

# **KOSOVO SPRING**

**20 March 1998**

**ICG Report**

**Pristina- Sarajevo**

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# KOSOVO SPRING

## I. INTRODUCTION

Since 28 February when Serbian special police launched a brutal offensive against alleged ethnic Albanian (Kosovar) separatists in Kosovo, events in that ethnically-divided province of rump Yugoslavia have featured prominently on the front pages of newspapers and in television and radio news broadcasts throughout the world. The powder keg, whose explosion has so often been predicted during the past decade, appears finally to be igniting. As the consequences of ethnic violence in Kosovo threaten to spill beyond the borders of rump Yugoslavia and endanger the stability of the entire region, the international community no longer accepts Serbian claims that what takes place there is purely an internal matter. International diplomacy has therefore swung into action to head off an impending tragedy which is already being called a "second Bosnia".

The clamp-down was ostensibly in response to the killings of several Serb policemen and concentrated on the Drenica region, the triangle formed by the municipalities of Srbica (Skenderaj), Klina (Kline) and Glogovac (Glogovc) in the centre of Kosovo. Since the emergence of an armed Kosovar resistance movement last year, that region in particular had experienced a rising tide of violence and increasingly appeared beyond the control of the Serbian authorities. If the clamp-down was supposed to stamp out Kosovar opposition to Belgrade rule, it is already clear that it has failed. Instead of destroying a separatist movement, it has boosted Kosovar determination to win independence and created 80 martyrs for the cause. Kosovar protesters now demonstrate their opposition to Serbian rule on a daily basis in Pristina, Kosovo's capital, as well as the province's other major cities, in the hope that the international community will deliver them from oppression.

The upsurge of violence has generated an unparalleled level of interest in Kosovo in the international media, offering Kosovars a golden opportunity to put their point of view across. Having endured apartheid-style rule in virtual silence for most of the past decade, they have seized the opportunity with relish. Cameramen are now treated on a daily basis to colourful public demonstrations, like women's marches, the waving of blank sheets of paper, and the carrying of English-language banners. The Croatian and Bosnian wars have taught all ethnic groups of the former Yugoslavia the importance of good press, and Kosovars are becoming aware that images of Serbian police brutality across the world promote their cause better than any amount of lobbying.

Media-driven diplomacy and simplistic, instantaneous analysis of a crisis which has been simmering for the past decade and bode ill for prospects of a lasting and peaceful solution. If a settlement is to be found which preserves stability in the region and also reconciles the legitimate interests of both Serb and Kosovar communities, it requires a depth of understanding of the conflict which clearly does not exist at present. Hence this in-depth analysis of the conflict, which ICG hopes will serve as a timely tool to policy-makers.

The report examines the evolution of relations between Serbs and Kosovars in Kosovo, the importance of the region to both communities and their competing claims. Since 1989 when Serbia forcibly stripped Kosovo of autonomy, a parallel Kosovar society has emerged within the province which exists almost completely outside the Serbian state. The report assesses the significance and sustainability of the parallel institutions, in particular the education and health care systems. It also critically analyses Kosovar politics and the policies of the undisputed Kosovar leader Ibrahim Rugova who charted the non-violent course which, until very recently, all Kosovars obediently followed. If Kosovar elections do go ahead as scheduled on 22 March, Rugova will surely be re-elected president, since he is the only candidate standing. Special sections are devoted to the economy, media and the Kosovo Liberation Army, UCK.

The report considers Kosovo in its regional context, in relations to Serbia, Yugoslavia, Albania and the entire Balkan region. It examines initial diplomatic attempts to head off further fighting and find a solution. And it analyses the relative merits of the various solutions -- ranging from maintaining the status quo to full independence -- which are currently on offer. In a final section ICG presents a series of recommendations

which, if taken up by policy-makers, could contribute to an eventual settlement in Kosovo. Appendices at the end include a chronology and a who's who of Kosovo political life.

## II. KOSOVO SITUATION

### A. Historical Background<sup>1</sup>

Like the city of Jerusalem for the Jews, Muslims and Christians of the Middle East, the province of Kosovo is over-burdened with emotional, historical, and religious significance for the two communities who live there: Serbs and ethnic Albanians, otherwise known as Kosovars.<sup>2</sup>

The trade routes from Yugoslavia to Macedonia, Albania and Greece go through Kosovo, and the province has important coal and copper mines, though most are barely operational.

#### 1. Importance of Kosovo for Serbs

According to Serb mythology, Kosovo is the cradle of their nation, the site of the Serbian Orthodox Patriarchate, founded in 1346. The most important church for the Serbian Orthodox faith is at Pec (Peje). When meeting with an ICG board member, visiting Pristina, Bishop Artemije of Raska and Prizren, the head of the Serbian Orthodox Church in Kosovo, said: "These areas of the Orthodox Byzantine Empire became a part of the Serbian state during the reign of Stefan Nemanja in 1189 and his son Stefan I, crowned in 1214."

Many foreigners have been influenced in their views on Kosovo by Rebecca West's 1940 classic *Black Lamb and Gray Falcon* in which Kosovo features under the chapter heading "Old Serbia". Today, the region continues to go by several different names. Kosovars use the word "Kosova" translated into English as Kosova (favored by supporters of the independent Republic) or Kosovo; whereas Serbs use "Kosovo", or, preferably "Kosmet", short for "Kosovo and Metohija" -- a Balkan equivalent of "Judea and Samaria", commonly referred to as the "Israeli occupied territories".

A key milestone in early modern Serb history also took place in Kosovo. The Turks defeated the Christian armies of the Balkans at the battle of Kosovo Polje (The Blackbirds' Field) on 28 June 1389, destroying the medieval Serbian Empire and ushering in 500 years of Ottoman rule. Serbs solemnly commemorate this defeat. Every year, ceremonies are held in Kosovo Polje (a suburb of Pristina) at the memorial, which bears the inscription: "Whoever is a Serb and of Serb origin and does not come to fight in Kosovo, may he not have any descendants, neither male nor female." Serbs rose up against Ottoman rule in Kosovo in 1688 following Habsburg victories elsewhere in the Balkans. The revolt was crushed and then savagely put down in 1690, forcing large numbers to flee reprisals. Following the Serb exodus, Albanians moved from mountainous areas into the province's plain to fill the void.

Kosovo also has more recent significance to Serb nationalists. It was precisely at the Kosovo Polje monument that Slobodan Milosevic, then president of Serbia's League of Communists, addressed Kosovo Serbs in April 1987 saying: "You shouldn't abandon your land just because it's difficult to live, because you are pressured by injustice and degradation," and promising: "No one should dare to beat you..."<sup>3</sup> The speech

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<sup>1</sup> See Appendix 1 for a chronology of major events.

<sup>2</sup> Serbs living in Kosovo are also sometimes called Kosovars. In this report, however, "Kosovar" always means ethnic Albanian from Kosovo. Serbs use for ethnic Albanians, either "Albanci" or the derogatory term "Siptar" which has recently been used by Serbian State television where almost every word "Albanci" is replaced with "siptarske teroristicke bande" (Siptar terrorist gangs), see *Vreme*, "Kako Srbi i Albanci vide jedni druge i sebe" by Milos Vasic, 14 March 1998.

<sup>3</sup> Laura Silber and Allan Little, *The Death of Yugoslavia*, London, Penguin Books, 1995, p 37.

sent shock waves throughout the former Yugoslavia and catapulted Milosevic to the head of the Serb nationalist movement.

In spite of Milosevic's words, Serbs have continued to leave Kosovo. Their numbers have dwindled from 209,000 in 1981 to roughly 180,000 in 1997. Today, three distinct groups of Serbs live in Kosovo: the indigenous population (i.e. Serbs for whom Kosovo is their home); Serbs on tours of duty (such as soldiers and police sent from other parts of Yugoslavia with their families); and refugees, displaced Serbs from Croatia and (to a lesser extent) Bosnia and Herzegovina (Bosnia). That said, most refugees are very reluctant to settle in Kosovo.

## 2. Importance of Kosovo for Kosovars

Kosovars too have strong emotional and historical ties to Kosovo. As descendants of the ancient Illyrians, they claim to be the Balkan's oldest people and Kosovo's original inhabitants. Moreover, the modern Albanian national movement was formed not in Albania, but in Kosovo with the establishment of the League of Prizren in 1878. Under Italian occupation during the Second World War and together with Albania, part of Macedonia and part of Montenegro, Kosovo formed part of a Greater Albania. After the Second World War, Kosovo was returned to Tito's Yugoslavia and given the status of autonomous region within Serbia and upgraded to that of autonomous province in 1968.

The main reason why Kosovars care about Kosovo is simply because they live there. Indeed, roughly 90 percent of the province's total 2,150,000 inhabitants declare themselves to be ethnic Albanians.<sup>4</sup> Serbs from Kosovo maintain that less than 90 percent of Kosovo inhabitants are ethnic Albanians because many Turks, Roma and others may have described themselves as Albanians in hopes of advancing their social status. The dispute over the actual composition of the Kosovo population cannot be resolved at present. The last available census figures for Kosovo's ethnic Albanians are from 1981, since Kosovars boycotted the 1991 census.<sup>5</sup>

## B. Sociological Background

### 1. Albanians in the Region

Not unlike the Kurds, the Albanians are an ethnic group divided by borders among several states (although unlike the Kurds they do have a state of their own). As former Albanian president Sali Berisha put it: "We are seven million people separated into five states."<sup>6</sup> This separation is a powerful engine for the drive towards unification. In times of tension, such as in February and March 1998, Albanians from all states close ranks and forget any difference that they may have. As the numbers of Albanians is politically-charged, the figures are, of course, disputed. Most observers would probably agree that the total number is slightly less than six million, divided as follows:<sup>7</sup>

- 3,080,000 in Albania proper
- 1,800,000 in Kosovo (Serbia)
- 443,000 in Macedonia
- 100,000 in Italy
- 50,000 in Greece (plus 300,000 Albanian migrant workers)

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<sup>4</sup> Provincial Institute of Statistics estimate used by UNICEF.

<sup>5</sup> According to the 1981 census, Serbs comprised 13.2 percent of the population (209,498) and Kosovars 77.4 percent (1,226,735).

<sup>6</sup> Owen Bennett Jones, "The Albanians in Kosovo: Prospect for the Future," UNHCR Refugee Survey Quarterly, vo13. No. 4, Winter 1994.

<sup>7</sup> *Transition*, Vol. 3, No. 4, 7 March 1997.

- 80,000 in Serbia outside Kosovo (mainly in the municipalities of Presevo, Bujanovac and Medvedja).
- 37,000 in Montenegro (municipalities of Plav, Ulcinj, Rozaje)

## 2. Language and Religion

Religious differences between the predominantly Orthodox Christian Serbs and the predominantly Muslim Kosovars have inspired many comparisons between Bosnia and Kosovo. However, Bosnia's ethnic communities speak the same language and have a history of cooperation. In a way, the split in Kosovo is more similar to that of distant Kashmir where two communities are divided by ethnicity, religion, language and even alphabet. A comparison could also be made to the differences between Arabs and Jews in Israel.

The Serbs of Kosovo speak Serb and primarily use the Cyrillic alphabet (the Latin alphabet was formerly used, but has been almost totally dropped since the disintegration of Yugoslavia). The Kosovars speak an Albanian close to the one spoken in the north of Albania. Until the beginning of the 1990s, Kosovars in the towns also spoke Serb, though it was rare to meet a Serb who could speak Albanian. Now, due to the total separation of the two educational systems during the past seven years, a generation of Kosovars has gone through school without coming into contact with the Serb language.

Beginning in 1991, Kosovars faced massive linguistic discrimination. Here is how Kosovar journalist Behlull Beqaj describes this process:

“The law on the official use of the language and names (27 July 1991) practically cancels the use of language, although the Albanians in Kosovo account for 90 percent of the population. Resolutions concerning names of streets, boulevards, schools and other social and cultural institutions have the same intent. Based upon these resolutions, the former names were changed and the new names from the history, culture and mythology of the Serbs were introduced. All the names of the streets, boulevards, cultural institutions, health institutions, schools and other institutions are officially written in the Serb language and the Cyrillic alphabet.”<sup>8</sup>

## 3. Demographics

According to statistics relied on by the UNICEF office in Pristina, around 45 percent of Kosovars are under the age of 18, and 70 percent under the age of 30. Kosovo has the highest birth rate in Europe (23.1 per 1000 in 1989), and also the highest infant mortality rate (27.8 per 1000 live births). The number of children per family largely depends on the mother's social position -- from an average of 2.74 children for a woman living and working in the city, to an average of 6.74 for a housewife living in the countryside. If the birth-rate continues at its current level and Kosovo remains part of Serbia, Serbs could form a minority of the population in Serbia by 2020.

UNICEF estimates that Kosovar families have on average 6.52 members. Meanwhile, according to data from the Serbian Statistical Office for 1996, the percentage of Serbs in Serbia has fallen to 62 percent; less than 50 percent of live births are children of Serb nationality; and Serb couples have on average 0.9 children. In 1996, 38,805 Albanians were born in the province and 5,482 died, compared with 4,127 Serb births and 2,008 deaths. In other words, while the current population ratio of Albanians to Serbs in Kosovo is roughly 9 to 1, the growth rate is 16 to 1.

Both Serb and Kosovar communities are eager to convince outsiders that the other is determined to get rid of them and dominate the region. In order to demonstrate that Serbs always had colonisation plans (not unlike

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<sup>8</sup> Behlull Beqaj, *Ethnicity in Post-Communism: The Albanians in the Post-Communist transformation of Yugoslavia*, Institute of Social Sciences, Belgrade, 1996, p. 227.

the ethnic cleansing wielded against Bosniacs in Bosnia), the Kosovars hand foreign visitors a reproduction of a 1937 book called *The Expulsion of the Albanians* by Dr. Vaso Cubrilovic, a Serb nationalist ideologue. The following are typical extracts:

"If we do not settle accounts with them [the Kosovars] at the proper time, within 20-30 years we shall have to cope with a terrible irredentism. ... "The law must be enforced to the letter so as to make staying intolerable for the Albanians."

"At the time when Germany can expel tens of thousands of Jews and Russia can shift millions of people from one part of the continent to another, the shifting of a few hundred thousand Albanians will not lead to the outbreak of a world war."

"The problem of the establishment of colonies in the depopulated areas is not less important than the removal of the Albanians. The first question emerges. Who should be settled there? The most natural thing is to populate them with elements from our passive regions, in the first place Montenegrins."<sup>9</sup>

More recently, Serb attempts to alter Kosovo's demographics have consisted of the "Decree for Colonisation of Kosovo by the Government of the Federal Republic of Yugoslavia" of 11 January 1995, and laws that curtail the sale or rental by Serbs of their property to Albanians. The former promises that: "Those who wish to be settled in Kosovo will be granted four-year loans to erect houses or buy apartments, while plots of land will be free of charge." As for the latter, the Serbian Law on Special Conditions for Real Property Transactions of 1989 makes it a crime for Serbs to sell or lease real property to Kosovars.<sup>10</sup> The Committee for Human Rights in Serbia has criticised the law as "highly discriminatory".<sup>11</sup> Indeed, the Humanitarian Law Centre called for it to be rescinded after at least 60 persons in Kosovo were sentenced to 60 days in prison within a period of a little over two months between 15 April and 25 June 1997. All but one of the convicted were Kosovars who bought apartments from Serbs in Kosovo.

On the other side of the ethnic divide in Kosovo, Serbs united around the Serb Resistance Movement (*Srpski pokret otpora*, or SPO) accuse the Belgrade government of not doing enough to stop the exodus of Serbs from Kosovo (such as those Serbs who circumvent the law restricting sale of property by applying "Gift Contracts" or "Contracts on Property Utilisation") or to halt the return of ethnic Albanians who have refugee or temporary refugee status abroad.

For Kosovo Serbs, the May 1996 agreement between Yugoslavia and Germany on the return of Kosovar refugees was a betrayal by Belgrade. It provided for the return of many Kosovars to Kosovo, threatening to tilt the ethnic balance even further in their favour, as well as introduce Kosovars into Serb neighbourhoods.

#### 4. Diaspora

Migration of Kosovars, as well as Serbs, from Kosovo is large-scale. Between 1990 and 1995 an estimated 350,000 Kosovars moved out of the province (for fear of persecution, or for economic reasons). These departures have most recently been through Italy and Albania and the preferred destinations are Germany, Switzerland and Scandinavia.

In October 1996, Germany agreed with Yugoslavia on the repatriation of up to 130,000 of a total 230,000 Kosovars living there. Some 3,000 had returned to the FRY by the end of 1997, of whom 70 percent re-applied for asylum. At the same time, there were 6,000 new applications. As of January 1998 there were 140,000 Kosovar asylum-seekers in Germany and an additional 500 to 2,000 arriving in the country each month to seek asylum. Since Germany accepted 345,000 refugees from Bosnia, of whom some 300,000 remain, and because it has given shelter to more refugees from the former Yugoslavia than the rest of the

<sup>9</sup> *Serbian Colonization and Ethnic Cleansing*, Kosovo Information Centre Publication, Pristina, 1993, p. 14-42.

<sup>10</sup> Decrees' copies were shown to ICG in Pristina by the Human Rights Council, Keshilli.

<sup>11</sup> Sonja Biserko, *The Kosovo Stand-off*, Ulcinj, 23-25 June 1997.



European Union put together, the impatience of the German authorities is understandable. About 6,000 Kosovars have already been sent home, and a few days after repressive actions by Serbian forces in Drenica, Germany insisted that freezing deportations of Kosovars to Serbia would send a "devastating signal" that could provoke a flood of further refugees.<sup>12</sup>

Switzerland has some 32,000 Kosovar immigrants and Sweden 30,000. Switzerland signed an agreement with Yugoslavia on the repatriation of 12,000 Kosovars in July 1997 and Sweden signed a similar agreement on the repatriation of 1,500 Kosovars who had not yet received a permanent residence permit.<sup>13</sup> There is also a sizeable Kosovar émigré community in the US, including 20,000 ethnic Albanians living in the Bronx, NY, which perhaps explains the unusually active role of New York Democratic Congressman Eliot L. Engel on behalf of Kosovo. In October 1997 Serbia refused to take back 2,000 Kosovar asylum-seekers, most of whom are now in Denmark where they may be granted permanent asylum.

The subject of forced repatriations of Kosovars has provoked much criticism, and in January 1996, the Council of Europe asked the governments of its member states "to renounce their intention to forcibly return rejected Albanian asylum-seekers from Kosovo, and to grant them temporary protection until such time as the human rights situation in Kosovo allows them to return in safety and dignity."<sup>14</sup>

### C. The Human Rights Situation

Human rights violations in Kosovo by the Serbian security forces are widespread. Testifying before the US Congress in November 1997, Fred Abrahams, Kosovo researcher at the Human Rights Watch/Helsinki said:

Since the revocation of Kosovo's autonomy, the human rights abuses against ethnic Albanians by the Serbian and Yugoslav governments has been constant. The names of the victims change, but the frequency and manner of the beatings, harassment and political trials remain the same. It is a status-quo of repression. ... The brutality of the police continues against the population. Random harassment and beatings is a daily reality for ethnic Albanians in Kosovo, especially those in the villages and smaller towns. No policemen are ever held accountable for their actions, even when their brutality results in the death of an innocent person.

The US State Department's *Country Report on Human Rights Practices for 1997* for Serbia-Montenegro says, *inter alia*:

"The Government's human rights record continued to be poor... Police repression continued to be directed against ethnic minorities, and police committed the most widespread and worst abuses against Kosovo's 90-percent ethnic Albanian population.... Political violence, including killings by police resulted mostly from efforts by Serbian authorities to suppress and intimidate ethnic minority groups.... Torture and other cruel forms of punishment, which are prohibited by law, continue to be a problem, particularly in Kosovo directed against ethnic Albanians.... Ethnic Albanians continue to suffer at the hands of security forces conducting searches for weapons and explosives. The police, without following proper legal procedures, frequently extract 'confessions' during interrogations that routinely include the beating of suspects' feet, hands, genital areas, and sometimes heads.... Police use of arbitrary arrest and detention was concentrated primarily in Kosovo."

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<sup>12</sup> Reuters, 11 March 1998.

<sup>13</sup> On 9 March 1998, the United Nations agency for refugees, UNHCR, asked countries of Western Europe to withhold deportations. *Kosovo Albanians where asylum applications have been rejected should not be sent back until the situation in the province stabilizes*, Reuters, 9 March 1998.

<sup>14</sup> Council of Europe Resolution 1077.

Two local Kosovar organisations monitor the human rights situation in Kosovo: The Council for the Defence of Human Rights and Freedoms (Këshilli për Mbrojtjen e të Drejtave dhe të Lirive të Njeriut në Prishtinë, known locally as Këshilli) and The Kosova Helsinki Committee.

Këshilli was headed for many years by Adem Demaci. Pajazit Nushi is now its president. The Kosova Helsinki Committee, headed by Gazmend Pula, (who was one of the founders of Këshilli) was admitted in 1993 to the International Helsinki Federation. A third human rights protection organisation, The Centre for the Protection of Women and Children, is headed by Vjosa Dobruna.

Since human rights violations are the one subject on which the international community is unanimous and vocal, human rights monitoring is given extremely high priority and attention in Kosovo. Publications on the subject are fairly sophisticated. Këshilli publishes quarterly reports in Albanian and English, photo albums with texts in four languages (Albanian, English, French and German - though not Serbian) and collections of coloured photos of injuries. It has also set up a rather impressive web site (<http://www.Albanian.com/kmdlj>). Both Këshilli and the Helsinki Committee provide statistical data on "total" human rights violations, but their accounting system is misleading. For instance, of the 2,263 overall cases of "human rights violations" in the period from July to September 1997, they cite three murders, three "discriminations based on language..." and 149 "routine checkings". By collating minor and major offences under the same heading, the statistics fail to give a fair representation of the situation.

