The demands of the Kosovo delegation clashed with the Serbian views. Consequently, on March 10, 2007 the Vienna talks ended without achieving any compromise. Ahtisaari concluded that all options for a compromise had been exhausted and the direct Serbia-Kosovo negotiations were to fail. Consequently, the settlement process had

to be investigated further by the Security Council.

On March 26, 2007 Ahtisaari submitted this proposal to the UN secretary general, including a recommendation that Kosovo should become independent subject to international supervision.<sup>25</sup> Ahtisaari's final proposal was unanimously supported by US, NATO and EU diplomats. On April 3, 2007, the UN Security

Council convened to discuss Ahtisaari's plan. This date marked the beginning of several months of diplomatic skirmish, since Russia firmly stood by the side of Serbia in the Security Council, and clearly stated that it would veto the proposal. In several subsequent Security Council meetings the Russian diplomats repeatedly took the position that the Ahtisaari proposal for them was unacceptable. What is more, backed by the Russians, Belgrade achieved that a 15-member Security Council delegation was to visit both Belgrade and Kosovo. In Priština the Kosovo leaders attempted to convince the members of the delegation that the declaration of independence is the only just and long term solution to settle Kosovo's status. Kosovo leaders also promised that they would grant that all minority rights would be respected. When the delegation arrived at Mitrica, the centre of Kosovo Serbs, representatives of the Serbian minority attempted to convince the delegation members why it was absolutely necessary to keep Kosovo within Serbia.

Following a period of prolonged diplomatic procrastination, in June 2007 – under pressure by the Russians – the Security Council took the position that a new chance be given to Belgrade and Priština to compromise with the help of the so-called 'troika', the members of which included Frank Wisner (US diplomat), Wolfgang Ischinger (German EU representative) and Alekszander Harcenko (Russian diplomat). If no compromise was to be achieved within 120 days, the Ahtisaari plan would automatically come into effect. The members of the troika opened the negotiations in August 2007 first in Belgrade and then in Priština. The Troika came up with surprisingly new ideas as early as the first round of talks. The Troika's German member said that any solution would be acceptable on the condition that it was agreed by both sides; options also included the partitioning of the province. This latter alternative was refused by both Belgrade and Priština. In addition to the 'idea' of dividing the province,

several other status options were elaborated, including the following: 1. Confederation of Serbia and Kosovo 2. Autonomous Serbian Republic within Kosovo 3. An exchange of areas; Serbia would get northern Kosovo and Kosovo would receive in exchange the valley of Presovo.

On August 30, 2007 the Vienna negotiations were renewed; Troika members talked with the Pristina delegation in the morning and met Belgrade representatives in the afternoon. Both parties did nothing but repeat their own incompatible viewpoints concerning Kosovo's future. In late September negotiations resumed in New York City; the members of the two delegations were willing to sit together at the negotiating table, but as far as their opinion was concerned, they remained diametrically opposed.

At one point in the course of the fall negotiations there was a vague possibility to agree on the so called Hong Kong model. It was proposed by Serbia that similar to Hong Kong's status, a special status would be granted for an interim period, and it was added, that in this model both Belgrade and Priština could keep certain elements of their own proposals. More concretely, Kosovo would get a broad –almost full – international autonomy, meaning that it could enter into international trade contracts, join international organizations (World Bank), but it could not be a member state of the UN.

Further, Kosovo would get all those authorizations other independent states have, except for foreign policy, defense and guarding its borders. Kosovo would not be administratively dependent on Belgrade, but still it would not be fully independent. UN forces would also remain there. The Priština delegation refused the Serbian offer without considering it, arguing, that Hong Kong and Kosovo had nothing in common, since both Hong Kong and China have Chinese population, whereas Kosovo has Albanian inhabitants, who do not want to live in Serbia. After these events it did not come as a surprise that upon the expiry of the Troika's assignment on December 10, 2007 the Kosovo-Serbia talks ended without any appreciable achievement.

Both parties blamed each other for the failure of the Vienna talks, but the main point was best explained by Hashim Thaqi, member of the Albanian delegation. *'Even if we were to talk for*

100 years, there will be no agreement between Belgrade and Priština,' he said. Hashim Thaqi's point was accepted by the political elite in Kosovo and it led to the acceptance of the Declaration of Independence on February 17, 2008 by the Kosovo parliament. The Republic of Serbia immediately turned to the UN Security Council and protested against the unilateral move. The countries of the world are still divided on the Kosovo question. In 2008 there were 45 countries that recognized Kosovo as an independent state, while 43 other countries refused to do so. Since 2008 Belgrade and Pristina delegates have sat down to the negotiating table on several occasions, but no settlement has been achieved, which would be acceptable for both parties.

## Notes.

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<sup>17</sup> Malcolm, 1999, pp. 347.

<sup>18</sup> József, Juhász et. al.: *Koszovó. Egy válság anatómiája*. Budapest. Osiris Kiadó. 2000. pp. 38-46.

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