Kosovars further lose credibility by exaggerating repression when speaking to foreign visitors. A student leader spoke of "torture" during an October 1997 student demonstration, but when asked for a concrete description she recounted a light beating. Likewise, when a Këshilli representative was addressed by a policeman with the words: "We will show you how to defend human rights!" and "Why don't you go to Albania where you belong?", this insult, called "on a national and family basis" was given a special entry in a bulletin that also listed details of twelve murders.

Despite their sometimes questionable documentation, the pattern of human rights violations in Kosovo is undeniable and has provoked international condemnation. The UN General Assembly adopted a resolution condemning all violations of human rights in Kosovo on 12 December 1996 and demanded that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro):

- (a) Stop [human rights violations];
- (b) Release all political prisoners and cease the persecution of political leaders and members of local human rights organisations;
- (c) Allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and respect the will of its inhabitants as the best means of preventing the escalation of the conflict there;
- (d) Allow the reopening of educational, cultural and scientific institutions of the ethnic Albanians;
- (e) Pursue constructive dialogue with the representatives of ethnic Albanians of Kosovo....<sup>15</sup>

Elisabeth Rehn, then UN Special Rapporteur on Human Rights in the former Yugoslavia, went to Pristina on 23 October 1997. She met with leading politicians and said she was very concerned about the latest development in Kosovo. At a press conference in Geneva she denounced "police brutality, with frequent use of torture," which she said was especially true towards Albanians in the Kosovo region.

In her report submitted on 31 October 1997, Rehn wrote of Kosovo: "The Special Rapporteur has continued to receive reports of serious ill-treatment and torture committed in Kosovo against persons in police custody. This violence has been mainly, though not exclusively, reported in connection with police raids and arrests undertaken as a response to violent attacks against the Serbian police and private individuals over the last year."<sup>16</sup>

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<sup>15</sup> UN Doc. A/RES/51/111 of 5 March 1997.

<sup>16</sup> Commission on Human Rights, UN Doc. E/CN.4/1998/15.

Specifically on the impunity of the police Rehn wrote: "Prosecutions against police for such practices [as ill-treatment and torture] are extremely rare. In Kosovo, where torture allegations are most numerous, only two policemen were sentenced to imprisonment for such practices between 1993 and late 1996."

In an open letter to Bronislaw Geremek, Chairman-in-Office of the OSCE, the International Helsinki Federation for Human Rights wrote: "The situation seems to be sliding out of control and heading towards large scale violence between Albanians and Serb police units. Every day, there are reports of more violent assaults and increased repression over Albanians in the form of Serbian reprisal expatriations." The International Helsinki Federation said it believed the policy of passive resistance will come to an end "if Serbian repression and reprisal campaigns do not stop and if the fundamental rights and dignity of the Albanians in Kosovo are not restored."<sup>17</sup>

Improvement by the government in Belgrade of its human rights record in Kosovo is one of the conditions that the US government put on lifting the "outer wall of sanctions." (See below, section III G, *Kosovo and the US*) and on recognising Serbia-Montenegro as the successor state of the former Yugoslavia. Consequently, there is no US Ambassador in Belgrade and the US continues to block Yugoslavia's entry into international organisations. For domestic purposes, Kosovar politicians often misrepresent the US government's strong stance on human rights as support for Kosovo's independence.

At the end of 1997, Kosovar students organised three peaceful demonstrations. During two of them (1 October and 30 December), Serbian police attacked unarmed civilians (both participants in the demonstrations and incidental witnesses) with truncheons and (1 October) also with water canons. The leaders of the 1 October demonstration were detained for several hours. (See below, section II F(4) *Students*)

Political trials are carried out with little respect for the rule of law. In three group trials, Kosovars were accused of belonging to the Kosovo Liberation Army, known by its initials in Albanian as UCK, (see below, section II J *Kosovo Liberation Army, UCK*) and of committing attacks on the facilities of the Serbian Interior Ministry and Serbian refugee centres. Following these trials, a total of 52 Kosovars were sentenced to an average of ten years in prison.

Commenting on the last trial in 1997, the Belgrade-based Humanitarian Law Centre (together with the Helsinki Committee for Human Rights in Serbia, the Belgrade Circle and a few smaller Serbian organisations that have an interest and an understanding of the Kosovo problem) declared:

The District Court sentenced 17 defendants charged with acts of terrorism and association for the purpose of hostile activity to long terms in prison without securing the presentation of relevant evidence and basing its ruling on the confessions extracted from the accused by torture during the investigation.... The defence counsel was not allowed to be present during all the investigative proceedings... nor was it allowed... free contact with its clients after the indictment was brought.... None of the witnesses at the trial identified the defendants as the persons who carried out the attacks in which the accused allegedly took part.... [Two men] who were charged with the same offences, died in investigative custody....<sup>18</sup>

In mid-March, after the crackdown by the Serbian police on the Kosovars in the Drenica region, Mary Robinson, the United Nations High Commissioner for Human Rights wrote to Milosevic asking him to let a UN investigator (Special Rapporteur on extra-judicial, summary or arbitrary executions) visit Kosovo in time to report to the UN Commission on Human Rights which opened an annual six-week session in Geneva on 16 March 1998. She also repeated her request to open an office in Pristina, the capital of Kosovo province.<sup>19</sup>

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<sup>17</sup> International Helsinki Federation for Human Rights, Open Letter, 12 February 1998.

<sup>18</sup> Humanitarian Law Center, 17 December 1997.

<sup>19</sup> Reuters, 12 March 1998.

In the wake of the repression wielded by the Serbian police in Kosovo, London-based Amnesty International called on Yugoslavia to open access to Kosovo. It said: "The denial of access and other threats to journalists, independent human rights monitors and humanitarian agencies means unrestrained police actions involving human rights violations which may include arbitrary killings, torture and arbitrary detention."<sup>20</sup>

The New York-based Human Rights Watch sent on 7 March 1998 an open letter to Judge Louise Arbour, Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia (Tribunal), which included the following:

Evidence strongly suggests that war crimes are being committed, including arbitrary and indiscriminate attacks against civilians and the summary execution of detainees. We call on you to launch an immediate investigation of these apparent atrocities and to announce your office's intention to prosecute those responsible before the International Criminal Tribunal for the former Yugoslavia. Prompt action by your office can help deter further atrocities and save lives....

Human Rights Watch recognises that the authorities may have to use force when confronted with an armed attack, but attacks against civilians and the summary execution of anyone in detention is a war crime, a severe violation of international humanitarian law. Given the level of armed conflict that has now broken out in Kosovo, common Article 3 of the Geneva Conventions, which governs internal armed conflicts, clearly applies. It requires that civilians and other protected persons be treated humanely, with specific prohibitions of murder, torture, and cruel, humiliating or degrading treatment.<sup>21</sup>

A few days later the Paris-based International Federation of Human Rights Leagues (FIDH)<sup>22</sup> called on the Tribunal to investigate the Serbia crackdown on the Drenica region in Kosovo. The report published by FIDH, titled *Kosovo under Milosevic's Terror* and based on reporting from observers who have recently spent time in Kosovo, says that human rights violations there have been widespread for years. In a statement FIDH said: "The acts committed by Serbian special forces indisputably come under the jurisdiction of the International Criminal Tribunal." Moreover, the US announced a \$US 1 million contribution to the Tribunal to investigate the recent violence.<sup>23</sup>

Physicians for Human Rights, a Boston-based group with wide experience in investigating reports of torture, disappearances, extra-judicial executions, and violations of medical neutrality, prepared a team of forensic experts to investigate the deaths of the Kosovars in the Serbian police crackdown in Drenica in February/March. It is not clear whether they will be granted the necessary visas and permission to carry out their work.

## **D. Evolution of the Status of Kosovo**

### **1. From Autonomy to Repression 1974 - 1989**

The 1974 Yugoslav Constitution gave Kosovo the status of an autonomous province of the Serbian Republic within Yugoslavia (*Socijalisticka Autonomna Pokrajina Kosovo*). Kosovars had their own Assembly, banking system, police, courts and educational system. They also had their own seat in the Federal Parliament, the Constitutional Court and the Presidency. This was less than the Kosovars wanted, being the third largest national group in Yugoslavia after the Serbs and the Croats, but the next higher status, that of "republic" would have included the right to secede, and this -- anathema to Serbs -- was obviously out of the

<sup>20</sup> <http://www.amnesty.org>.

<sup>21</sup> <http://www.hrw.org>.

<sup>22</sup> <http://www.fidh.imagnet.fr/uiindex.htm>.

<sup>23</sup> AP, 12 March 1998.

question. In 1981, Kosovar protests (for better living conditions, democratic reforms and “republican” status for Kosovo) brought mass arrests, long prison sentences and a purge of the local Communist leadership.

Milosevic’s notorious 1987 speech in Kosovo Polje (see above) came in response to a petition signed by more than 60,000 Kosovo Serbs. The petition warned that the Kosovo Serbs could no longer endure the “genocide” being inflicted on their community by Albanian irredentists and demanded the purge of Kosovo’s Albanian leadership.<sup>24</sup> In November 1988, Azem Vllasi and Kaqusha Jashari, two of Kosovo’s top Albanian leaders were dismissed and replaced with Milosevic’s appointees. The dismissals provoked widespread demonstrations among Kosovars, which turned into a general strike by February 1989.

Journalist Behlull Beqaj describes the events of that period:

All the achievements of the communist period began to crumble as a house of cards, especially on 27 February 1989 when the SFRJ Presidency confirmed that the situation in Kosovo had deteriorated and became a threat to the constitution, integrity and sovereignty of the country. Because of that, it made the decision to proclaim a state of emergency in Kosovo and thus opened the door of Serbia to cancel autonomy of Kosovo.<sup>25</sup>

On 28 February 1989, the Milosevic appointees in the Kosovo leadership resigned. Milosevic organised fresh rallies in Belgrade, attended by close to one million people, at which he promised that the organisers of Kosovo’s general strike would be punished.

The resignations were withdrawn; Vllasi was arrested on charges of “counter-revolution”; a partial state of emergency was imposed; and the military moved in. On 23 March 1989, Kosovo’s beleaguered Assembly, ringed by tanks and with MIGs flying low overhead, was coerced into accepting a new constitution returning authority to Serbia. Five days later, amid great rejoicing, Serbia’s Parliament formally approved the constitutional changes (which shifted control over the security forces and judiciary from the autonomous provinces to the central government). Albanians took to the streets to defend the old constitution and demonstrators clashed with armed police throughout the province. According to official figures, 24 people were killed.

In May 1990, in protest over Serbia’s interference, all Kosovars resigned from the Kosovo government. On 2 July 1990, having been prevented from meeting in the Kosovo Assembly building, the Kosovar delegates gathered outside it to proclaim their Declaration of Independence. Two months later (on 7 September) in Kacanik they proclaimed the Constitution of the Republic of Kosovo. One year later between 26 and 30 September 1991 a semi-underground referendum was held. Of 1,051,357 eligible voters, 87 percent participated and 99.87 percent of them opted for an independent Republic of Kosovo. The Republic of Kosovo was recognised only by Albania (1991).<sup>26</sup> Albania made it clear that it was prepared to reverse this decision.<sup>27</sup> No other state has openly supported Kosovo’s independence.

After declaring an independent Republic of Kosovo, Kosovars decided to organise parallel elections for parliament and president. They were held on 24 May 1992. For the parliament (where 14 of 130 seats were left vacant for Serb deputies to be elected by the Kosovo Serbs - who of course boycotted the elections) the winner was the Democratic League of Kosovo (*Lidhjes Demokratike të Kosovës*, LDK) with 76.4 percent, and that party’s leader Ibrahim Rugova was elected President. The parliament tried to convene (once) on 24

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<sup>24</sup> Christopher Bennett, *Yugoslavia’s Bloody Collapse*, Hurst & Company, London, 1995, p.92.

<sup>25</sup> “Ethnicity in Post-communism”, *The Albanians in the Post-communist Transformation of Yugoslavia*, Institute of Social Sciences, Belgrade, 1996, p. 226.

<sup>26</sup> Confirmed in March 1998 to ICG by the Protocol Department of the Ministry of Foreign Affairs in Tirana.

<sup>27</sup> VIP, 24 November 1997 (VIP is a subscription-based wire service in Belgrade which started in 1994. Its editor-in-chief is Bratislav Grubancic. Over the two years that ICG has been a subscriber, the service has proved to be extremely timely, accurate and objective. For this reason ICG has relied on VIP’s information, which on the subject of the Kosovo conflict is equally professional).

June 1992, but was prevented by Serbian police and later considered it too dangerous to meet. Several times petitions were made for the parliament to constitute itself; in 1997, 64 of the parliamentarians gave their signatures, but 66 were needed for the petition to be binding. Elections have been postponed several times: three times for the parliament (which has a four-year term) and twice for the president whose term is five years. As of the time of writing, they are planned for 22 March 1998.

## 2. Adherence to Non-violence 1989-1997

In order to understand the Kosovars' faith in the effectiveness of non-violent methods, optimism about the prospect of independence and belief in the imminent and widespread support they will receive from the international community, one has to remember the international political climate in which these attitudes were born. In 1989 radical political change through non-violent means seemed eminently possible: the Berlin Wall fell; in Poland, the strictly non-violent movement around the trade union Solidarity enjoyed worldwide support and brought down the totalitarian Communist rule; a dissident writer, Vaclav Havel, became president of Czechoslovakia; previously dependent territories such as the Baltic states were recovering independence and even imposing their own language on their former master. At that time, the idea that Kosovo, led by an intellectual who advocated non-violence, would become an independent republic, did not sound so outlandish.

Another reason for the strict adherence to non-violence were the orders passed down through the clan structure which dominates Albanian society. If leaders of extended Kosovar families decided that the best policy was non-violence, their wish was strictly observed. One may add - after the February/March 1998 events in the Drenica region - that if the clan leaders decided to support a guerrilla units or a liberation army movement, this wish would also be strictly observed. Although, as some Kosovars point out, the initial reaction to their revoked autonomy was to reach for their guns, clan leadership ensured that the politicians' call for non-violent methods would be obeyed. Blood feuds, which had hitherto characterised Kosovar society, were reportedly halted by the Institute of Albanology, though in a 4 March 1998 statement, the UCK swore revenge against Serbs: "We will wreak multiple vengeance for innocent deaths in the region of Drenica. We swear on their blood."<sup>28</sup>

## 3. Kosovo's Status, Differing Views

The actual status of Kosovo is viewed very differently by the two sides. The Serb view is that Kosovo is part of Serbia; that Kosovo has no right to self-determination or secession; that any extended self-rule by Kosovars would lead to secession and union with Albania; and that, consequently, the Kosovars must renounce secession in advance of any political agreement.<sup>29</sup> Serb politicians generally feel obliged to take the strongest possible stances towards Kosovo and often appear to be competing to come up with the most anti-Kosovar vitriol.<sup>30</sup> Predictably, this only exacerbates the existing ethnic mistrust, xenophobia and contempt.

The Kosovar view is clear. Kosovo has declared itself independent, and it is only a question of getting the international community to transform this dream into reality. Kosovars say that a "Kosovo Republic" within Serbia or Yugoslavia is not a just solution. Speaking after the Serbian police crackdown on the Drenica region in February/March 1998, Rugova said: "Former Yugoslavia has ceased to exist. Kosovo has its own borders and we have not asked for a change of borders. Perhaps Serbia does not think that way but an independent Kosovo is a good thing for Serbia."<sup>31</sup>

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<sup>28</sup> Reuters, 4 March 1998.

<sup>29</sup> The call by the Serbian authorities for the Kosovars to renounce secession was used by Belgrade as the main obstacle to negotiate with Pristina.

<sup>30</sup> Vojislav Seselj, leader of the Serb Radical Party and a narrow runner-up in Serbia's Presidential Election has called for the forcible expulsion of Kosovars.

<sup>31</sup> Reuters, 12 March 1998.

The idea of restoring the autonomy Kosovo enjoyed between 1974 and 1989 is no longer acceptable to Kosovars. While autonomy offered a satisfactory settlement in a Yugoslavia of six republics, such an arrangement is no longer appropriate, Kosovars argue, in the rump state that continues to bear the name Yugoslavia, but which has not been properly redefined (the non-recognition of FRY by the United States is used to support this argument). Furthermore, with "autonomy," Kosovo runs the risk of having it stripped at Serbia's whim, as in March 1989. Kosovars also feel offended when they are treated as a minority because, in Kosovo, they form the majority. In their contacts with Serbia (a foreign country in their view), Kosovars say they want international mediation because such mediation bestows a character of "international" negotiations on such talks, and also because Serbia cannot be trusted. Kosovars rightly fear that without international mediation they would be in a very weak position.

Until recently, virtually all Kosovars backed the LDK and its vision that non-violence and lobbying could persuade the international community to support Kosovo's independence. In the past year, however, as the LDK failed to deliver, there has been growing support for civil disobedience (such as that practised during students' demonstrations) and even for more radical, violent actions (such as those claimed by the Kosovo Liberation Army, UCK). While demonstrations and terrorism may never become the option of choice, they may force the LDK to stop promising the impossible and begin seeking realistic solutions.

Officially, Kosovo remains an integral part of the Republic of Serbia; one of the two constituent republics which make up the Federal Republic of Yugoslavia (FRY). Kosovo and Metohija is defined in the current Serbian Constitution as an autonomous province together with Vojvodina.<sup>32</sup> In April 1996, EU member states recognised the FRY and restored diplomatic relations. However, the US refuses to follow suit and US diplomats officially call the country "Serbia-Montenegro".

In many spheres of life, including politics, education and health-care, the boycott by Kosovars of the Yugoslav state is almost total. Other elements are more or less grudgingly accepted. Although Kosovars refuse to recognise that their land is part of Serbia or Yugoslavia, they carry Yugoslav passports. (For some of them - especially active politicians - the Belgrade regime holds up issuance or renewal of passports for unusually long periods of time.) For instance, student leader Driton Lajci told a Belgrade daily recently: "I use a Yugoslav passport. I am not a citizen of Serbia. We are at the start of creating our state, so we must use certain interim means. The beginning is always difficult."<sup>33</sup>

Kosovars use and pay for utilities from the FRY and pay taxes to it (on top of parallel taxes paid to the self-styled "Republic of Kosovo"). The Yugoslav post-office and telephone company operates in Kosovo, and Yugoslav dinars are the currency. Yugoslav courts and police function (13,000 strong), and the Yugoslav National Army (VJ) has 6,500 troops stationed there.<sup>34</sup> In addition, Kosovars increasingly turn to Serbian health facilities when their parallel system cannot provide adequate care (See below section II G, *Health Care*).

The Yugoslav flag is displayed on Yugoslav state holidays. Kosovars can only fly the Albanian flag (which they consider their own), at weddings, so they make the most of these occasions. The borders of Kosovo are Yugoslav borders, and in November 1997 the borders with Albania were re-opened (after being closed because of unrest in Albania) via a Federal decision from Belgrade although it concerned only the Kosovo-Albania border. The Montenegro-Albania border remains closed. While the entire FRY has been hit by the economic sanctions (first total, now partial), Kosovo is at the very end of any waiting list for repairs,

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<sup>32</sup> Constitution of Republic of Serbia (*Ustav Republike Srbije*) art 6. says "Autonomous provinces of Vojevodina and autonomous province of Kosovo and Metohija exist in Republic of Serbia as forms of territorial autonomy. In chapter 6, art. 108-112 this territorial autonomy is further defined. Also worth mentioning is that ethnic Albanians, or indeed any other ethnic and/or national group is not mentioned in the Constitution which states (art. 1) "Republic of Serbia is a democratic country of all citizens who live in it. However the highest legal act of the autonomous province is the statute not the Constitution (*statut*, not *ustav*) which has to be approved by the People's Assembly of Republic of Serbia. An autonomous province doesn't have a government but an Executive Council; it also has an Assembly.

<sup>33</sup> *24 Casa*, quoted by VIP, 17 February 1998.

<sup>34</sup> Associated Press, 4 March 1998.

improvements and investments. As a result, the gap in the standard of living between the province and the rest of Serbia is increasing.

Kosovars refuse to participate in Serbian or Yugoslav political life. The leading Yugoslav political parties all have offices in Kosovo and claim some Kosovar members, but essentially they are "Serb-only" institutions. In 1997 several Kosovars accused of collaborating with the enemy were attacked, including Chamijl Gasi, head of the Socialist Party of Serbia in Glogovac, and a deputy in the Yugoslav Assembly's House of Citizens who was shot and wounded in November.<sup>35</sup> The lack of interest of Serb political parties in wooing Kosovars is understandable. Kosovars have systematically boycotted the Yugoslav and Serbian elections since 1981, considering them events in a foreign country.

In addition to the obvious consequences of their political stance, the Kosovar boycott contributes to the radicalisation of Serbian and Yugoslav politics. For example, a notorious war criminal such as Zeljko Raznjatovic "Arkan" stood for parliament in Kosovo because no Kosovars were going to oppose him at the polls, and, in August 1996 he publicly paraded into two towns in Kosovo at the head of his paramilitary force, "The Tigers". To be elected to the Serbian Parliament from Kosovo, only 5000 votes are needed, as opposed to 15,000 in other parts of Serbia.<sup>36</sup> Predictably, in the fourth and final round of Serbia's presidential elections, Vojislav Seselj of the Serbian Radical Party claimed that it was precisely in Kosovo, (where there was little supervision and many unclaimed ballots) that votes were stuffed in favour of his opponent.

Kosovars have not served in the army since 1989. On this issue there seems to be a tacit agreement between the two sides. The Yugoslav authorities have obviously no interest in giving weapons to a very hostile youth that feels persecuted and subjected to apartheid-like rules, and Kosovars have no wish to serve in what they view as an army of occupation. While draft papers are issued, draft dodgers are not punished. Indeed, they are almost encouraged to emigrate to avoid serving.

## **E. Parallel Institutions**

### **1. Government and Political Life**

Although the Republic of Kosovo's parliament has never met, its thirteen commissions are working, especially the education, finance and health commissions. A "temporary" coalition shadow government was formed on 19 October 1991, comprised of six ministries. All but one of the ministers live abroad. Prime Minister and at the same time Foreign Minister is Bujar Bukoshi (a physician, urology specialist and former LDK secretary); the Information Minister is Xhafer Shatri; the Education Minister is Ljubljana-based Muhamed Bicaj; the Finance Minister is Isa Mustafa; and the Justice Minister is Halid Muharremi. The Health Minister, Adim Limani, is the only minister who lives and works in Kosovo.

The shadow government plays an important role by collecting "taxes" abroad -- all Kosovars in the Diaspora are supposed to contribute 3 percent of their income to the Republic of Kosovo. This helps finance political activity, the education system and health care. However, in 1995, sharp political divisions appeared between Prime Minister Bukoshi and President Rugova. As a result, in mid-1997, foreign remittances were cut, with only the education and health contributions maintained at previous levels. In August 1997, the Pristina Albanian-language weekly, *Zeri*, wrote that Rugova was planning to replace Prime Minister Bukoshi and listed three possible replacements.

In an interview with the Split-based Croat weekly *Feral Tribune*, Bukoshi did not spare critical words about Rugova. He said: "President Rugova creates the policy, and the government implements it and as such encounters concrete and tangible problems. This is where there is a conflict between us. He is so reserved,

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<sup>35</sup> Tanjug, 19 November 1997.

<sup>36</sup> *Nasa Borba*, 8 December 1997.



withdrawn, slow; he is always waiting for something to happen. We all waited for too long, but with good intentions and naive hopes."<sup>37</sup>

Kosovar authorities have generally had problems raising money in the past five years. Since the Drenica violence at the beginning of 1998, however, the inflow has exceeded all expectations. A large financial mobilisation is now under way, particularly in Aachen, Germany. Many Kosovars are choosing to contribute to the fund of the Kosovo Republic rather than to the fund of the largest Kosovar political party, the LDK, as a result of the rift between the government-in-exile and President Rugova, the LDK leader.<sup>38</sup>

Kosovars in the Diaspora tend to be more radical in politics and more realistic in the way they see their homeland's prospects than their counterparts in Kosovo, as is often the case with émigré communities that have a wider perspective. Here, for instance, is an excerpt from an Albanian language newspaper published in Zurich.

The people [in Kosovo] should not be lured with statements that have controversial content, such as: "This week Kosova was at the centre of international attention," or "I returned from the United States, where we found complete understanding," and so on and so forth, followed by other statements that this "good understanding" is in fact in opposition with our goals and with the "hopes" that we have so far cherished about the assistance rendered by the international factor.<sup>39</sup>

In February 1998, the Kosovo Information Centre, which is a *de facto* organ of the Kosovo shadow leadership issued a statement on the legitimacy of government institutions in Kosovo. It is worth quoting as an illustration of the Kosovar point of view:

The mainstream democratic institutions in Kosova have been built upon a legal and constitutional basis that Kosova enjoyed as one of the eight equitable federal units of the now defunct Yugoslavia.... Kosova had its own Parliament, Government and Presidency, all of them on a par rather than subordinate to Serbian counterpart institutions. All these institutions have operated in specific circumstances after the 1990 Serbian aggression.... The citizens of Kosova have resisted Serbian occupation, and rejected collaboration or subjugation, by building up and maintaining an infrastructure of democratic institutions. This infrastructure, which has served the citizens of Kosova and made their survival possible on an institutional basis, cannot be called illegal or parallel. It is Serbian-installed institutions in Kosova that can be duly and meaningfully, though mitigatedly, dubbed parallel institutions. They are nothing less than occupation authorities, as a matter of fact, whose only goal has been to make the life of the majority Albanian population impossible and forcing them flee their own country.... The coming parliamentary and presidential elections, scheduled for 22 March 1998, will be a new step to reconfirm this bid ["aspirations to live a dignified life in their own free and democratic, independent country"]. The Kosova Albanians can represent themselves; they need not be represented [by the Albanian government which prompted these remarks with its offer to mediate talks]. President Ibrahim Rugova and his government are the legal representatives of this nation. The world has duly acknowledged this, as Dr Rugova's high-level meetings with heads of states, prime ministers, foreign ministers, have manifested.<sup>40</sup>

## 2. Democratic League of Kosovo

<sup>37</sup> *Feral Tribune*, 9 March 1998.

<sup>38</sup> VIP, 9 March 1998.

<sup>39</sup> *Bota Sot* [The World Today], 20 August 1997.

<sup>40</sup> Kosova Daily Report #1342, 10 February 1998.

The most popular Kosovar political party, Democratic League of Kosovo (Lidhjes Demokratike të Kosovës LDK), was founded in December 1989. It claims 600,000 members and sympathisers. In the May 1992 parallel elections, it won 76.44 percent of the vote, and 96 of a total of 130 seats. Ibrahim Rugova, a professor of Albanian literature with a doctorate from the Sorbonne who was born in 1944, was elected head of the LDK in 1989 with 95 percent of the vote. Rugova, whose trademark is a scarf around his neck, is a former member of the League of Communists of Yugoslavia who was expelled after signing a petition against an amendment to Serbia's constitution. In the 1992 elections, Rugova received the mandate of leader of the Kosovars (while the Kosovars consider him their "elected president", the Serbs acknowledge only that he is "a representative"). At the beginning of the Kosovo independence movement, Rugova was extremely popular as a cultured European intellectual. He has maintained this image by acting like a head of state and cultivating contacts at the highest level, which are often presented as major diplomatic breakthroughs in LDK-controlled publications.<sup>41</sup>

A week after the major crackdown by Serbian police on Kosovars in Drenica, Rugova spoke with an American journalist about the moral dilemmas he faced, having refused to talk to Serbs dispatched by Milosevic. His response is indicative both of his personality and vision:

An Albanian who reads Hamlet understands his philosophical and moral dilemma, Hamlet's commitment to justice, and his understanding of its tragic dimensions, speaks to Albanians here, especially young Albanians. Shakespeare could almost be a domestic writer. The Serbian regime would like to see all Albanians leave Kosovo. The fact that we have our own government, our own system, that we are still here as a nation struggling for our freedom, can be considered a significant achievement.<sup>42</sup>

Since Rugova is a writer, it is fitting that the LDK office be the headquarters of the Kosovo Union of Writers. It is a small wooden house consisting of just one big conference room with one big table. On one side sit officials of the LDK, and on the other, their guests -- foreign diplomats, local and foreign journalists, representatives of NGOs. If Rugova is inside, a black Audi limousine is parked outside. Sometime in 1997, the LDK acquired a second office in a centrally-located apartment block.

The Kosovo PEN Club<sup>43</sup> headquarters serves as the LDK's Information Office. Every foreign guest is acknowledged in a communiqué with a very distinctive style. The following is a sample press release, in the English version provided by the Kosovo Information Centre:

President Rugova expressed gratitude to a number of diplomatic crews and organisations who visited Kosova over the past week, including heads and officials of embassies of Germany, Austria, Belgium, as well as representatives of the US organisation World Vision International, who promised assistance to Kosova. The Kosova leader praised the US President Bill Clinton for his "efforts to secure democracy in different countries of the world, as a part of American political philosophy since President Wilson. He said he hoped that in this respect President Clinton will help Kosova too. Dr Rugova also expressed his acknowledgement to Mr Alois Mock, and Austrian Parliament Speaker Hans Fischer for their engagement for a just settlement of Kosova, as well the State Secretary in the British Foreign Office who called for an early establishment of an EU office in Kosova.<sup>44</sup>

Rugova holds weekly press conferences at the LDK headquarters every Friday which are as uneventful as press conferences come. For those who cannot attend them they are reported on a useful website: "<http://www.hri.org/news/balkans/kosova>".

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<sup>41</sup> The Belgrade opposition daily *Nasa Borba* recently ran a portrait of Rugova under the telling title, "The man with a European scarf".

<sup>42</sup> *The New York Times*, 13 March 1998.

<sup>43</sup> The Kosovo Pen Club is a member of the International PEN (Poets, Essayists and Novelists), a world-wide network of writers.

<sup>44</sup> Kosova Daily Report # 1345, 13 February 1998.

Well-dressed bodyguards surround Rugova, and he is always with assistants who obviously fear him. Even the highest ranking LDK officials are nervous when Rugova is about to walk from the little room to the big room in the office. He projects an image of a powerful statesman and contradicts the image presented in his rhetoric: that of an oppressed victim. Moreover, individual members who may differ in opinion from Rugova say so only after being assured that their names will not be used. Tim Judah, a British journalist and historian of Yugoslavia, considers the LDK to be a curious mirror-image of Milosevic's SPS party. He says: "The LDK brooks little dissent and those that challenge it are howled down in LDK publications and can even be ostracised in the tight-knit Albanian community."<sup>45</sup>

There is more rhetoric about Kosovo than real interest and commitment. Ultimately, this hurts the case of Kosovo by creating false expectations among Kosovars. Rugova always travels in style, and high ranking officials in the LDK say that they are conscious that this may be criticised by the pauperised population of Kosovo. On the other hand, they say "Kosovars need their president to be presidential."

Over a year ago, there seemed to be a strong faith in Rugova among ordinary Kosovars. According to an opinion poll carried out in October 1996 among 728 Kosovars by the Belgrade-based wire agency BETA, 85.2 percent of those surveyed considered Rugova to be the true champion of Kosovar interests. This seems to be near blind obedience, if one is to judge by the following combination of data obtained in the same poll: the boycott of federal and local elections (in the autumn of 1996) was supported by 80 percent of those surveyed, yet almost 90 percent said they would vote if Rugova and the LDK told them to do so. A similar poll conducted today would probably give much less support to Rugova, as the voices of dissent are getting louder.

In 1997, factions within the LDK were clearly visible: they were the result of growing dissatisfaction with the passivity of the non-violent policy advocated by Rugova. According to local observers in Pristina, the leader of the radical faction was Hydajet Hyseni (born in 1955), who was sentenced to 15 years in prison for his participation in the 1981 demonstrations<sup>46</sup> and served 10 of them. He is known as the "Che Guevara" of Kosovo.

The moderate faction was led by another prominent LDK leader, the much older Fehmi Agani, a sociology professor. Both men were deputies of Rugova until February 1998, and both believed that the LDK must become more active, lest other options appeal to Kosovars. Rugova's fiercest critics include Luljeta Pula-Beqiri, who leads a faction of the Social Democratic Party of Kosovo, PPK president Adem Demaci, vice president Kosumi, Hydajet Hyseni, until recently LDK vice-president and head of a radical wing of the party, and a separate group of former political prisoners.<sup>47</sup>

Until now the LDK's programme has consisted of maintaining some parallel state structures (i.e., education and health systems) and continuing the pressure on the international community to get involved in solving the Kosovo question. For the local audience, the LDK offers the "propaganda of success": everyone supports us, international involvement is imminent. But critics say this is an "administration of cultural autonomy".

Finally, the long overdue internal party elections were held in December 1997 and the Executive Committee of the LDK, which had gone a year and a half without meeting, held an assembly meeting on 25 February 1998.<sup>48</sup> It was held in the Pristina downtown restaurant "Dora" and attended by 242 delegates. Rugova proposed amendments to the LDK statute which would give him more say in the choice of the senior

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<sup>45</sup> Tim Judah, "The Serbs," Yale University Press, 1997, p. 305.

<sup>46</sup> He is on a famous photograph of the 1981 demonstrations, addressing the crowd through a bullhorn.

<sup>47</sup> VIP, 9 March 1998.

<sup>48</sup> *Koha Ditore* dated 26 February 1998 ("Democratic League of Kosovo becomes Democratic League of Rugova") quoted one member of the presidency "Rugova is a personification of the independence of the Republic of Kosova, and there is no reason why the LDK should not also be called the Democratic League of Rugova." A dispute followed ended by Rugova "Look folks, this is no good; are we getting on with the job or not; I'm president and who do you think you are; hang on, this is what I say; OK, OK, cool it."

officials in the party. As a result, he proposed 55 candidates for the 55-strong General Council and the 242 delegates proposed 20 other candidates. Hydajet Hyseni and others opposed this amendment and withdrew their own candidacies. Other outgoing presidency members followed suit, and after a long debate, the whole outgoing presidency decided not to be candidates to the new LDK general council.

In short, this reshuffle means that Rugova has strengthened his own position by dropping all of his closest allies, since neither Hyseni nor Agani, nor any other previously senior LDK official (save Rugova himself) is in any ranking position in the LDK. Speaking with a reporter from the VIP news service, Hyseni said: "The manipulation of the Convention, the imposition of a new executive committee, the ouster of people who had helped the LDK survive and who had contributed to the unity of the party, and the introduction of people who have destroyed the good image of the party and were involved in various scandals in Kosovo - all this has prevented me and many others from being among the LDK's leaders."<sup>49</sup> Meanwhile, the Kosova Information Centre, which is Rugova's mouthpiece, carried his comments on the split: "The Convention proved that the LDK is not only a party of its functionaries and of separate streams, but rather a party of broad membership... Members of the outgoing [LDK] Presidency will continue to be my associates, and any of them who wishes can join in our common activity."<sup>50</sup>

### 3. Parliamentary Party of Kosovo

The Parliamentary Party of Kosovo (Partia Parlamentare e Kosovës or PPK) is the second largest party in Kosovo (4.86 percent of votes in the 1992 elections, one seat in the Parliament). It was founded by Veton Surroi (today the editor-in-chief of the daily newspaper *Koha Ditore*) from the so-called Youth Parliament. In 1993, Bajram Kosumi (born in 1960) became the chairman of the PPK. In March 1981, he took part in student demonstrations at the University as a student of literature and was sentenced to 15 years imprisonment and was released after serving nine years and eight months as a result of a 1990 amnesty.

Another Kosovar leader, Adem Demaci was released from prison as a result the 1990 amnesty after 28 years of incarceration between 1958 and 1990. In 1991, Demaci, who was born in 1936 and is often called "the Mandela of Kosovo", was awarded the Sakharov Prize for Peace. That year he also became the president of the Human Rights Council as well as editor-in-chief of the weekly *Zeri*, where he remained until 1993. In December 1996, Demaci embarked on a political career. He joined the PPK and a month later was elected its chairman, with Bajram Kosumi becoming Deputy Chairman.

Demaci's arrival in politics generated hope and expectation among ordinary Kosovars. Demaci was a man with, what is known in all totalitarian states as, an "impeccable prison record". The many years he spent in prison protected him against possible accusations of being soft. He called for open protests against the Serbian regime saying that non-violence does not necessarily mean passivity. At the end of January 1998, perhaps spurred into action by student protests and by the increased military operations of UCK, the PPK began a visible, yet non-violent protest campaign against Serbian rule. This consisted of calling on Kosovars to turn off their lights for five minutes and to stand still in the street for one minute at precisely the same time.

Nevertheless, a year after assuming the leadership of the PPK, Demaci has failed to follow his pro-active rhetoric with sufficiently pro-active actions. The reason he gives for the PPK not calling for more substantial demonstrations is that the "LDK would block them." The most original of Adem Demaci's projects is "Balkania", a vague idea of "a confederation or an association of sovereign states consisting of Kosova, Montenegro and Serbia." The document, distributed by the PPK in English, does not explain how Kosovo would turn from an underdog and a victim of a police state into a "sovereign state". Instead, it discusses other issues. Among them that each state of "Balkania" would "keep its seat in international organisations" such as the UN (how Kosovo might get this seat in the first place, given that neither Serbia nor Yugoslavia currently has one, is not explained). Even the actual design of the flag is provided: "the flag of Balkania is composed of silk of bluish colour, with dimensions one with one. In the centre of the square

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<sup>49</sup> VIP, 2 March 1998.

<sup>50</sup> Kosova Daily Report # 1356, 27 February 1998.

there is a white bicephalous eagle, while in the lower part of the flag, in an arch form, there are three yellow stars.”

When the government changed in neighbouring Albania, Demaci declared, with little political wit, that he could not work with Fatos Nano, the (formerly Communist) new prime minister of Albania. Furthermore, in August 1997, four senior party officials were fired from the PPK after they traveled as a delegation to Tirana following the victory of the Socialists and Fatos Nano in the elections there. At the time Demaci said: "As long as I am here, there will be discipline and order and we will not allow people to behave just how they please."

More recently, Demaci's moves have been increasingly bizarre. In late February 1998, the Federal Republic of Yugoslavia denied Max van der Stoel, the OSCE's high commissioner for minorities, a one-year visa for a fact-finding mission. He, nevertheless, made it to Pristina on a private visit only to find that Demaci refused to meet with him. The reason -- according to Demaci -- was that van der Stoel is in charge of minorities and that Albanians are a nation and not a minority in Kosovo. The other reason -- even more convoluted -- was conveyed to journalists by the PPK Deputy Chairman Bajram Kosumi who said: "Mr van der Stoel has not been granted a visa for an official visit to Kosovo and was therefore on a visit as a private citizen." Strange sentiments from a man who rejects Belgrade's authority over Kosovo. While Adem Demaci has committed several tactical errors, his position is not easy. On the Yugoslav level, he effectively finds himself dissenting from a dissident (i.e. Rugova) and in opposition to the opposition (i.e. LDK).

#### 4. Other Parties

Though officially illegal, there are some twenty non-Serb political parties in Kosovo, (see Appendix, "Who is Who") the most important of which are grouped in a Co-ordination Committee. Created after the 1992 elections, the Committee has mostly been dormant. It, nevertheless, contains the Democratic League of Kosovo, (LDK), the Parliamentary Party of Kosovo, (PPK), the Peasants' Party of Kosovo, the Albanian Party of National Unification (UNIKOMB), the Christian Democratic Party and two wings of the Social Democratic Party. The Party of Democratic Action, (SDA), an off-shoot of the Sarajevo-based SDA, is also active in Kosovo. Its members are mostly Muslim Slavs who constitute about 2.5 percent of the Kosovo population.

In November 1997, Demaci revived the idea of a common Kosovar front by creating a so-called Democratic Forum. By the end of the year, the Forum consisted of four political parties and seven non-governmental organisations. Demaci declared that Kosovars must "present themselves within a new form of political activity as an unavoidable force whose will must be respected" and added that he was against "the monopoly and unlimited power of the LDK".<sup>51</sup> On 27 January, in perhaps its first major public action, the Democratic Forum wrote to the Contact Group, the Organisation for Security and Cooperation in Europe, UN General Assembly and European Parliament warning those institutions of "the possibility of a wider escalation of the conflict in Kosovo." It turned out to be a very prophetic warning.

Dissidents within the LDK (on condition of anonymity) and political opponents (especially from the Parliamentary Party of Kosovo) have tired of the failure of the LDK to deliver its promises. Here is what Demaci said in August 1997 upon Rugova's return from the United States:

Mr Rugova started this tune of [incessant repetition of the option of independence] a long time ago. He has been inactive. He has failed to place daily life in Kosova on an institutional footing. He has failed to unite the Albanians and bring them closer together. He has failed to convene the parliament of Kosova. He has burdened the Albanian people with payments for their own teachers, which means that they support two states<sup>52</sup>

<sup>51</sup> VIP, 26 November 1997.

<sup>52</sup> Interview *Koha Ditore*, 18 August 1997.

and then

Rugova continues to say that the United States supports us and will support us even more. The United States is saying, clearly and decisively, that 'you can only find a solution with autonomy within the framework of Serbia and Yugoslavia. So where is the support? In remaining a colony of Serbia?'<sup>53</sup>

In mid-February 1998, a rather unusual meeting took place between representatives of the LDK and PPK (although the two godfathers - Rugova and Demaci - were not present). After the meeting, Bajram Kosumi of the PPK said that there should be many more such meetings in the future, whereas Fehmi Agani of the LDK announced that there should be meetings with other parties too.

The Forum of Albanian Intellectuals of Kosovo, headed by writer Rexjep Qosja, criticised Rugova for what it called wrong policies "which have given no results in the past seven years." The statement made reference to Greater Albania and said that: "The Forum cannot tolerate behaviour and political activities which make the role of Albania as a state fade and the weaker position of the ethnic Albanians as a nation," and urged a dialogue.<sup>54</sup>

## 5. 22 March 1998 Elections

On 24 December 1997, when the mandate of the shadow parliament and shadow president were to expire once again, Rugova announced new elections for 22 March 1998. Whether or not they will take place is still not clear. The Serbian police clampdown in Drenica, which began on 27 February, is another legitimate reason to reconsider the voting. Another point to bear in mind is that the Belgrade authorities were pre-occupied with the wars in Croatia and Bosnia at the time of the last Kosovar election in May 1992. This is no longer the case.

The ambassadors to Belgrade of the Troika of countries heading the OSCE (currently Poland, Denmark and Norway) visited Pristina on 2 and 3 February 1998. In his report, Ambassador Dabrowa of Poland wrote: "[The LDK leader] Rugova indicated his wish that the OSCE arrange a presence of its electoral observers in Kosovo on 22 March to confirm the democratic character of the elections. We explained why this was not possible."<sup>55</sup>

Rugova called on Serbs from Kosovo to vote in the parallel elections and said that they would enable Belgrade and Kosovars to establish a dialogue. Rugova is the presidential candidate for the LDK. Luljeta Pula-Beqir was nominated by the Social Democratic Party. She said at the time that if elected she will call for the urgent constitution of a Kosovo parliament and government.<sup>56</sup> On 21 January, Belgrade press reported that the PPK was proposing Demaci as its presidential candidate. However, a day later, Demaci declined the candidacy: "I will not agree to be a player in the shameful game which Ibrahim Rugova and his people are staging. I don't want to participate in the poisoning of our people through political deception."<sup>57</sup>

After the events in Drenica, the opposition to holding the elections on 22 March was almost unanimous. Adem Demaci demanded that Rugova postpone the elections until "better times." The Forum of Albanian Intellectuals asked for the same thing and said that the announcement of elections was "an absurd, morally base and politically harmful decision" because "contesting the parliamentary and presidential elections while we have casualties in the country is tantamount to an insult to these victims, their families, and the entire people of Drenica and Kosovo."

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<sup>53</sup> *Koha Ditore*, 20 August 1997.

<sup>54</sup> VIP, 28 January 1998.

<sup>55</sup> "Report of Ambassador Slawomir Dabrowa ...", CIO.FR/1/98, 11 February 1998.

<sup>56</sup> VIP, 12 February 1998.

<sup>57</sup> VIP, 21 January 1998.

The independent daily *Koha Ditore* editorialised that holding the elections would be detrimental to the Kosovo Albanian political forces' international reputation, and would upset the Albanian forces' internal relations. *Bujku*, a de facto organ of LDK, featured LDK's call on Albanians to turn out at the elections as the leading news.<sup>58</sup> Also one of the former vice-presidents of LDK, Hydajet Hyseni is reportedly opposed to holding the elections as is the Kosova Liberation Army, UCK and the Kosovar Students' Union UPS. In a statement published in *Koha Ditore* UCK said that elections had to be put off "because of the state of emergency in Kosovo and state of war in Drenica." UCK also announced that it will not recognise elections "until the country is liberated" and it accused Rugoova of "causing discord among Kosovo Albanians."<sup>59</sup> "The only other candidate Luljeta Pula-Beqiri withdrew her candidacy saying "there is a martial law in Kosovo."<sup>60</sup>

## F. Education

### 1. History of the Conflict<sup>61</sup>

According to the 1974 Yugoslav Constitution, as an autonomous province Kosovo had full decision making authority over all levels of education -- primary, secondary and higher education. Classes in the province's primary schools were held in Albanian, Serb and Turkish, with parents choosing the language of instruction in the first grade. The teachers were different for each language profile, but pupils mixed in the playground and in extra-curricular activities such as sports. In 1988, non-native language classes were introduced as compulsory starting in the first grade. While less than ideal, the system worked.

The problems in the field of education started in August 1990, when the Serbian parliament repealed the entire body of education legislation passed by the Kosovo parliament and adopted uniform curricula for primary and secondary education throughout Serbia, dropping the special Kosovar curriculum. The differences were in the teaching of history, the Albanian language, geography, art and music. The uniform music curriculum, for example, contained only two songs in the Albanian language. While sufficient for children in Belgrade, this was unacceptable in Pristina or Pec.

Kosovar teachers refused to adopt the new curriculum. In response, the Serbian authorities cut off funding for Albanian-language schools; first secondary, then primary. In the summer of 1991, the Serbian authorities restricted Albanian-language enrollment in secondary schools. Only 10,000 seats awaited 35,000 Kosovar primary-school graduates. By comparison, Serb-language secondary schools in Kosovo provided 5,535 slots, slightly more places than primary-school graduates.

At the beginning of the 1991/92 school year, Serbian police prevented Kosovar teachers and students from entering their school buildings. In early January, the majority of Albanian-language secondary schools classes started the second term in private homes. Some students tried to enter the schools again at the beginning of the next school year but were again prevented by the Serbian police.

Pristina University soon followed. Administrative measures (i.e. Serb control) were introduced first at the medical school and the university library, then at all other departments, and, shortly afterwards, at the Kosovo Textbook Publishing Company. On 1 October 1991, at the beginning of the new academic year, police blocked the entrances to all university departments preventing students from entering. University classes resumed in private homes.

By the end of 1991, 863 teachers and administrative staff had been dismissed from Pristina University. The official reasons given were: opposition to the administrative measures; arriving late for work; and leaving work without permission from the dean (based on the Law on Labour Relations in Exceptional Conditions).

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<sup>58</sup> VIP, 17 March 1998.

<sup>59</sup> *Koha Ditore*, quoted by VIP, 19 March 1998.

<sup>60</sup> VIP, 18 March 1998.

<sup>61</sup> For an excellent report on education in Kosovo see Humanitarian Law Center paper dated December 1997.

In all, more than 18,000 teaching and non-teaching staff of Albanian-language schools and university departments were dismissed.

## 2. The Parallel Education System

The parallel Albanian-language education system in Kosovo currently serves a total of 266,413 primary schools pupils, 58,700 secondary schools students, and 16,000 university students, an undertaking on a scale that has no parallel.

Since primary education is compulsory in Yugoslavia, the Serbian authorities interfered much less in primary schools than in secondary schools and at the university level. However, 34 Albanian-language primary schools are still unable to hold classes in regular school buildings. When they do share the building with Serb children (835 schools), Kosovar children are relegated to afternoon and evening shifts. Premises are strictly divided, often with separate entrances for Serb and Kosovar children. In some schools, a wall, built along the middle of the entrance hall, separates the two communities completely. Typically, teaching aids are concentrated in a few classrooms on the Serb side of the school.

The primary schools curriculum in the parallel system is largely as it was before 1990, only now textbooks for Albanian-language education are printed in an undisclosed location for fear of being closed down. The major difference is in funding. The Serbian state partly finances schooling by paying the salaries of the non-teaching staff whose work benefits all ethnic groups sharing the premises. However, most expenses, and teachers' salaries, are covered by the 3 percent contribution that all adult Kosovars (both in Kosovo and in the Diaspora) make to maintain the parallel state's institutions. Local observers estimate that between 1992 and 1996/97, the parallel system spent almost 90 million German marks on salaries of teaching and non-teaching staff and for other material needs such as the painting, cleaning and reconstruction of schools. About one-third of this sum came from the Diaspora.

It is interesting to note that children of the 20,000-strong Turkish minority learn according to the old curriculum which has been updated and translated into Turkish. The language, history and culture parts of the curriculum have been adapted for the Turkish students. There are about 2,000 Turkish children in primary and 400 in secondary schools.

At the end of 1992, then Yugoslav Prime Minister, Milan Panic, offered to allow Kosovar children to learn according to a curriculum worked out by Kosovar teachers in 1990. However, the parallel state's authorities thought that such a deal would compromise the independence of their school system from that of Serbia's. Also, at the time, the Kosovars hoped to internationalise their plight for independence, while Panic wanted to keep the issue out of the international spotlight. The talks broke down without result.<sup>62</sup>

## 3. Education Agreement

In 1996 the Italian Catholic group *Comunita di Sant'Egidio* (which has previously mediated many other political and ethnic conflicts and which is partly funded by the US government through the US Institute of Peace) offered to mediate the education dispute in Kosovo. The negotiations were kept secret, carried out in Rome with the involvement of the Yugoslav ambassador who is an active member of JUL, the political party headed by Milosevic's wife, Mira Markovic. Eventually, on 1 September 1996, Rugova and Milosevic, then President of Serbia, signed an agreement on the normalisation of education in Kosovo, the so-called Rome Agreement.

The Agreement consists of exactly nine sentences of which the key one reads: "Therefore, the agreement foresees the return of Albanian students and teachers to the school buildings."<sup>63</sup> Another states: "Owing to

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<sup>62</sup> *Transition*, Vol.3, No.4, 7 March 1997.

<sup>63</sup> I questa linea, l'accordo raggiunto prevede il ritorno degli studenti e degli insegnanti negli edifici scolastici.



its social and humanitarian importance, the Agreement is above any political debate," and envisages the forming of a mixed group (known as "3+3" because of the number of negotiators on each side) to oversee implementation.

Thirteen paragraphs containing "First Measures of Normalisation of the Education System in Kosovo" follow. They indicate which buildings will be accessible to Kosovar pupils and students. Contrary to what Kosovar student delegates claimed when they staged their protests in October 1997, the document also mentions the university as follows:

...it was negotiated and decided what follows: I. That normal academic activity of school and of university will recommence... II. That all school and university premises and other connected spaces will be used again like they were used before the interruption of the common utilisation without any conditions. Those will have to be made available in proportion with the number of pupils and students. This means that will be made available... the premises of the seven post-secondary schools and of the 13 faculties, hereafter enumerated, with the annex spaces: the university and public library, the institutes, the dormitories, the canteens and the gyms.<sup>64</sup>

An annex contains a list of 24 primary schools, 66 secondary schools, seven post-secondary schools and 13 faculties of Pristina University, to which ethnic Albanian students are to be given access. The Agreement does not deal with the curriculum, recognition of diplomas, division of school space for classrooms or instruction in different languages, and only temporarily resolves financial regulation.

The members of the Serbian delegation were Dobroslav Bjeletic, director of the Serbian Textbook Publishers; Goran Percevic, a high official of the Socialist Party of Serbia (SPS); and Ratomir Vico, Minister without Portfolio in the Serbian Government. On the Albanian negotiating team were Fehmi Agani, then vice-president of the LDK; Abdyl Ramaj, secretary of the LDK Education Commission; and Rexjep Osmani, president of the Albanian Teachers' Association. The Italian mediation team consisted of Monsignor Vincenzo Paglia of Sant'Egidio, Roberto Morozzo, who is a professor of Balkan religions and Paolo Rago, an Albanian-speaking Italian involved in humanitarian aid programmes.

Shortly after the Rome Agreement was signed, Milosevic used it to show the US administration (and especially President Clinton's special envoy to the Balkans, Richard Holbrooke) that he was open and willing to negotiate with Kosovars. Rugova used the Agreement to point out that he was being officially recognised because Milosevic dealt with him. But the document (signed separately in Pristina and in Belgrade) carries for Milosevic his title (president of Serbia) and for Rugova only his name.

The 3+3 Implementation Commission met several times, but failed to register any progress. This was mostly because the Serb side interpreted the Agreement as meaning that Kosovar students would be reintegrated into the Serbian education system, whereas the Kosovo side understood it as allowing Kosovar students to come back to all school premises without conditions. The anti-government street protests which erupted in Belgrade in November 1996 contributed to disrupting the eventual implementation of the Agreement.

There is no doubt that Sant'Egidio had the best of intentions when undertaking the mediation. Neither is there doubt that after having dealt with Mozambique, Burundi, Guatemala and Algeria, Sant'Egidio has extensive experience in conflict negotiation. Moreover, several local and foreign observers maintain that dealing one by one with individual aspects of the Kosovo problem is the best approach. However, the document Milosevic and Rugova signed can hardly be called an Agreement. It is effectively a non-binding

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The original, Italian version says: "E' stato negoziato e deciso quanto segue: I. che riprenda la normale attivita scolastica delle scuole e dell'universita... II. che ritornino a essere usati tutti i locali scolastici, universitari e ambienti circostanti, come lo erano sino all'interruzione dell'utilizzo comune, senza alcuna condizione. Essi dovranno essere messi a disposizione in proporzione al numero degli alunni e studenti. Questo significa che siano resi disponibili ... le costruzioni delle 7 scuole parauniversitarie e delle 13 facolta, di seguito elencate, con ambienti annessi: la biblioteca universitaria e popolare, gli istituti, i convitti, le mense, le palestre, ecc."

letter of intent, drawn up without deadlines, any specified means of operation, or mechanism for Sant'Egidio to implement what had been agreed.

It can even be argued that the Rome Agreement has helped to discredit the idea of negotiating. Each side blames the other for its failure, and the hawks on both sides use it as an argument against further talks. According to a Pristina joke, "3+3=0". Furthermore, in October 1997, the students' union and the professors of the parallel university decided to withdraw support from the Kosovar delegates in the 3+3 talks.

As of 1997/98, not one of the 13 Albanian-language university faculties or post-secondary schools in Kosovo had use of its building. Classes are organised in over 250 facilities: private homes, doctor's offices, studios, mosques. Enrollment has dropped from 19,620 in the 1991/92 academic year to 13,805 in 1996/97.

In Belgrade on February 27 1998 Monseigneur Vincenzo Paglia discussed with Milosevic the possibility of having Serb and Kosovar pupils attend classes in the same buildings, albeit in different shifts. Almost at the same time, Fehmi Agani, the head of the Kosovar delegation to the 3+3 talks said that Kosovars now want concrete deadlines for the implementation of the Rome Agreement. He also suggested in an interview with the Belgrade daily *Blic* that Serbia was avoiding paying 18,000 teachers and saving a total of over 10 million German marks at the Albanians' expense.<sup>65</sup>

#### 4. Students

The Students' Independent Union (*Unioni të Pavarur të Studentëve*, UPS), has frequently threatened to take back the university buildings since the Rome Agreement. As of early 1998, however, it had taken few actions of any importance. Albin Kurti, one of the student leaders, told the Belgrade weekly *Vreme* in September 1997: "There have been no demonstrations since 1992. Nothing has been going on. The Albanians were powerless and they feared the police. As a result, all political parties have lost credibility. People believed that we wanted to solve the Kosovo problem. Their expectations merely reflect the passivity of politicians."<sup>66</sup>

A year after the Rome Agreement was signed, students staged protests with the sole aim of regaining access to university buildings. At the end of August 1997, students began protest walks along the Corso, the main street in Pristina, which, like in many other towns of the region, turns pedestrian in the evening. A month later, in an effort to stop these protest walks, the Serbian authorities opened the street to traffic. At the time, Rugova anticipated the opening of an EU bureau in Pristina and a German-US initiative to resolve Kosovo. He did not want anybody to rock the boat and therefore attempted to persuade the students to back down. However, Rugova's pleas were ignored and the students organised fresh protests, causing 13 Belgrade-based Western diplomats to rush to Pristina.

On 1 October 1997 in Pristina, some 20,000 students gathered in the suburb of Velanija, site of the parallel Albanian university chancellor's office. They all wore white shirts and special badges with the name of their faculty. Students and police faced each other for an hour, then - according to foreign eyewitnesses - police attacked the students, beating them with truncheons, injuring many, and detaining the leaders for several hours.

According to student representatives, about a dozen students sustained light injuries after falling off an earthen platform in an attempt to flee the police. The Keshilli Human Rights Council reported that 500 people were beaten. Demonstrations were also organised in Pec, Prizren and Kosovska Mitrovica. The police also intervened in Pec. More demonstrations, scheduled for 17 October 1997, were postponed in anticipation of a possible breakthrough in the implementation of the education agreement. Rugova asked the students to halt their protests because of potentially dire consequences. The PPK, by contrast, stated: "Student protests showed that Rugova's defensive philosophy of waiting is wrong."<sup>67</sup>

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<sup>65</sup> *Blic*, 27 February 1998.

<sup>66</sup> November 1996, interview by ICG.

<sup>67</sup> VIP, 3 October 1997.

Another round of demonstrations was staged in Velanija on 29 October 1997. This time the students had the support of the LDK. On this occasion, there was no violence. Police ringed the protesters, and only after the students started to disperse, told them to stop the rally because they did not have official permission. As part of the protest, the students performed a pantomime on a make-shift stage symbolising the Kosovar students' struggle for education. One student leader, Bujar Dugolli, gave a speech, and a message was read in English, French, Italian and German, but not in Serb. Student delegates explained: "Why should we read it in Serb? Let the Serbs learn Albanian."

Robert Gelbard, US special envoy for the Balkans, was scheduled to visit Pristina the day of the 29 October protest, but failed to turn up. To compensate the students, he invited two of their leaders, Albin Kurti and Bujar Dugolli, to visit the US. During their stay in the US, the students were received at the State Department and visited several university campuses, including Columbia, Harvard and Georgetown. The Pristina daily, *Koha Ditore*, reported that Gelbard's message to the students was that: "You have to continue what you have started."<sup>68</sup>

The students' stature was greatly boosted by this trip, though they also seemed to come away with the impression that Kosovo was high on the US agenda. After a pause of almost two months, they called further demonstrations for Christmas Eve, a rather naive date given that they hoped to attract international media interest. After more weeks of deliberation, and denying ever having set the 24 December date, the students staged another demonstration on 30 December 1997. This was not much better from the public relations point of view.

The students' decision angered the LDK. In its bulletin, the party's information office printed the students' call for marches but derided their organisation for cancelling the protests that were supposed to have taken place by the end of November. The LDK bulletin added: "In a sort of self-adulation, UPS leaders have now and then quoted Robert Gelbard ... as crediting the student movement for having done for Kosovo what the Kosovar political parties have not been able to do in the past several years."<sup>69</sup>

Later, in mid-February 1998, the Pristina-based daily *Bujku* ran a news item sourced to the LDK information office about dissent in the ranks of the UPS and a petition to protest "politically coloured" statements made by its leaders. "How can the UPS leaders be allowed publicly to ignore President Rugova of Kosova, and do this on behalf and in the name of some 20,000 students," the petition asked.<sup>70</sup>

On 24 December 1997, the UPS called on students and professors to hold peaceful demonstrations in several cities in Kosovo. The march in Pristina attracted 15,000 people. Several thousand also marched in Prizren, Pec, Urosevac, Djakovica, Gnjilane and Kosovska Mitrovica. On 30 December, demonstrators in Pristina and six other towns in Kosovo were confronted by the police. According to a Reuters correspondent who was present: "The students in the capital, Pristina, gathered in smaller groups after being dispersed and waved leaflets, listing their demands, at police. Some groups were beaten in sporadic police attacks, but others were unmolested. The security forces also deployed water cannons in reserve after warning the students that their demonstration would not be allowed."<sup>71</sup> According to the UPS, 82 students were lightly injured.

A few days after the 30 December demonstrations, the Patriarch of the Serbian Orthodox Church, Pavle, wrote to the Kosovar students. In his letter, he supported their demand for the return of the university buildings; expressed understanding for their peaceful demonstrations; and condemned the use of force by Serbian police. He also added that their request was "somewhat strange" because the Albanian students did not recognise the state to which the university belonged. Reacting to Patriarch Pavle's views, Kosovar politicians said the letter came too late, while Serbian politicians focused on the part of the letter which concerned rejection of Serbian rule over Kosovo.

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<sup>68</sup> *Koha Ditore*, 2 November 1997.

<sup>69</sup> Kosova Daily Report, 23 December 1997.

<sup>70</sup> Kosova Daily Report #1345, 13 February 1998.

<sup>71</sup> Reuters, 30 December 1997.

In a more recent appeal in early 1998, Pristina students stated that their protests were aimed "against violence and war and for peace" -- a wider aim than simply the return of university buildings. They also called upon "all those who are willing to show their solidarity with the students and observe the principles and rules of the earlier protests" to join them.

Since the Drenica crackdown, the UPS has become bolder and more political. Students flocked to the 9 March demonstration, which was organised by the Co-ordinating Committee of the Albanian Political Parties and, according to Agence France Presse, attended by 50,000. And on 13 March, together with the Kosovar political parties, the trade unions and the Keshili Human Rights Council, the students staged a protest rally in Dragodan near Pristina's American Centre. The theme was no longer linked to education -- "For peace, against violence, war and Serbian terror" -- and a minute's silence was observed in memory of those killed in Drenica. The students addressed the crowd in Albanian and English and held up Albanian, US, EU and German flags, as well as placards in both Albanian and English reading "Stop the violence in Kosova", "Drenica, Drenica", "Drenica - we stand by you", "Stop Serbian terror in Kosova", "USA, USA." Serbian police watched but did not intervene.

## G. Health Care

In 1989, Kosovo had 57 hospitals and clinics and employed 8,547 health-care workers, including 1,897 physicians, 414 dentists, and 112 pharmacists. In July and August 1990, health care in Kosovo came under Serbian "emergency management"<sup>72</sup> which rapidly led to large-scale sackings. In total, 1,855 Kosovar medical workers were dismissed, of whom 403 were physicians.

The boycott of the Serbian health care system is almost as comprehensive as that of the educational system. It started with a bizarre and unexplained poisoning scare which occurred in March 1990 during a vaccination programme carried out by Serb medical teams. According to a Kosovar publication in English: "The Serbian regime poisoned over 7,000 Albanian children, thus violating all wartime and peace international conventions... High quantities of neurotic gas Sarin and Taban, thrown by Serbs, were found in the bodies of Albanian children in Kosova."<sup>73</sup>

Between 1990 and 1993, Kosovars went to great lengths not to visit Serb doctors, and Kosovar doctors by and large refused to work within the Serbian system which required them to write prescriptions in Cyrillic. During this period, children failed to receive adequate medical care, and vaccination programmes came to an end. As a result, the incidence of preventable diseases soared. Between 1992 and 1996, there were 5,105 cases of measles, 14 cases of tetanus, 46 cases of polio, 1,257 cases of whooping cough and 5,366 cases of tuberculosis.<sup>74</sup> To head off epidemics, the World Health Organisation, UNICEF, and the Kosovar humanitarian organisation, Mother Theresa, launched a polio immunisation programme in September 1996 which reached some 300,000 children.

Today, it is no longer unusual for Kosovars to seek specialised health consultation within the Serbian system. Indeed, Kosovars will even travel as far as Belgrade to meet specialists, though they usually return to the parallel Kosovar system for free medication, since the cost of medication tends to exceed their means. Without official employment, Kosovars do not generally have "health cards," documents that give them the right to free medical care in state institutions.

The main institution in the parallel health system is the humanitarian organisation Mother Theresa (SHBH Nena Tereze).<sup>75</sup> It comprises 239 general practitioners, 140 specialists and 423 nurses working voluntarily

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<sup>72</sup> See International Helsinki Federation, *The Health Care Situation in Kosovo*, October 1991.

<sup>73</sup> Ilaz Bylykbashi, "555 Kronike (1981-1995)," Rilindija, Pristina, 1996, p.71.

<sup>74</sup> Unpublished study.

<sup>75</sup> The institution is named after the recently-deceased Catholic nun who, before her death, was the most famous ethnic Albanian in the world. Mother Theresa was born in Skopje.

in clinics set up in 86 private houses throughout Kosovo, supplying food, medicine, and hygienic materials to some 350,000 people. A total of 1,020,333 admissions recorded in 1996 alone.

The Serbian state's public health system has 31 primary health care centres, four medical centres and five general hospitals. Hospital beds to population ratio is one to 385 in Kosovo, as compared with one to 187 in Serbia as a whole. The system employs 8,012 health workers of whom 1,804 are physicians, 334 dentists, 44 pharmacists and 5,830 medical technicians and nurses (one physician per 1,108 inhabitants as compared to one per 403 in Serbia). Half of the medical workers are ethnic Albanians.

Kosovars are proud of their parallel health care system and, given the adverse condition, they have managed to set up an impressive operation. However, facilities remain inadequate for systematic check-ups and medical counseling. Moreover, after seven years of parallel teaching, the first medical students trained entirely in the parallel system are now graduating. While fortunate students sometimes go to practice in Turkey or Albania, most must make do with surrogate methods and, without access to proper laboratories, will probably have failed to acquire necessary expertise.

## **H. Economy**

Kosovar unemployment is estimated at 70 percent and has risen by 130,000 since 1990. Most jobs are in the service sector, commerce, with international organisations or involve black-market sales of cigarettes and alcohol. There is also suspicion that Kosovo serves as a transit point for drug and weapons trafficking, and even for money laundering. That said, neither Serb nor Kosovar sources on this subject are credible.

According to the Kosovar Pristina Economic Institute, earnings from regular employment accounted for 10 percent of total Kosovar income in 1996, compared with 49 percent in 1988. Emigration is generally viewed as the only way to make a decent living. It is estimated that, between 1990 and 1995, some 350,000 Kosovars left the province. As a result, remittances from Kosovars abroad is critical to the local economy. However, this income is difficult to calculate. Some is donated direct to the Kosovar authorities, but much is sent privately.

Figures published by the EU in 1996 show that almost 85 percent of Kosovars who live in these countries are unemployed or under the care of various European humanitarian organisations. Some European countries have signed accords with Yugoslavia regarding the return of Kosovar migrants, a move that is decried both by the Kosovars abroad, who consider themselves political refugees, and by local Serbs who fear that returning Kosovars will simply increase the demographic pressure on their own community. (See above section II B(3) Demographics)

Kosovo has some 18,000 registered small firms employing approximately 20,000, earning on average 100 German marks per month, and some 40,000 crafts shops. Though contacts between Serbs and Kosovars are generally minimal, business does break down some barriers and there are cases of companies which are officially owned by Serbs, but run by Kosovars.

## **I. Media**

Officially there is no censorship in Kosovo (or for that matter in the FRY). However, this does not mean that the province is a haven of media freedom. In practice, the Serbian authorities use permits and broadcasting licenses as the weapon of choice against media which they object to.

### **1. Print Media**

In June 1993, the Serbian state took over the publisher *Rilindja* (Renaissance) which housed all the Albanian-language press. Adem Demaci, then editor-in-chief of the weekly *Zeri* went on a hunger strike for 11 days, but to no avail. *Rilindja* was rapidly transformed into a Serb publisher, *Panorama*, and the Albanian-language paper *Rilindja* ceased publication in Kosovo. A paper with the same title is now published in Switzerland, with the same content as the daily *Bujku* (see below).

The daily *Bujku* (Farmer), was formerly a magazine for peasants. *Bujku's* editor is Avni Spahiu. It has a print run of 8,000 and a strong, pro-LDK orientation. *Bujku* likes to write that independence is imminent and to present Pristina as the centre of world media attention -- a distortion of reality that raises false expectations among Kosovars. *Bujku* journalists are subject to frequent harassment by Serbian police. According to the annual reports of Paris-based media watchdog, *Reporters Sans Frontieres*, three *Bujku* journalists were interrogated and detained in 1996, and two more in 1997. Rrahim Sadiku, a local correspondent of *Bujku* in Ferizaj was interrogated in January 1997 and ended up in a hospital with a broken rib. He was interrogated again on September 14, 15, and 16, each time spending a few hours at the police station.

The daily *Koha Ditore* (Daily Times), which is edited by Veton Surroi, was founded in April 1997 by the team of the weekly *Koha*. The paper's print run has grown from 7,000 to 27,000 in less than a year. *Koha Ditore* is ironically a thorn in the side of both the Serbian authorities and the LDK leadership since it presents a Kosovar point of view without simply regurgitating the LDK's propaganda. *Koha Ditore* is the one medium which seems to apply no self-censorship. Unlike other Albanian-language publications, it does not insist on a common Kosovar position vis-à-vis Belgrade as the starting point on every issue.

In September and October 1997, *Koha Ditore's* editorial offices were visited several times by Serbian police (uniformed and plainclothes). On these occasions, they asked such things as the office phone number and checked the identification papers of the editors and even the two US diplomats who happened to be visiting the premises. On 12 September, Baton Haxhiu, one of the deputy editors, was taken to the police station in Pristina and held for two hours. He was interrogated about his meetings with foreign diplomats, politicians and students. According to *Koha Ditore* staff, the police also wanted to learn how the paper planned to cover the student demonstrations.

Serbian police again entered *Koha Ditore's* offices after the first large-scale demonstrations on 2 March. According to Reuters: "At least 10 police charged into the offices of the local newspaper *Koha Ditore* in pursuit of protesters and one of its journalists [photographer Fatos Berisha] broke his leg when he leapt from a window to escape them. Veton Surroi, the paper's chief editor and a leading Kosovar political activist was beaten at a separate incident near Pristina's city radio station as were representatives of Western news organisations [Voice of America's Ibrahim Osmani]."<sup>76</sup> *Bujku's* editor Avni Spahiu was also beaten.

The weekly *Koha* (Times) ceased publication in July 1997 because the editors could not cope with increased workload required to publish both a daily and a weekly. Originally launched in September 1990, *Koha* came out regularly until June 1991, and then again between 1994 and 1997. An issue of *Koha* dated April 1996 enraged the Serbian authorities. It carried two photo montages - one featuring Milosevic surrounded by Nazi officers and another under the headline "Anschluss '89", a reference to the withdrawal of Kosovo's autonomy in 1989. Serbian police went to *Koha* printer and detained the owner for several hours. A few days later, a complaint was lodged with the prosecutor's office in Pristina for offending the Serbian president.

The weekly *Zeri* (Voice) started in 1945 as an organ of the Socialist Youth, much like the more celebrated *Mladina* in Slovenia. Its current editorial staff, editor Blerim Shala, and policy go back to 1993. Since the demise of *Koha*, *Zeri* is the only Albanian-language political weekly in Kosovo. Moreover, local observers generally view it as independent. Both *Koha Ditore* and *Zeri* receive some financial support from the Open Society Fund (Soros Foundation).

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<sup>76</sup> Reuters, 2 March 1998.

A new bi-weekly, *Gazette Shiptare*, started in March 1997 edited by Hacif Mulliqi. The main two political parties also have their own publications in both Albanian and English. The LDK's news bulletin devotes most space to publicizing meetings that President Rugova has had with foreign dignitaries. And the PPK's news bulletin devotes most space to promoting meetings that Adem Demaci has had with foreign dignitaries. In Pristina, it is also possible to buy Belgrade newspapers and *Jedinstvo*, Kosovo's Serb daily, though not at the same kiosks as the Albanian-language press.

## 2. Electronic Media

Radio and Television Pristina (RTVP) was taken over by the Serbian authorities and 194 people were fired on 5 July 1990. The dismissals occurred three days after the declaration of the Republic of Kosovo, a news event which the station covered in a sympathetic manner. RTVP still has some Albanian-language programming, but it is only a translation of what the Serb desk produces and therefore Albanians generally choose not to watch it.

Every evening, most Kosovars with access to television tune in to a two-hour satellite broadcast from TV Tirana at 6:30 pm. The programme has a small segment of news from Pristina, but no direct feed. It is paid for in equal parts by TV Tirana and Kosovo's shadow government and offers information, debates, round tables, talk shows, children's programmes and music. While Kosovars generally enjoy the broadcast, it, nevertheless, reflects the view of the Tirana government and the LDK. In March 1997, the Kosovar minister of information in exile fired the Pristina broadcasting staff of TV Tirana. Officially, this was a cost-cutting measure. However, local observers interpreted it as a shift away from the LDK and towards the PPK by the government-in-exile.

Pristina and other towns in Kosovo are literally saturated with satellite dishes and Kosovars like to watch Euro News as well as a wide range of German programming. Sarajevo-based Bosnian television is also popular, especially among older people who understand the language well and enjoy the Bosniac (i.e. Balkan yet not Serbo-centric) point of view.

Kosovars also listen to Albanian-language radio programmes on the BBC, Deutsche Welle and Voice of America (VOA). The BBC is the most respected with two staff journalists working in Kosovo. In addition to radio, VOA offers a basic television service in both Serb and Bosniac consisting of Washington-based news-reading accompanied by images which do not always correspond to the commentary. VOA is considered a strong LDK-supporter by local viewers (which could be the result of successful LDK lobbying in Washington). Foreign radio programmes are 30-minute broadcasts presented three times a day combining information, interviews and political debate. But they do not include any discussion as to how independence can be achieved or why Kosovars should not count on the international community to solve their problems.

Kosovar reaction to the way they are being portrayed in international media can be perplexing. The following comment from the LDK's Information Centre on foreign television coverage of the 1 October 1997 student demonstrations is typical:<sup>77</sup>

Commendable coverage was offered Tuesday by the BBC World news programmes, which covered the Kosova events throughout the day from Pristina, and the CNN Insight, on Tuesday, was devoted to the Kosova events. The notable exception was the EuroNews rolling news programmes. The views expressed in the news featuring Kosova Tuesday were outrageously substandard and biased. The over 90 percent Albanian population of Kosova were, for EuroNews, the "majority Muslims" undermining the existence of the minority "orthodox" [Serb] community. This is not the first time EuroNews has failed in journalistic standards and annoyed the Kosovar Albanian public with its ready-made images of "bad Muslim guys" vis-à-vis the good guys - the threatened Christians in Europe. It is Serbian military and police occupation of the nation of Kosova (Albanians of Muslim, Catholic and other faiths, as well as

<sup>77</sup> Kosova Daily Report #1244, 2 October 1997.

other people of different ethnicities) that has been threatening the Balkans, and not the other way round.

### 3. Internet

At the beginning of 1998, *Koha Ditore* entered into a joint project with two independent Belgrade media, radio B-92 and the Beta news agency. During the Drenica crackdown in February/March, the wire service ARTA provided extensive coverage including photographs and maps. *Koha Ditore* has its own site but currently it posts only in Albanian. Useful Internet links are:

Kosova Daily Report	<a href="http://www.hri.org/news/balkans/kosova">http://www.hri.org/news/balkans/kosova</a>
Koha Ditore	<a href="http://www.koha.net">http://www.koha.net</a>
Pristina University	<a href="http://www.uni-pr.edu">http://www.uni-pr.edu</a>
Kosova Crisis Centre News	<a href="http://www.alb-net.com/html/kcc.html">http://www.alb-net.com/html/kcc.html</a>
Country Profile	<a href="http://www.albanian.com/main/countries/kosova/">http://www.albanian.com/main/countries/kosova/</a>
Bertelsmann Stiftung	<a href="http://www.stiftung.bertelsmann.de/english/index.htm">http://www.stiftung.bertelsmann.de/english/index.htm</a>
OSCE Mission in Kosovo	<a href="http://www.osceprag.cz/inst/secret/missions/kosovo">http://www.osceprag.cz/inst/secret/missions/kosovo</a>
Albanians in Kosovo	<a href="http://www.unhcr.ch/unhcr/refworld/country/writenet/wriyug.htm">http://www.unhcr.ch/unhcr/refworld/country/writenet/wriyug.htm</a>
Kosovo after the Dayton	<a href="http://www.igc.apc.org/pbi/bpt96-06.html">http://www.igc.apc.org/pbi/bpt96-06.html</a>
Media in Kosovo	<a href="http://www.dds.nl/~pressnow/media/kosovo/kosovo.htm">http://www.dds.nl/~pressnow/media/kosovo/kosovo.htm</a>

### J. Kosovo Liberation Army, UCK

The Kosovars often refer to UCK [*Ushtrisë të Çlirimtare të Kosovës*] as their equivalent of the Basques' ETA, Northern Ireland's IRA and Corsica's Liberation Front. If these three organisations do serve as role-models for UCK, and Kosovars respond to UCK appeals for mobilisation, then prospects for a peaceful solution in Kosovo may be bleak.

UCK is believed to have been founded in 1993 though some date its formation to 1991. The first reference to it in international media came only in May 1997 in an interview published by *The New York Times* out of Geneva.<sup>78</sup> The author, Chris Hedges, was informed that he was meeting with a high-ranking official from the Kosovo Diaspora community. Since no names were used and the pseudonym was unknown at the time, it is difficult to assess the importance of the person interviewed. Similar uncertainty surrounds any assessment of UCK. Nevertheless, Kosovar observers calculate that since 1996 the organisation has claimed responsibility for killing twenty-one citizens in the province, including five policemen, five Serb civilians and eleven Kosovars accused of collaborating with the Serbian regime.<sup>79</sup>

After more than a million guns disappeared from Albania during spring 1997, the availability and affordability of weapons throughout the region jumped. Anyone in Kosovo wishing to mount armed operations could easily purchase weapons smuggled across the province's porous borders. On 15 October 1997 Adrian Krasniqi, a student whom the Serbian authorities accused of being an UCK member, was discovered dead with a hand-grenade made in China allegedly found on him. If true, this would be a clear sign that weapons had indeed entered the province from Albania, since much of that country's arsenal was of Chinese origin. Krasniqi's funeral was attended by 13,000 people who, according to witnesses, considered him to have died a hero's death.<sup>80</sup>

For many years UCK was almost mythical. Its name was only used at the trials of Kosovars. Since evidence in these trials was often dubious, so were the references to UCK. Three UCK members appeared in public for the first time on 28 November 1997 at the funeral of Halit Gecaj, a Kosovar killed in the crossfire of an UCK attack on Serbian police. The funeral took place in the village of Laus (Llaushe) near Srbica (Skenderaj) and was attended by some 20,000 Kosovars. Two of the men took off their masks, one

<sup>78</sup> Albanians in Serbia Fight for Their Independence, *New York Times*, 5 May 1997.

<sup>79</sup> VIP, 21 January 1998.

<sup>80</sup> VIP, 17 and 20 October 1997.



addressed the crowd saying: "UCK is the only force which is fighting for the liberation and national unity of Kosovo." The crowd cheered and chanted "UCK! UCK!". The three men, who, judging by their accents, were all local, came in a car and left undisturbed.<sup>81</sup>

At the beginning of December 1997 UCK claimed responsibility for several recent terrorist attacks, made general warnings and set out strategic goals. It warned the "occupiers" (Serbian authorities) that they would face increasingly strong reactions if they continued to use force. UCK also publicly called on Bujar Bukoshi, Kosovo's shadow prime minister, to hand over to it the money contributed by Kosovars living abroad. Finally, in a statement signed by "UCK General Headquarters", the organisation said it would accept no agreement on Kosovo's status unless its representatives attended the talks.<sup>82</sup>

In early December 1997, UCK claimed responsibility for shooting down a Cessna 310 aircraft near Pristina. Local observers dispute the claim and attribute the crash -- in which five people died -- to bad weather. A month later, in a press release to the Pristina media, UCK claimed responsibility for the bombing of the court building in Gostivar and two police stations in Kumanovo (both in Macedonia) on 16 December 1997, and a terrorist action in downtown Prilep on 4 January, 1998. However, Macedonian state TV denied that UCK was responsible for terrorist acts in that country.<sup>83</sup>

According to Ljubiska Cvetic, spokesman for the MUP, Serbian Interior Ministry, UCK had increased the number of its operations from 31 in 1996 to 55 in 1997 and 66 in the first two months of 1998. In the process, it had killed 10 Serbian policemen and 24 civilians.<sup>84</sup> On 22 April 1996, four near simultaneous operations were launched in different parts of Kosovo by gunmen, now believed to have been members of UCK, in which two Serbian police were killed and three wounded. And on 10 September 1997 UCK launched 10 simultaneous attacks throughout Kosovo to demonstrate the extent of their reach.<sup>85</sup> According to the Belgrade weekly *Nedeljni Telegraf*, UCK has between 1,000 and 2,000 soldiers. Meanwhile, some 13,000 armed Serbian police are stationed in Kosovo and the police could bring another 25,000 men into the province in 72 hours. In addition, some 6,500 soldiers and officers of the Yugoslav Army (VJ) are stationed in Kosovo, with another 10,000 soldiers on stand-by.<sup>86</sup>

In January 1998 the Sarajevo weekly *Slobodna Bosna* carried an interview with a man who identified himself as "Skender", supposedly one of UCK's commanders. He said that UCK's goal is to unite all Albanian territories with Albania and that they were ready to use force to achieve that goal. He explained that UCK was formed back in 1991 in Kosovo, not abroad, and that officers of the former Yugoslav People's Army (JNA), took part in its creation. He did not explain how UCK recruits its members, but said that no political party was behind the organisation.<sup>87</sup>

In early February 1998, three members of UCK who appeared at a meeting in Brooklyn of the New York Albanian-American community vowed to fight the Serbian regime until the "total liberation of Kosova". The New York-based Albanian language paper *Illyria* described the UCK presence as follows:

A banner in big red letters on a white background hung over a mirrored wall reading *Long Live UCK -- Honor to the Martyrs* as young men spoke at a microphone where a picture of an armed UCK member killed in an attack in Kosova last year hung in front of some 150 sympathisers. Speakers, some of whom read poems commemorating those who have been killed in confrontations with Serbian police, often drew energetic applause from the audience..<sup>88</sup>

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<sup>81</sup> Interview by ICG with persons who attended the funeral.

<sup>82</sup> VIP, 9 December 1997.

<sup>83</sup> VIP, 8 January 1998.

<sup>84</sup> VIP, 9 March 1998.

<sup>85</sup> The KLA: force that frightens the Serbs, *The Daily Telegraph*, 9 March 1998.

<sup>86</sup> VIP, 4 March 1998.

<sup>87</sup> *Slobodna Bosna*, 15 January 1998.

<sup>88</sup> *Illyria*, Albanian Language Newspaper, 11 January 1998.

Some US\$16,000 of donations was raised for UCK that evening. *Illyria* reported that, although they introduced themselves when they spoke, the speakers asked members of the media neither to publicise their real names nor to take pictures

Before the March clashes LDK leader Rugova refused to acknowledge UCK's existence. This was probably out of concern that a confirmed presence of armed resistance in Kosovo would cost the region international sympathy. Indeed, as late as the end of January 1998 Rugova said that there were indications that UCK was an organisation run by the Serbian secret service, and suggested that the service might be preparing wide operations likely to cause "unprecedented bloodshed in Kosovo".<sup>89</sup> At the February meeting in Brooklyn, UCK members answered this criticism saying: "Some pseudo-intellectuals and self-proclaimed leaders who are nothing more than sell-outs and anti-national are denying our existence ... but we tell them." One speaker warned: "The judgement day for national traitors is nearing."<sup>90</sup>

PPK chairman Adem Demaci stole the show from Rugova by acknowledging UCK's existence well in advance of the recent violence. In December 1997 he said: "There is no doubt that the UCK exists. UCK's emergence proves that the people are prepared to pay the highest price for their freedom."<sup>91</sup> A week after the three masked men appeared in Laus (Llaushe), Demaci published an open letter to UCK in which he appealed for a three-month moratorium on violence. Such a moratorium, he wrote, would give the Serbian regime another chance to reconsider its attitude towards Kosovo and "stop its terror, while the moratorium would serve influential international factors, especially the United States, for opening a dialogue between Pristina and Belgrade". In February, Demaci said that in the interest of peace and the cessation of bloodshed he was ready to meet with representatives of UCK. And in an obvious allusion to Rugova, he said that those who doubt the existence of the UCK are "either stupid or pretending to be naive", adding that Albanian politicians from Kosovo cannot blame "a people or individual acting in self-defence".<sup>92</sup>

In December 1997 the Belgrade daily *Danas* reported that UCK had published advertisements in the Norwegian and Swedish press seeking financial donations and urging young Kosovars abroad to volunteer.<sup>93</sup> An UCK activist said on Norwegian radio that the UCK headquarters is in Switzerland. Meanwhile, 15 election offices were closed in the Drenica region of Kosovo for the third round of voting for the president of Serbia in December 1997 because of insufficient security for election officers. And at the beginning of the year mail deliveries to the region were halted.<sup>94</sup>

Predictably, Serbian political parties have branded UCK as terrorists. The spokesman of JUL, the party headed by Milosevic's wife, Mira Markovic, said that UCK "was no liberation party, but a terrorist organisation."<sup>95</sup> Radmilo Bogdanovic, a leading member of the Socialist Party of Serbia (SPS) and former Serbian Interior Minister, denied UCK's existence saying: "It's just individuals attaching too much importance to themselves, and the police tolerates that." He also said that "peace can easily be established in Kosovo" and that "anyone threatening peace must be arrested immediately."<sup>96</sup> SPS chairman Vojislav Zivkovic said on 17 February that the so-called UCK is made up of about 100 terrorists who will soon be arrested. He explained: "They operate in the Drenica area, and, according to our sources, it seems that some kind of internal conflict is taking place among them, showing that things are getting too hot for them and that these are their last attempts."<sup>97</sup>

In the first press conference held by the Yugoslav Army (VJ) since its creation in 1992, Colonel Milivoje Novkovic, head of its Information Service, said that the VJ would not tolerate attacks on its members and facilities in Kosovo or threats to the territorial integrity of the country. He said that UCK was a "group of self-organised terrorists and persons with suspicious pasts, blinded by separatism and nationalism... [It] is

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<sup>89</sup> VIP, 29 January 1998.

<sup>90</sup> *Illyria*, Albanian Language Newspaper, 11 January 1998.

<sup>91</sup> VIP, 9 December 1997.

<sup>92</sup> VIP, 6 February 1998.

<sup>93</sup> *Danas*, 10 December 1997.

<sup>94</sup> VIP, 11 February 1998.

<sup>95</sup> Interview by Ivan Markovic, spokesman of the Yugoslav Left with Radio Jugoslavija in VIP, 29 January 1998.

<sup>96</sup> VIP, 8 January 1998.

<sup>97</sup> VIP, 17 February 1998.

acting in the relatively limited area of Drenica. Through the dynamics and character of its terrorist acts it is trying to give the impression that it has many members and that it is well organised because it wants to internationalise its own existence and the problem of Kosovo." According to Novkovic, the VJ continues to carry out its regular activities in Kosovo and a decision to involve the VJ in operations against UCK could only be made by the Supreme Defense Council. For now, therefore, the Serbian Interior Ministry (MUP) was in charge.<sup>98</sup>

After the crackdown by the Serbian police in Drenica in February/March 1998, by which Serbia probably hoped to nip the UCK in the bud, the group seemed to be growing even more bold. In a statement published in *Bujku*, it said that it would continue its armed struggle against Serbian security forces and it called on "international centres to recognise the state of Kosovo." On several occasions it declared itself the only legitimate representative of Kosovars and accused the Kosovar political leaders of conducting a "fatal policy of demobilisation"<sup>99</sup>

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<sup>98</sup> VIP, 30 January 1998.

<sup>99</sup> *Bujku*, 11 March 1998 and VIP, 12 March 1998.

### III. KOSOVO IN CONTEXT

#### A. Kosovo and Kosovo Serbs

As Kosovo's demographics (See section II B(4)) shift more in favour of its Albanian community, the province's Serbs feel increasingly isolated. The euphoria, which just over a decade ago accompanied Milosevic's rise to power in Serbia and his apparent commitment to their cause, has disappeared. Today most Kosovo Serbs are disillusioned, bitter and fearful lest they share a similar fate to other erstwhile Milosevic allies, in particular their ethnic kin in Croatia and Bosnia.

The province's most prominent Serb politician is Momcilo Trajkovic, leader of the Serb Resistance Movement (*Srpski pokret otpora* or SPO). Trajkovic's position is categorical: "The question of Kosmet [Kosovo and Metohija] is an internal problem of Serbia, not of Yugoslavia."<sup>100</sup> That said, he and another Serb leader, Raska-Prizren Bishop Artemije, have become increasingly vocal critics of Milosevic's Kosovo policy in recent months. In January, they wrote to him warning: "We are convinced that a solution cannot be found by taking Serbs out into the streets and by manipulating their misfortune. Such an irresponsible approach is leading us all directly to a national catastrophe."<sup>101</sup> Moreover, after the Drenica clamp-down, Trajkovic stated: "Serbia should have initiated an open dialogue earlier, without waiting for pressures and threat of sanctions."<sup>102</sup>

Already at the end of December last year Kosovo Serb leaders urged the Serbian parliament to hold a special session to focus on Serb-Kosovar relations. They formed a delegation to lobby on their behalf, which, in addition to Trajkovic, and Artemije, includes Dusan Ristic of the Serb Renewal Movement (SPO). And they accepted *The Proposal for a Democratic Solution of the Kosovo-Metohija Question*, (see section IV D below) which essentially entails a the division of Kosovo into two regions, Kosovo and Metohija, as a basis for future negotiations with Kosovars.

In February Trajkovic and Bishop Artemije visited both France and the US to discuss options in Kosovo. At home they have also organised a series of meetings called "the Serb-Serb dialogue on Kosovo" in an attempt to build a common Serb position towards the province. The fourth meeting took place at the Belgrade Writers' Association behind closed doors and was only attended by opposition parties. Representatives of Milosevic's Socialist Party of Serbia and his wife's Yugoslav Left did not show up. Nevertheless, the meeting concluded that the way forward was to begin a dialogue with the Kosovars.<sup>103</sup>

Starting such a dialogue is difficult since contact between Serbs and Kosovars is minimal. Indeed, when in 1995 the LDK organised a street clean-up with the participation of people from both ethnic groups, the event was so exceptional that it featured in a report of the Humanitarian Law Centre. Most Serbs do not speak Albanian and live in fear of their Kosovar neighbours. Moreover, Kosovar militants have begun to target Serb refugee centres, police stations, military barracks and cafes.<sup>104</sup>

As Trajkovic and mainstream Kosovo Serb politicians have fallen out with Milosevic, another group of Kosovo Serbs became active again. The Bozur Association of Serbs and Montenegrins, originally founded as part of the so-called third Serb uprising in the mid-1980s, has come back to life after more than half a decade in hibernation. Bozur president Bogdan Kecman is a former high-ranking Communist and Milosevic loyalist who led the populist Serb movement in Kosovo in the second half of the 1980s. In gratitude Milosevic secured Kecman's appointment as Kosovo director of Jugopetrol, the state energy company.<sup>105</sup>

<sup>100</sup> *Gradanin*, 13 August 1997.

<sup>101</sup> VIP, 13 January 1998.

<sup>102</sup> *Nasa Borba*, 12 March 1998.

<sup>103</sup> VIP, 19 January 1998.

<sup>104</sup> AP, 14 March 1998.

<sup>105</sup> VIP, 14 January 1998

In mid-January 1998, somewhere between 154 and 600 (estimates vary) Bozur activists rallied in Kosovo Polje to protest the rise in Kosovar terrorism. Speakers refused to criticise the Serbian or Yugoslav authorities, but urged Serbs to go to Srbica, the central village in the Drenica region. A Bozur delegation then went to Belgrade to inform Milosevic of the "real situation" in Kosovo and -- according to a Bozur member -- Milosevic assured the delegation that state bodies would do everything to provide energetic protection from terrorism for the Serbs in Kosovo. In retrospect, it seems that the Bozur reactivation was meant to prepare Serb opinion for the Drenica clamp-down. In response to the series of Albanian protest rallies, Pristina's Serbs too started daily demonstrations on 18 March 1998.

## B. Kosovo and Belgrade Serbs

Ever since Milosevic swept to power in Belgrade on the back of the alleged plight of Kosovo Serbs in 1987, Serbian politics has been hostage to the Kosovo question. Politicians feel obliged to take hard-line stances and shun compromise, irrespective of the damage this does to relations with Kosovars and the consequences for those Serbs who actually live in the province. Nevertheless, in a recent opinion poll, 49.2 percent of Serbs said that they would not be prepared to fight, if it came to war in Kosovo, compared with 28.6 percent who said that they would. A further 22.2 percent said that they were unsure. Some 77.3 percent said they would not want close relatives to have to fight in Kosovo, and only 17.1 percent said that they would.<sup>106</sup>

The gulf between Kosovar and Serb society is huge. Even when, in late 1996 and early 1997, thousands of Serbs demonstrated for three months against Milosevic's rule in the streets of Belgrade, Kosovars remained silent. Only Adem Demaci, who having spent 28 years in a Serbian prison cannot be accused of collaboration, broke ranks to send a letter of support to the demonstrators. The Serbian opposition has been equally silent in response to police brutality against Kosovars during the Drenica clamp-down.

Most Serbs know very little about Kosovar society. However, a rather exhaustive book was published two years ago in Serb which serves as a sort of primer on Kosovo. It is a collection of ten portrait-interviews with the most important Kosovar personalities. The title of the book is rather telling: "I Asked the Albanians What They Want and They Said a Republic... If Possible."<sup>107</sup>

Since Kosovars boycott Serbian elections, the indifference of Serbian opposition parties to their plight should not be a surprise. A poll of Kosovar opinion carried out in October 1996 found that:

Only 2.5 percent view the Serbian opposition parties as possible coalition partners. A vast majority of the surveyed (91.9 percent) does not believe that any Serbian opposition party would work together with the Albanian representatives on the resolution of the problem of the status of Kosovo.<sup>108</sup>

The same poll showed that the prospect of recognition of the republic of Kosovo within the FRY would tempt 6.3 percent of people to cast their ballots in federal and local elections. The same percentage said they would vote if the Kosovo problem was to become fully internationalised.

A handful of moderate Serbs and Albanians do, nevertheless, attempt to work together, often at great personal risk. On the Serb side, this includes the Humanitarian Law Centre, the Forum for Ethnic Relations, the Belgrade Circle, Helsinki Committee, Soros Foundation and a group of young people who call themselves "post-pessimists". Among the political parties, only Vesna Pesic's Civic Alliance is sympathetic. On the Kosovar side, this includes the likes of Veton Surroi, editor of *Koha Ditore*, Shkelzen Maliqi, the current director of the Open Society Institute's Pristina Office and Gazmend Pula, the head of the Helsinki Committee for Human Rights in Kosovo. These mavericks are usually only able to meet up at

<sup>106</sup> *Nedeljni telegraf*, quoted by VIP 11 March 1998.

<sup>107</sup> Momcilo Petrovic, *Pitao sam Albance sta zele, a oni su rekli: Republiku... ako moze*, B92, Belgrade, 1996.

<sup>108</sup> Beta News Agency, Belgrade, 19 November 1996.

internationally-organised conferences. In the course of 1997 three took place, in New York (7-9 April), Vienna (18-20 April) and Ulcin, Montenegro (23-25 June).

At the end of January 1998, Belgrade's "Appeal of the Fifty Association", a right-wing intellectual group, appealed to all Kosovar intellectuals to work together to come to a settlement in Kosovo outside regime and party channels. While the appeal has no political weight, it is an encouraging indication that some in Serbia may be looking for alternative ways of resolving the conflict.<sup>109</sup>

The Drenica clamp-down was the work of Ministry of Interior (MUP) forces and of the feared SAJ - Serbia's Anti-terrorist Units. The army is not known to have taken part. Indeed, the commander of the Pristina Corps, Major-General Nebojsa Pavkovic, said on 27 February that the Army of Yugoslavia (VJ) is not threatening anyone in Kosovo-Metohija and that it wants to turn the region into "an oasis of peace rather than clashes".<sup>110</sup> However, the Albanian-language daily *Koha Ditore* reported at the end of January that two notorious Serbian paramilitary leaders, Zeljko Raznjatovic "Arkan" and Dragan Vasiljevic "Kapetan Dragan", both active at the beginning of the Croatian war in 1991, had taken up residence a hotel in Kosovska Mitrovica. There was no independent confirmation of these reports, but the rumours have caused great concern among Kosovars.

Following the Drenica clamp-down, Belgrade's state-owned media rallied around Milosevic and behind the police operation in predictable fashion. The main television news broadcasts have been filled with messages of unconditional support. Interestingly, independent media, including the newspapers *Nasa Borba*, *Danas*, *Dnevni telegraf*, *Blic* and *Demokratija*, reported events in an very different manner, causing the Belgrade District Attorney to move against the editors. However, with state-owned television by far the most influential medium and no mention or pictures of Kosovar victims, Serb society is again, as earlier in Croatia and Bosnia, homogenising around an uncompromising position. The only political party to take a conciliatory line was the Serbian Civil Alliance (GSS) which demanded that "The Serbian government urgently inform the public of all the circumstances of the tragic conflicts in the Drenica area of Kosovo" and "start resolving the Kosovo problem through all political means".<sup>111</sup>

### C. Kosovo And Yugoslavia

Yugoslav sensitivity about Kosovo was on display at the most recent meeting of the Bosnian Peace Implementation Council in Bonn in December 1997. German foreign minister Klaus Kinkel demanded that Belgrade urgently initiate a dialogue with Kosovars and guarantee human and minority rights. Though Kosovo was only mentioned briefly in the final document,<sup>112</sup> the Yugoslav delegation walked out of the conference and refused to endorse its conclusions in protest. The head of the Yugoslav delegation, Dragomir Vucicevic, said: "We warned them that raising the so-called question of Kosovo and Metohija during the conference was regarded as interference in an internal question of Serbia and the FRY."<sup>113</sup>

Despite the uncompromising Serbian position, attitudes elsewhere in the FRY -- in Montenegro in particular, but also in Vojvodina and the Sandzak -- are rather different and more accommodating towards Kosovars. Moreover, constitutional reform or any other changes in Kosovo will surely have an impact elsewhere in the rump federation.

Though sanctions are being considered against the whole of the FRY, Montenegro is as hostile to the strong-arm tactics which Serbian has adopted in Kosovo as the international community. New president, Milo Djukanovic, whose election Milosevic attempted to block, was in large part voted into office on the strength of non-Serb votes in last year's election and is keenly aware of this constituency. Indeed, if given the

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<sup>109</sup> VIP, 28 January 1998.

<sup>110</sup> BETA News agency, Belgrade, 27 February 1998.

<sup>111</sup> VIP, 3 March 1998.

<sup>112</sup> Conclusions to the Bonn Conference, 11 December 1997, p 27.

<sup>113</sup> *Nasa Borba*, 11 December 1997.

opportunity, Djukanovic may be able to play a key mediation role between the rival communities in Kosovo because of the esteem in which he is held by both Muslim Slavs and Albanians.

Clearly, a major concern for Djukanovic is Montenegro's status as an international pariah, if it remains shackled to Serbia. Already on 24 February 1998, before the recent upsurge in violence, he told Montenegrin state television that Kosovo had to be solved "by giving [the province] a certain degree of autonomy." And he warned that "without opening dialogue in Kosovo, Yugoslavia cannot return to the international community." In mid-March Djukanovic again criticised Milosevic for allowing Kosovo problem to fester.<sup>114</sup> Meanwhile, he allowed Montenegrin Albanians to demonstrate in solidarity with the Kosovars with, according to Albanian sources, close to 10,000 protesters marching in the towns of Ulcinj, Rozaje and Plav.<sup>115</sup> And the Montenegrin state-owned media have attempted to cover the Kosovo violence so objectively that the Belgrade daily *Politika* attacked them for reporting "tendentiously and giving too much space to statements by Kosovar leaders."<sup>116</sup>

Politicians in Vojvodina, both Serb and non-Serb, are also watching events in Kosovo closely. For before Milosevic's so-called yogurt revolution<sup>117</sup> in 1988, Vojvodina too had the status of an autonomous province. Moreover, it too contains a large non-Serb population. Indeed, according to the 1981 census, only 56.6 percent of its 1.15 million inhabitants were Serbs or Montenegrins, and the remaining 43.4 percent were a mixture of people, including Hungarians (19 percent), Croats (5.4 percent), Slovaks and Romanians. If Kosovo's status is changed, Vojvodina may seek a similar degree of autonomy. Indeed, at the end of February, Mihalj Secej, deputy president of the Alliance of Vojvodina Hungarians (SVM), said that his party would not join the new republican government, but would support any programme to "give more powers to self-government authorities who should bear greater responsibility for all affairs including the position of national minorities."<sup>118</sup> And if Vojvodina and Kosovo win enhanced autonomy, the 250,000 Muslim Slavs who form more than 80 percent of the Sandzak's population will no doubt also seek to improve their position.

Another factor in Yugoslav politics is the 150,000 Croatian Serbs who have taken refuge in the FRY since being expelled from their homes in 1995. Of these, according to UNHCR figures, some 20,000 were dispatched as settlers to Kosovo. The Croatian Serbs are reluctant settlers and a group of them recently organised a petition refusing to go to Kosovo so that the province would be "turned into a bastion of Serbdom or subject of political deals".

#### D. Kosovo and Albania

Relations between Kosovars and their ethnic kin across the border in Albania are complex. Despite obvious cultural and linguistic ties, the political division of the past half century and Albania's isolation have caused the two communities to evolve in a very different fashion. Ironically, until recently, Kosovars were not only wealthier but also experienced greater political freedom. The upsurge in violence has, nevertheless, reminded Albanians of the links between the communities and, in response, Albania placed its army on alert on the Yugoslav border. However, despite the obvious appeal of an independent Albanian state to all ethnic Albanians, Kosovars are acutely aware that they cannot expect much in the way of support from their impoverished neighbours.

On 3 November 1997, Albania's president, Rexhep Mejdani, said in Geneva that the international community should react to head off clashes in Kosovo. Moreover, he urged the international community to force Yugoslavia immediately to implement the Rome Agreement on education in Kosovo because

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<sup>114</sup> AP, 11 March 1998.

<sup>115</sup> VIP, 10 March 1998.

<sup>116</sup> *Politika*, 10 March 1998.

<sup>117</sup> Since the demonstrators threw yogurth which was left over from their free meals at the parliament buildings, the over throw of Vojvodina and Montenegro's governments became known outside Serbia as the "yogurth revolutions." Christopher Bennett, "Yugoslavia's Bloody Collapse." Hurst & Company, London, 1995, p. 99.

<sup>118</sup> VIP, 27 February 1998.

"staleimating the situation leaves room for increased tensions".<sup>119</sup> Then at the end of February, Mejdani asked Kofi Annan to establish a permanent UN presence in Kosovo as a preventive measure.

After the upsurge in violence in Kosovo, Albania's defense minister Perikli Teta said that his country feared the influx of up to 200,000 Kosovar refugees as a result of the crisis.<sup>120</sup> And he proposed that NATO deploy a peacekeeping force to help patrol the Albanian border with Kosovo. Instead, however, NATO decided to help Albania, which already belongs to Partnership for Peace, control arms smuggling along the border with money and technical aid, and promised emergency assistance in the event of a refugee influx. A NATO official speaking to a Reuters correspondent in Brussels said: "We expect Albania to exercise restraint... to make certain that their territory is not used for any activities to support the Kosovo Liberation Army."<sup>121</sup>

Former Albanian president Sali Berisha had a sober view of the prospects for international involvement in solving the Kosovo question. In December 1997 he declared that Kosovars' "freedoms and rights will not come as a gift from anyone, and their problems will not be solved in Tirana [or] Belgrade, or in Washington, London and Paris... They are solved and will be solved in Pristina and the towns and villages of Kosovo."<sup>122</sup>

Albanian prime minister Fatos Nano has been more accommodating to the Serbian position. In November last year he met up with Yugoslav president Milosevic on Crete in Greece, much to the chagrin of the Kosovars. LDK leader Ibrahim Rugova responded by saying that Albania can cooperate with all countries in the region, but "decisions on Kosovo can be made by the legitimate leadership of Kosovo only"<sup>123</sup> PPK leader Adem Demaci described the talks held there as "a serious political mistake", and Luljeta Pula-Beqiri of the Social-Democratic Party said that "the talks were premature."<sup>124</sup>

In mid-February 1998 Nano went further and openly criticised the "establishment of parallel institutions by Kosovo Albanians" according to the Tirana daily *Koha Jone*.<sup>125</sup> He also said that: "The Albanians in and outside Albania should understand that parallel institutions are no solution; on the contrary, they only radicalise the societies that have created them" because "these tendencies stir radical actions, and as we are witnessing, even terrorist ones, actions which the Albanian government does not support, irrespective of whether Albanians or Serbs are behind them." He therefore proposed that Kosovars "give up the policy of boycott, as a policy which has not yielded them any result so far [and] incorporate in the political life of the country they live in."

## E. Kosovo and the Balkans

Bulgarian foreign minister Nadezhda Mikhailova expressed the fears of many of the region's leaders when, at a 10 March 1998 meeting with her Greek, Turkish, Romanian and Macedonian counterparts, she said: "History has taught us that there are no internal problems in the Balkans."<sup>126</sup> In the event of ethnic fighting in Kosovo, the conflict will be more difficult to isolate than in Bosnia. Albania may yet decide that it has no option but to intervene, and the ethnic Albanians in Macedonia may seize the opportunity to assert their own independence. If Macedonia appears on the verge of disintegration, both Bulgaria and Greece may pursue their own territorial claims against Skopje. The permutations are endless and potentially very destabilising. Hence the declaration coming out of that meeting of foreign ministers called for full respect of the human rights and fundamental freedoms of the ethnic Albanian population in Kosovo and underlined that the solution to the Kosovo problem should be sought in full respect to the existing borders.<sup>127</sup>

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<sup>119</sup> VIP, 3 November 1997.

<sup>120</sup> Reuters, 11 March 1998.

<sup>121</sup> Ibid.

<sup>122</sup> *Transition*, Vol. 3, No. 4, 7 March 1997.

<sup>123</sup> VIP, 3 November 1997.

<sup>124</sup> VIP, 7 November 1997.

<sup>125</sup> Kosova Daily Report #1342, 10 February 1998.

<sup>126</sup> Reuters, 10 March 1998.

<sup>127</sup> Ibid.



The United Nations Preventive Deployment (UNPREDEP), whose mission has been to patrol the Macedonian border, was supposed to come to an end in August 1998 when the peace-keepers (300 US and 400 Scandinavians) were scheduled to withdraw. During his visit to NATO headquarters in February, Macedonian prime minister Branko Crvenkovski asked the alliance to take over from the UN. In mid-March, the US State Department suggested that UNPREDEP might be enlarged,<sup>128</sup> while Macedonian president Gligorov called for US troops to replace the UN detachment.<sup>129</sup>

A month before the Drenica clamp-down on Kosovars, Gligorov announced that his country was preparing to secure a corridor for refugees from Kosovo in the case of serious conflicts in Serbia's southern province. This statement annoyed both Kosovars and Macedonia's own Albanian community. In response, Arben Xhaferi, president of the Albanian Party of Democratic Prosperity, addressed tens of thousands of fellow Albanians in Skopje and Tetovo, many of whom chanted "UCK" and "We will give our lives but we will not give up Kosovo." And the secretary general of the Democratic Party of Albanians, said: "If there is trouble, Albanians in Kosovo, Macedonia, Montenegro and of course Albania will stand as one... we hope the US and Europe will open a dialogue, but if they don't we must look after ourselves"<sup>130</sup>

The fall-out from ethnic conflict in Kosovo may also be damaging to the peace process in Bosnia. While fighting is extremely unlikely to break out again in the presence of 35,000 NATO troops, another ostensibly Orthodox-Muslim struggle in the region will inevitably have consequences and may hold back the reconstruction process. Even Republika Srpska's new moderate prime minister Milorad Dodik has backed the Serbian clamp-down, sending a telegram of support to Serbian Prime Minister Mirko Marjanovic on 3 March 1998.<sup>131</sup> Serb member of Bosnia's Presidency, Momcilo Krajisnik, told the Bosnian Serb news agency Srna that: "The question of Kosovo is an internal Serbian matter, but not only a Serbian problem, because it is a symbol for the whole Serb people."<sup>132</sup> And deputies in Republika Srpska's National Assembly proposed a resolution demanding that Republika Srpska secede from Bosnia and join Yugoslavia in the event of independence for Kosovo.<sup>133</sup> Meanwhile, Bosniac media and politicians have indicated sympathy for the Kosovar position.

Turkey has strong historical links with Kosovars and has forged close military ties with Albania since the end of the Cold War. Following the Drenica clamp-down, Turkish president Suleyman Demirel wrote to his Yugoslav counterpart Slobodan Milosevic saying: "Leaders are persons who are invited by their people to come forward with remarkable courage and wise initiatives in the hard days of history." In an apparent allusion to the 13-years old conflict between the Turkish government and the Kurdish rebels in which 27,000 have died, he added "Turkey has a definite attitude on the subject of terrorism."<sup>134</sup>

In mid-January 1998 Greece proposed organising a meeting between FRY president Milosevic, the Kosovar leader Rugova and Albanian prime minister Nano. Such a meeting, said the Greek minister for European affairs, Iorgos Papandreu, should focus on the problem of Kosovo. He added that Greece, like the rest of the EU does not favour independence for Kosovo. The Albanian prime minister's advisor described the Greek proposal as interesting and said that Albania believes that the will of the Kosovars and their leaders should be respected in seeking a solution to this problem.

Kosovar political leaders shrugged. An LDK vice-president announced that the Greek initiative has no great chance of success at a moment when the US and EU are vying to mediate in Kosovo. And a PPK deputy leader said that the great powers have influence and can secure the implementation of agreements in resolving the Kosovo issue. In other words: no thanks, we have better protectors.

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<sup>128</sup> *The New York Times*, 13 March 1998.

<sup>129</sup> Reuters, 14 March 1998.

<sup>130</sup> Reuters, 12 and 13 March 1998.

<sup>131</sup> VIP, 5 March 1998.

<sup>132</sup> Srna quoted in ONASA, 4 March 1998.

<sup>133</sup> VIP, 16 March 1998.

<sup>134</sup> Reuters, 9 March 1998.

## F. Kosovo and Europe

### 1. European Union

Even before the recent upsurge in violence, the EU withdrew trade preferences from Yugoslavia for 1998 because the country had failed to meet minimum human rights criteria and live up to other conditions set out in a report on disputed local polls in Serbia issued late in 1996 by Gonzalez.<sup>135</sup>

In response to the Serbian crackdown in Drenica, EU foreign ministers met on 13 March 1998 in Edinburgh to agree the following measures:

- Renewal of the EU's demand to open an office in Pristina, the capital of Kosovo province;
- Expansion of the EU monitoring mission in Albania to observe the border with Kosovo;
- Continuing the pressure on the Belgrade government to open dialogue with the Kosovar leadership;
- Sending a message to the region stressing EU support for autonomy, but not independence in Kosovo;
- Appointing former Spanish prime minister Felipe Gonzalez as EU mediator for negotiations between Kosovo and the Yugoslav government (Mr Gonzalez has already been designated OSCE representative in the region);
- Convening a Kosovo conference in Paris with the participation of the countries of the troubled region, as well as the US and Russia;
- Implementing sanctions against Milosevic's government agreed to by the Contact Group;<sup>136</sup>

Earlier on 3 March 1998 the EU's Political Committee had concluded that, while the EU did not wish to internationalise Kosovo, but the question had been internationalised as a result of the violence and potential refugee exodus and was therefore no longer simply an internal matter for the FRY or Serbia.<sup>137</sup> And on 12 March 1998 the European Parliament<sup>138</sup> adopted a resolution calling on the UN, EU, OSCE, NATO and the Western European Union (WEU) to prepare the dispatch of a "preventive deployment force" for the region.<sup>139</sup>

The resolution is a typical case of good intentions and even frank outrage that the main actors of the international community express to each other in different fora. Since it is addressed to everybody and nobody in particular it is unlikely to spur any organization into action. The only recipient that could in the real world dispatch a "preventive deployment force" is of course NATO, but NATO has refused to do anything of the sort. On 18 March 1998, US Deputy Secretary of State Strobe Talbott said "We are going to work with NATO and make sure that all instruments available to us to shore up the region of this conflict are used. But the issue of further deployment of NATO forces has not arisen."<sup>140</sup>

### 2. Council of Europe

The Council of Europe discussed Kosovo on 27 January 1998, on the eve of the violence and called for Kosovar political leaders to condemn every manifestation of violence and terrorism and for Yugoslav authorities to initiate Serb-Albanian dialogue. The Council of Europe also stressed that it would neither support Kosovo's secession and the violation of the territorial integrity of the FRY, nor would it endorse Serbia's view that human rights in Kosovo were an exclusively internal matter.<sup>141</sup>

<sup>135</sup> Reuters, 30 December 1997.

<sup>136</sup> AP, 14 March 1998.

<sup>137</sup> *Nasa Borba*, 5 March 1998.

<sup>138</sup> <http://www.europarl.eu.int/index/en/default.htm>.

<sup>139</sup> Reuters, 12 March 1998.

<sup>140</sup> Reuters, 18 March 1998.

<sup>141</sup> *Nasa Borba*, 28 January 1998.

The Council of Europe's Parliamentary Assembly adopted a resolution on the FRY making clear to the Yugoslav authorities that the EU would only help reintegrate the country into European affairs, if it fulfilled key conditions, and in particular improved its human and minority rights record. The resolution also asked the Belgrade authorities to allow a "permanent presence of the international community in the region".<sup>142</sup>

Following the events of late February and early March 1998, the president of the Council of Europe's Parliamentary Assembly, Leni Fischer, travelled to Belgrade. There he said that the reinstatement of the autonomy Kosovo had enjoyed before 1989 was no longer an option, since that status had only been viable within the framework of a Yugoslavia of six republics and two autonomous provinces. Instead, the Council of Europe proposed that the authorities [in Belgrade] should determine a certain degree of autonomy for Kosovo, and that Kosovars should be represented in administrative bodies, the police, and the health care and educational systems, in proportion to their overall numbers in the population.<sup>143</sup>

### 3. Individual European Initiatives

France and Germany are the European countries which have been most active diplomatically on Kosovo. In December 1997 the countries' respective foreign ministers Klaus Kinkel and Hubert Vedrine wrote to both Milosevic and Rugova indicating that the solution is "neither independence nor keeping the status quo but asking special status for Kosovo". They wished to follow up this initiative with a visit to Kosovo, but that was blocked by Milosevic so they cancelled their scheduled trip to Belgrade. While both countries are important trading partners for Yugoslavia, the initiative was not appreciated. Indeed, after Kinkel announced that the international community would increase pressure on Belgrade as a result of human rights abuses in Kosovo, Yugoslavia's state-owned news agency Tanjug commented that this was "scandalous, false peace-making and planning another wave of instability".<sup>144</sup>

In an interview with the German daily *General Anzeiger* dated 17 March 1998, Kinkel also had harsh words for the Kosovars: "It is most important to start a dialogue, even if not all demands of the Kosovo Albanians will be fulfilled.... They should not stage any militant actions, nor should they make demands for independence. There is no support for this in the international community," he said.<sup>145</sup>

The two foreign ministers eventually visited Belgrade on 19 March 1998. They are believed to have offered Milosevic a package of inducements, such as readmission into the OSCE, in return for allowing the EU to open an office in Pristina, and the OSCE's observation mission to return to Kosovo (see section III, H(1) below). Kinkel also asked for the dialogue on Kosovo to be held on the Federal and not Serbian level.

As during the Bosnian war, Russia has adopted a obdurate, pro-Serbian position. In response to Western hopes that Russia might mediate, the foreign ministry's spokesman Gennady Tarasov stated that Russia considered Kosovo to be an internal Serbian matter and that therefore: "Russia is not taking on the role of intermediary in the settlement of Yugoslavia's internal conflict in Kosovo province."<sup>146</sup> After Serbian president Milan Milutinovic said that Serbia was ready to discuss "self-rule" for Kosovars, the Russian foreign ministry announced: "We welcome the measures suggested in the declaration directed at the quickest resolution of the situation in Kosovo and consider them an important step in the spirit of the Contact Group's recommendations."<sup>147</sup>

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<sup>142</sup> VIP, 29 January 1998.

<sup>143</sup> VIP, 17 March 1998.

<sup>144</sup> VIP, 9 February 1998.

<sup>145</sup> Reuters, 16 March 1998.

<sup>146</sup> Reuters, 12 March 1998.

<sup>147</sup> Reuters, 19 March 1998.

## G. Kosovo and the US

Both Serbs and Kosovars watch and analyse every US diplomatic move in the Balkans, often reading far more into actions than was ever intended by the individuals concerned. Having already invested a huge amount of money and energy in building peace in Bosnia, the US is determined to maintain regional stability both to give the Dayton process a chance of success and to obviate the need for another costly reconstruction programme elsewhere in the Balkans. Hence the speed and resolve with which the US has responded to the upsurge in violence in Kosovo, events which this country is uniquely well qualified to interpret, since it alone already has a diplomatic presence, albeit very small, in the province, in the capital Pristina.

Secretary of State Madeleine K. Albright and Deputy Secretary of State Strobe Talbott have, in particular, been outspoken in their criticism of Serbia, and especially Milosevic, since the upsurge of violence. This is probably in large part a reaction to the timidity which characterised the international community's response to the outbreak of fighting in Croatia in 1991 and in Bosnia in 1992. Mme Albright has warned Milosevic that he will pay a high price, saying: "We are not going to stand by and watch the Serbian authorities do in Kosovo what they can no longer get away with doing in Bosnia."<sup>148</sup> She believes that "the one thing [Milosevic] truly understands is decisive and firm action on the part of the international community."<sup>149</sup> that "the time to stop the killings is now, before it spreads."<sup>150</sup> Talbott has gone even further, ordering Serbia to "cease its brutal repressive campaign which involves ethnic cleansing, summary executions and mass expulsions", and warning that "Belgrade will bear full responsibility for bringing the viability of their own state into jeopardy."<sup>151</sup>

This uncompromising US approach is not a new departure. Five years ago in Christmas 1992 at the height of the Bosnian war, then president George Bush warned Milosevic in a cable that in the event of conflict in Kosovo, the US would be prepared to employ military force against the Serbs. The cable was reported at the time by *The New York Times* and confirmed privately by US officials. Moreover, when asked if Bush's so-called "Christmas Warning" was still in effect, special US envoy to the Balkans Robert Gelbard said: "US policy has not changed... We have warned Milosevic appropriately."<sup>152</sup>

The US also insists on maintaining an "outer wall of sanctions" against rump Yugoslavia, because it considers the country to be a threat to its national interests.<sup>153</sup> It therefore prevents Yugoslavia from joining the International Monetary Fund, World Bank, UN and other international organizations and institutions.

These sanctions against Yugoslavia will be kept in place until Congress has received a written explanation from the president stating that significant progress has been achieved in resolving the situation in Kosovo. "Significant progress" in Kosovo would include, as specified by this article, the right to self-rule for the people in Kosovo; the establishment of international protectorate in Kosovo; an improvement in the state of human rights; allowing the return of international observers in charge with monitoring human rights in Kosovo; and allowing Kosovo's elected government to carry out its mandate as a legitimate representative of the people in Kosovo."<sup>154</sup>

Other conditions which rump Yugoslavia has to meet before the sanctions will be fully lifted are the following:

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<sup>148</sup> Reuters, 7 March 1998.

<sup>149</sup> *The New York Times*, 8 March 1998.

<sup>150</sup> Reuters, 8 March 1998.

<sup>151</sup> Reuters, 18 March 1998.

<sup>152</sup> Reuters 4 March 1998.

<sup>153</sup> Article 533, passed 22 October 1996 by the US Congress.

<sup>154</sup> VIP, 23 October 1996.

- cooperation with the Hague war crimes tribunal and the fulfillment of the other articles of the Dayton Peace Agreement;
- completion of the division of assets among the heir states of the former Yugoslavia;
- democratization in Serbia based on OSCE recommendations; and
- official recognition of the presidential elections in Montenegro.

This latter item was added in the December 1997 renewal of the "outer wall". By extending the list, however, it softens the edge of this sanction as a weapon used on behalf of Kosovo.

Ironically, many Kosovo observers accuse the US of giving Milosevic the "green light" to launch the Drenica clamp-down. On 23 February 1998 the US offered Belgrade minor cosmetic concessions which did not, however, affect the "outer wall" of sanctions as a reward to Milosevic for supporting Milorad Dodik, the new, moderate Serb prime minister in Republika Srpska. On the same day, Gelbard visited Pristina and said that the Kosovo Liberation Army UCK "is without any questions a terrorist group" and that the US "condemns very strongly terrorist activities in Kosovo." On 12 March, when questioned by lawmakers, over whether he still considered the group a terrorist organization, Gelbard said that while it has "committed terrorist acts" it has "not been classified legally by the US government as a terrorist organization."<sup>155</sup> Gelbard has, nevertheless, continued to make it clear to Kosovars that the US wants their leadership to condemn terrorism and does not support the concept of an independent Kosovo, seeking instead a settlement which leaves today's international borders intact. A diplomatic source told Reuters: "Rugova should know by now that independence is not an option and that continued violence will lessen Western support."<sup>156</sup>

Though the US does not have an embassy in Belgrade, since it has not yet officially recognised the FRY, the US Information Service has a small office in Pristina. Opened in July 1996 in an Albanian neighborhood (to Serb annoyance), USIS is based in a two-storey building, filled with an impressive collection of CD-ROMS, reference materials and a library of classic books, and staffed by one US diplomat.

LDK leader Ibrahim Rugova described USIS as "a direct link with the US" and its opening as "a historic day for Kosovo". However, after a few months of euphoria -- during which time the information centre was treated as a fully-fledged embassy and the solitary diplomat as an ambassador -- Kosovars turned against USIS. This was because, on a visit to Kosovo in spring 1997, the then US special envoy to the Balkans John Kornblum bluntly told Kosovars that the US did not consider independence to be a solution. As a result, USIS began to be known merely as a "little library" and its then director was attacked in the Albanian-language press on personal grounds.

Though only of minor significance, the affair is indicative of the faith Kosovars have in the US, their desperate hope that the US will provide their salvation and their bitter disappointment when the US makes it clear that it will not. But the US still is the one and perhaps only reference for Kosovars. Starting with the 7 March 1998 demonstration of Kosovar doctors and nurses, many public protests were staged in the narrow steep streets around the USIS building, both as a sign of trust in the American willingness and possibilities and a protection against Serbian police which is less likely to attack Kosovars in full view of an American diplomat.

## **H. Kosovo and International Organisations**

### **1. OSCE**

Between September 1992 and July 1993 the OSCE, then called CSCE, had a team of observers in Kosovo, with offices in Pristina, Pec and Prizren, monitoring the human rights situation. The Kosovo team was part of the "Mission of Long Duration in Kosovo, Sandzak and Vojvodina" which was prematurely curtailed when the Yugoslav government refused to extend its presence.

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<sup>155</sup> *The New York Times*, 13 March 1998.

<sup>156</sup> Reuters, 11 March 1998.

The Mission's tasks were as follows:

- promote dialogue between authorities and representatives of the populations and communities in the three regions [Kosovo, Sandzak and Vojvodina];
- collect information on all aspects relevant to violations of human rights and fundamental freedoms and promote solutions to such problems;
- establish contact points for solving problems that might be identified;
- assist in providing information on relevant legislation on human rights, protection of minorities, free media and democratic elections.<sup>157</sup>

Max Van der Stoel, the OSCE's high commissioner for minorities, traveled on 19 February 1998 to Pristina where he met with LDK leader, Ibrahim Rugova. Because Van der Stoel was refused an official visa by the Belgrade authorities, he visited Kosovo in a private capacity. Ironically, PPK chairman Adem Demaci refused to see Van der Stoel, on the grounds that Kosovars are not a "minority" in Kosovo but a nation. (*see* section II, E(3) *Parliamentary Party of Kosovo*)

At the beginning of February, a delegation of the OSCE's "Troika" Heads of Missions in Belgrade, led by Poland's Ambassador to Belgrade Slawomir Dabrowa, went to Kosovo on a fact-finding visit (2-3 February). Serbian officials in Kosovo refused the talk with the OSCE delegation, but the Troika did manage to hold talks in Belgrade with the Chairman of the Foreign Relations Committee of the Serbian Parliament, and in Pristina with Rugova, PPK representatives, members of the "3+3" Commission on Education, one human rights activist, one journalist, two formerly prominent politicians and Momcilo Trajkovic, the chairman of the Serb Resistance Movement.

The Troika concluded that the role of the OSCE and its position on Kosovo has been perceived in a different way by the two sides. The Serbian authorities could see no role for the OSCE until the FRY was readmitted into the organisation and repeated that Kosovo was purely an internal matter. By contrast, Kosovar leaders viewed the prospects of OSCE involvement positively, saying that Van der Stoel would be welcomed in Pristina as the OSCE Chairman-in-Office's Personal Representative, but not at all as the OSCE High Commissioner on National Minorities.

After the upsurge in violence, the OSCE condemned "the excessive and indiscriminate use of force" but also stressed "the unacceptability of any terrorist action." It also decided that the two existing OSCE missions, in Tirana and in Skopje, should monitor the border with Kosovo in view of the potential for the spill over of the conflict and the possible flow of refugees. And it called on Serbia "to halt excessive use of force in Kosovo, to vigorously investigate and accept international investigation of reported summary executions and to bring to justice those found responsible."<sup>158</sup>

## 2. Contact Group

On the eve of the Drenica clamp-down at the end of February 1998, the "Contact Group" countries -- US, Russia, France, Britain, Germany and Italy -- issued a joint statement on Kosovo. It said that the Contact Group "supports an enhanced status for Kosovo within the Federal Republic of Yugoslavia and recognises that this must include meaningful self-administration." It also stressed that: "The Contact Group supports neither independence nor the maintenance of the status quo."<sup>159</sup>

After the upsurge in violence, the Contact Group met on 9 March 1998 and agreed (1) to support a UN Security Council resolution to impose a comprehensive arms embargo against Yugoslavia; (2) to deny visas to senior Yugoslav and Serbian officials responsible for the repression; and (3) to impose a moratorium on

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<sup>157</sup> <http://www.osceprag.cz/inst/secret/missions/kosovo.htm>.

<sup>158</sup> Reuters, 11 March 1998.

<sup>159</sup> Reuters, 25 February 1998.

credit for government-financed exports. The same five countries also set Milosevic a deadline of 19 March 1998 to achieve the following:

- withdraw the special police units and call off action by the security forces against the civilian population;
- allow access to Kosovo for the International Committee of the Red Cross and other humanitarian organisations as well as representatives of the Contact Group and other embassies;
- commit himself publicly to begin a process of dialogue with the Kosovar leadership.<sup>160</sup>

A follow up Contact Group meeting to assess Milosevic's response is scheduled to take place in Bonn on 25 March 1998. The main measure to be discussed is the freezing of funds held abroad by the FRY.

The sanctions foreseen by the Contact Group raise two issues. The first is implicit US recognition of the FRY, since officially the US uses the term Serbia-Montenegro. The second, and more substantial, issue is that sanctions against the FRY will also affect Montenegro even though that republic played no part in the Kosovo clamp-down and its president Milo Djukanovic is one of Milosevic's most vociferous opponents. There may be no way to fine tune the sanctions, but Montenegro must be treated in a different manner to Serbia, even though Milosevic is officially president of the whole of the FRY. Punishing Montenegro at this stage may mean a loss of a potential ally.

### 3. United Nations

The US and other Contact Group countries pushed for a Security Council resolution to impose sanctions on Yugoslavia unless Serbian special police left Kosovo within 10 days i.e. by 19 March 1998. China, however, has stymied tough action since it deems the Kosovo crisis an "internal affair". And on 19 March 1998 Russia too backed away from support for an arms embargo, even though it had earlier appeared to agree on that measure with other Contact Group countries.<sup>161</sup>

The US and various human rights non-governmental organisations have also urged the UN Yugoslav War Crimes Tribunal in The Hague to investigate the recent violence [*see* section II C, *Human Rights Situation*) Since the Tribunal's statute empowers it to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, the Tribunal answered that: "the prosecutor is currently gathering information and evidence in relation to the Kosovo incidents and will continue to monitor any subsequent developments."<sup>162</sup>

### 4. NATO

Given Milosevic's track record in Croatia and Bosnia and the pivotal role which NATO has played in ending the Bosnian war and since reconstructing the war-ravaged country, Balkan observers are watching the Alliance's actions closely. Already at the end of January, anonymous NATO sources told the Reuters news agency<sup>163</sup> that the Allies are increasingly concerned at the deterioration of the situation in Kosovo, worried about the increasing cycle of violence. Nevertheless, secretary-general Javier Solana has ruled out preventive deployment of peace-keepers in Albania -- requested by the Albanians themselves -- promising only financial and technical help for border patrols, and further assistance in the event of a refugee influx.<sup>164</sup>

In the aftermath of the Serbian police's clamp-down, the North Atlantic Council issued a statement calling on all sides to reduce tension; suggesting that the implementation of the education agreement would be an important step forward; and calling "on the authorities in Belgrade and leaders of the Kosovar Albanian

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<sup>160</sup> Reuters, 9 March 1998.

<sup>161</sup> Reuters, 19 March 1998.

<sup>162</sup> <http://www.un.org/icty/>

<sup>163</sup> Reuters, 23 January 1998.

<sup>164</sup> Reuters, 1 March 1998.

community to enter without preconditions into a serious dialogue in order to develop a mutually-acceptable political solution for Kosovo within the Federal Republic of Yugoslavia.” The statement ended with: “NATO and the international community have a legitimate interest in developments in Kosovo, *inter alia* because of their impact on the stability of the whole region which is of concern to the Alliance.”<sup>165</sup>

## 5. Non-Governmental Organisations

Only a handful of international non-governmental organisations (NGOs) work in Kosovo, mostly dealing with health, nutrition, education and construction. They are: Catholic Relief Service, Children Aid, Doctors of the World, Handicap International, International Rescue Committee, Medecins Sans Frontieres, Mercy Corps International, Oxfam, Pharmaciens Sans Frontieres, and Save the Children. There are also a few international UN-affiliated organisations: International Committee of the Red Cross, UNHCR, UNICEF and WHO. World Vision is planning to open a mission in Pristina in the spring of 1998.

The following extract from an internal report of an international organisation working in Kosovo is typical: “Kosovo is a very sensitive issue that generates strong feelings of nationalism in the parties involved, i.e. the Serbs and the Albanians. In an environment like the Balkans, where 240,000 have been killed over the past four years due to this particularly unhealthy nationalism, it is understood that any involvement in the Kosovo issue would not be welcomed. This is equally so for any public reporting by international bodies or organisations. Thus, [our] monitoring function in Kosovo has remained a low-profile exercise. While considering [our] need for diplomacy in implementing [our] mandate, our possible involvement in Kosovo... would most efficiently be carried out if it were to draw attention to issues directly linked to [our] mandate (as a result or a consequence of the political and human rights situation).”

Since the NGOs can only operate with Belgrade’s blessing and expatriates -- of whom there are fewer than two dozen permanently resident -- require visas, these groups tread warily. After the Drenica clamp-down, the director of one internationally-known aid agency complained to a Reuters reporter that he had been denied access to the area of fighting. However, he declined to identify himself or the organisation for fear of repercussions.<sup>166</sup> Nevertheless, NGOs have succeeded in reducing repression, especially in Pristina where they all headquartered, simply by their presence.

In the aftermath of the Drenica clamp-down, the ICRC pulled its international staff out of the province following a series of death threats. The unspecified threats came after ICRC was allowed by Serbia’s authorities to assist victims of the violence. On 9 March 1998, however, the Serbian government called on ICRC to appoint an *ad hoc* team of neutral experts to go to Kosovo.<sup>167</sup>

## IV. PROPOSED SOLUTIONS

A lasting solution in Kosovo will have to attempt to take into account and, if possible, match the often conflicting views and sentiments of Serbs and Kosovars. According to a recent opinion poll<sup>168</sup> in Serbia and Montenegro, 42 percent of Serbs wished to abolish all autonomy for Kosovo; 40.7 percent were prepared to grant Albanians limited, cultural autonomy; and 8.3 percent were prepared to grant them political autonomy. Only 2.2 percent believed the Albanians had the right to a republic, 1.2 percent were prepared to accept Kosovo’s secession, and 5.9 percent advocated the division of the province between Serbs and Albanians.<sup>169</sup>

<sup>165</sup> M2 Communication from NATO, 5 March 1998.

<sup>166</sup> Reuters, 16 March 1998.

<sup>167</sup> *ibid.*

<sup>168</sup> The research was carried out by the Belgrade pollster Argument for the BETA news agency, the Belgrade daily *Nasa Borba* and the Pristina daily *Koha Ditore* and involved interviews with 1,007 people living in 28 municipalities in Serbia and Montenegro between 13 July and 4 August 1997.

<sup>169</sup> BETA, 21 August 1997.



A survey of Kosovar opinion generated very different results.<sup>170</sup> With interviewees able to choose more than one option, 88.9 percent said that they desired independence, 26.9 percent wanted territorial division and population "exchanges", more than 50 percent were ready to accept autonomy as enjoyed before 1990 and more than a third said that they would accept wide economic, cultural and administrative autonomy.

International envoys aiming to help facilitate a sustainable and peaceful solution face a dilemma. If the international community recognises that Kosovo is part of Serbia, then the issue is an internal Yugoslav affair and any "help" must be approved by Belgrade. Any other approach would be interpreted as recognising Kosovo's independence, with potentially deadly consequences. Whereas the Kosovar leadership regularly appeals for international mediation, Belgrade typically resents what it deems international meddling. In response to a Franco-German initiative calling for a special status for Kosovo late last year, for example, Milan Milutinovic, then foreign minister and now Serbian president, said: "Foreign mediators are an interference in the internal affairs of our country and are out of question. We do not write letters to them [the French] about, say, Corsica, where there are problems with national minorities and separatist movements too."<sup>171</sup>

At the end of last year, however, blanket Serbian opposition to foreign involvement appeared to crack. Milorad Vucelic, vice-president of Milosevic's Socialist Party of Serbia (SPS) was reported saying: "The SPS is ready to open a dialogue on all issues with the political representatives of Kosovo Albanians. We are willing to discuss everything except the secession of Kosovo and the violation of territorial integrity of Serbia. We can speak with the citizens of Serbia of Albanian nationality without international mediation, which does not mean that outside initiatives that help the dialogue are unacceptable."<sup>172</sup> It was the first time a member of the ruling party had proposed talks with the parallel Kosovar authorities which had hitherto not been recognised by Serbia.

Otherwise, international initiatives to help facilitate a peaceful settlement have generally been limited to conferences (see section , III, B above *Kosovo and Belgrade Serbs*) bringing together moderates on either side of the ethnic divide. The Bertelsmann Foundation, a German think-tank published in 1997 a document called *How to Settle the Kosovo Conflict* proposing a series of confidence-building measures aimed at restoring trust between Serbs and Albanians, including the creation of an international ombudsperson. The paper also examined possible ideas for a final settlement. And a Swedish-based conflict resolution group, the Transnational Foundation for Peace and Future Research proposed United Nations administration.

Theoretically, the options for the status of Kosovo range from the province gaining total independence to maintenance of the status quo.

## A. Status Quo

Predictably, both Milosevic's ruling SPS and his wife Mira Markovic's Yugoslav United Left (YUL) advocate maintenance of the status quo. This is also the prevailing view presented in Pristina's official Serb-language daily *Jedinstvo*, which rather aptly means unity.<sup>173</sup> The less-than-persuasive argument put forward to justify the status quo is that human rights are already guaranteed to the "highest international standards" in the existing Serbian Constitution. Unsurprisingly, Kosovars reject the current position, even as a starting point for dialogue. Moreover, with Serbs comprising less than 10 per cent of the total population, Serbs and Albanians inhabiting parallel societies and the level of inter-communal violence escalating, the status quo appears increasingly untenable. While increased repression and additional police operations may be able to keep a lid on unrest in the short term, the likelihood is that the Albanian population will only become more alienated, radicalised and prone to seeking a military solution.

<sup>170</sup> October 1996, carried out for the BETA news agency and including interviews with 728 Kosovars.

<sup>171</sup> VIP, 1 December 1997.

<sup>172</sup> *Nasa Borba*, December 1997.

<sup>173</sup> *Jedinstvo*'s reporting and subject matter are generally predictable and uninspiring. *Kosovo i Metohija ce uvek biti Srbija* (Kosovo and Metohija will always be Serbia) is a rather typical front-page headline, though on 15 August 1997 it simply marked the visit of Serbian Prime Minister Mirko Marjanovic to the province.

## B. Independence

The Kosovars' preferred settlement is without doubt independence from Yugoslavia which they justify by the right of every people to self-determination.<sup>174</sup> In the end of February 1998, as violence erupted across the province, Dr. Rugova stated clearly that this was his goal and that nothing short of independence was now acceptable. Nevertheless, in the absence of a full-scale war, large casualties and a Serb defeat, independence remains a highly unrealistic aspiration. Recognition of an independent Kosovo requires a redrawing of international borders which the Contact Group is not, at this stage, prepared to consider. Indeed, even countries, like Germany, which broke ranks to recognise Slovene and Croatian independence in 1991 are reluctant to do the same in the case of Kosovo, if for no other reason, as a result of on-going international criticism of the earlier decision.

Independence for Kosovo would also turn the current relationship between Serbs and Albanians on its head. Instead of Albanians forming a minority in Yugoslavia, Serbs would form a minority in an independent Kosovo, that is if any Serbs chose to remain in an independent Kosovo at all. Given current strained relations between the communities and Albanian treatment at Serb hands during the past decade, the chances are that virtually no Serbs would in fact stay on in an independent Kosovo and that those who did would face a very similar oppression to that currently experienced by the Albanian community. Moreover, another Serb exodus, this time from Kosovo, would place yet more pressure on Yugoslavia's already massively over-burdened social infrastructure.

An independent Kosovo also opens up the Albanian question elsewhere in the Balkans, with ramifications both for Albania and Macedonia. Rexep Qosja, a militant member of the Kosovo Academy of Arts and Science who has long advocated "intifada"-like protests against Serbian rule, argues for union with Albania and the creation of a single state comprising all Albanians in the Balkans.<sup>175</sup> While the appeal of such a union has probably diminished since the collapse of Albania's many pyramid-saving schemes in 1997, the prospects of Macedonia's Albanians deciding to secede and join their ethnic kin in an independent Kosovo remain real. In such an event, the territorial integrity and, indeed, the very survival of Macedonia as an independent state will be in jeopardy.

## C. International Protectorate

Dr Rugova frequently calls for an international protectorate for Kosovo to head off potential bloodshed as an interim measure. The idea has also been floated by the Swedish-based Transnational Foundation for Peace and Future Research.<sup>176</sup> Under the TFF proposal, the United Nations would take over Kosovo's administration for three years, the province would be demilitarised and a "Professional Negotiation Facility" set up. The appeal of such an arrangement to Kosovars, who expect it to lead to self-determination, is obvious. At this stage, however, it has no appeal to Serbs who understandably view it as but a step to independence. It is highly unlikely that the Belgrade authorities would accept any such foreign intervention in what they consider their internal affairs. It is also unlikely that the international community would be willing to take on, at the same time, another operation similar to that in Bosnia.

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<sup>174</sup> For a concise review of the legal argument which Kosovars make for independence, see Esat Stavileci's *Posesivna velokodrzavnost*.

<sup>175</sup> Zoran Lutovac, *The Status of Kosovo in the Light of Geopolitical Changes in the Balkans*.

<sup>176</sup> Jan Oberg, *Kosovo on the Agenda, War Report*, May 1996.

## D. Administrative Reforms and Possible Partition of Kosovo

An *ad hoc* expert group consisting of Serb intellectuals proposed in December 1997 the administrative reconfiguration of Serbia into 10 regions. Under the proposal, two of these regions, would be carved out of today's Kosovo -- one called Kosovo and the other Metohija -- in place of the 29 municipalities the province is currently divided into.<sup>177</sup> The proposed regions would not have elements of statehood, but they would be represented in the republic's Chamber of Regions, one of the chambers of the Parliament of Serbia. The army, passport and currency would remain common, but other elements could be open to discussion. The *ad hoc* group also proposed a new census in Kosovo to determine the province's ethnic composition and measures to end the assimilation of non-Albanian Muslims. The proposal was sent to all Serbia's main political parties and the *ad hoc* group said it was eager to hear what Kosovars thought about this idea.

An earlier proposal from Aleksandar Despic, head of the Serbian Academy of Arts and Sciences, in June 1996, went further. He suggested the partition of Kosovo between Serbs and Albanians.<sup>178</sup> And Dobrica Cosic, the writer and former President of Yugoslavia, is associated with another proposed ethnic division envisaging the formation of two entities, based on the Bosnian model, each able to form special relations with their "mother states". The obvious problem which arises is how to draw up boundaries between Serb and Albanian territory. Ironically, Kosovars have generally been more receptive to these proposals than Serbs, considering them a step towards secession.<sup>179</sup>

## E. Autonomy

A return to a similar level of autonomy to that enjoyed before 1989 is often proposed by outside observers as a potential solution. One of the more innovative proposals in this direction, based on the autonomy statute of the predominantly German Trentino-South Tyrol region of Italy, was put forward by the Bertelsmann Foundation and the Centre for Applied Policy Research at Munich University.<sup>180</sup> The Foundation considered this model appropriate because "it was established after both sides committed violent acts and in the course of the post-World War II democratisation of Italy". The model requires reform of the existing Serbian constitution to transfer legislative powers to the province in areas, including tourism, agriculture, mining, town-planning and urban development, social security, toponyms, local customs and cultural institutions, nursery schooling, and vocational training.

One problem with this approach is the very term "autonomy" which has a negative connotation among the Kosovar leadership and is rejected. According to LDK vice-president Fehmi Agani: "The offer of autonomy is no offer at all. It has been outdated for a long time, and, moreover, it would not guarantee the respect of Kosovo Albanians' civic and national rights."<sup>181</sup> The concepts "autonomy" and "national minority", which were both used in the Socialist Federal Republic of Yugoslavia and which were supposed to provide basic rights to Albanians, are in large part blamed for Kosovo's current status and the on-going oppression. Autonomy has, Kosovars believe, already been tried and was found wanting because it is insufficient to ensure Albanian rights and runs the risk of unilateral and illegal revocation by Belgrade as in 1989. Serbs too feel that autonomy was tried and found wanting but for very different reasons -- the autonomy granted to Kosovo between 1974 and 1989, they feel, led not to stability but inexorably towards secession.

Kosovars appear more receptive to a similar concept under a different name. Using terms such as "special status", "special entity", "federal entity", "federal unit", "transient protectorate", interim constitutional and/or political status", rather than autonomy is generally more productive, even though it effectively means something very similar. Further, Kosovars find such a status, however it is formally called, more palatable, when considered in a Yugoslav, as opposed to a Serbian framework. The term Serbia is overwhelmingly

<sup>177</sup> *Demokratija*, 10 December 1997.

<sup>178</sup> *Nasa Borba*, 10 June 1996.

<sup>179</sup> Zoran Lutovac, *The Status of Kosovo in the Light of Geopolitical Changes in the Balkans*.

<sup>180</sup> How to Settle The Kosovo Conflict, Policy recommendations by the Bertelsmann Foundation and the Center for Applied Policy Research, 1997.

<sup>181</sup> December 1997.

linked to the Serb nation, while Yugoslavia, though negative and difficult to deal with, is still vaguely supranational and bearable.<sup>182</sup>

## F. “Third Republic”

Granting Kosovo the status of a “third republic” within Yugoslavia (alongside Serbia and Montenegro) is another potential solution, one with the advantage of not changing the external borders of the country. This solution may also, in time, prove to be the most acceptable middle ground, although it requires all sides to back down from their current positions and will necessitate the creation of a very different kind of Yugoslav state, committed to civil society and democratic principles. Republican status was the aim of Kosovar demonstrators in 1981. The option again became the subject of heated debate in August last year after Gazmend Pula of the Kosovo Helsinki Committee, managed to present it briefly to Richard Holbrooke at a reception in the US mission in Belgrade.<sup>183</sup>

As a third Yugoslav republic, Kosovo would have its own constitution, independent powers to legislate, its own administrative and judicial institutions and the right of veto over key issues decided at the national level. The Yugoslav state would be responsible for defence and security, foreign and monetary policy. Kosovo’s borders would be guaranteed, Albanians become a constituent nation of Yugoslavia, and Albanian an official language. Meanwhile, Kosovo’s Serbs would remain a constituent nation and enjoy positive discrimination.<sup>184</sup> Despite such guarantees, however, both Belgrade and local Serbs reject the approach. According to Momcilo Trajkovic, leader of the local Serbs: “We do not want to accept such compromise because this means that ultimately Kosovo would be lost [for Serbs].”<sup>185</sup> A variation of the “Third Republic” concept is Adem Demaci’s project of Balkan Confederation, popularly called Balkania. This envisages the alliance of three free, secular and sovereign states, Kosovo, Serbia and Montenegro, each with the right to secede. And it is this prospect of secession which makes the “Third Republic” unpalatable to Serbs.

## G. Conclusion

In 1992 Warren Zimmerman, then US Ambassador in Belgrade, warned of Kosovo that: “You cannot have a combination of colonial authoritarianism and communism in the middle of Europe.” Yet more than half a decade later, the province’s status and administration remains unchanged. The long-feared and often-predicted war has not erupted. The powder keg has yet to explode. However, as the spiral of violence of the past two years and the bloodletting indicate, the powder is very dry and sparks may ignite it at any time.

Kosovars have tired of the passivity and non-violence preached by Dr Rugova and the LDK. They are also disappointed with and feel let down by the international community and in particular the US and will no longer necessarily listen to outside calls for restraint. The pent-up frustration of close to a decade of waiting without any hint of light at the end of the tunnel, and the precedents for achieving political goals by military means set by Slovenia, Croatia, Bosnia and Republika Srpska, play into the hands of hotheads who are prepared to fight for an independent Kosovo. Acts of terrorism by groups such as UCK will surely increase as Kosovars see the publicity benefits of more aggressive tactics. Moreover, the cause has acquired more than 50 martyrs just in the past month.

Clearly there is no magic solution. However, in the current circumstances the conflict will not simply disappear or work itself out of its own accord. Further, because of the likelihood that ethnic fighting could

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<sup>182</sup> Gazmend Pula, *Kosova -- Republic in a New (Con)Federation Via Refederalization of Yugoslavia: General Considerations, Preconditions, Process and Relevant Features*.

<sup>183</sup> Pula has also published an article explaining the concept as he understands it called *Kosova -- Republic in a New (Con)Federation Via Refederalization of Yugoslavia*.

<sup>184</sup> Berlelsmann Foundation, *How to Settle the Kosovo Conflict*.

<sup>185</sup> *Gradjanin*, 22 August 1997.

not be contained within Kosovo, the conflict has an international dimension and should not therefore be treated merely as an internal Yugoslav matter. Kosovo has to be treated as an international priority and Yugoslavia has to accept that the threat to regional stability and the potential for another exodus of refugees from its territory give the international community the right both to become involved and to mediate in this most delicate affair. A patient, determined and consistent approach to Kosovo now can help avert yet another humanitarian catastrophe in the former Yugoslavia which is in the interests of Serbs, Albanians, the wider region and the international community.

## **V. ICG RECOMMENDATIONS**

Major pressure will have to be applied to Serbia if Belgrade is to act to end human rights violations in Kosovo and accept international involvement in solving the Kosovo problem. The possibilities of exercising such pressure through international bodies—be they political (such as OSCE, High Commissioner for Minorities, UN Sub-Commission on Human Rights) or financial (such as the World Bank or IMF)—is limited because the “outer wall of sanctions” excludes FRY from all these organisations. The status of FRY at the UN is a so-called “empty seat solution” even though UN humanitarian agencies (UNHCR, UNICEF) are operating in FRY. As of this writing the Contact Group is the main forum where the Kosovo problem is being dealt with, while NATO is refusing to take the lead.

ICG proposes the following recommendations:

### **A. SHORT TERM MEASURES**

#### **1. Military strategy**

NATO’s involvement in helping to contain and, ultimately, defuse the crisis in Kosovo is essential. The current situation poses a serious threat to peace in South Eastern Europe and the NATO Alliance is the only institution capable of heading off such a threat. Therefore, ICG calls for an urgent meeting of the NATO Ministers of Defence and Foreign Affairs to agree on a strategy concerning Kosovo, thereby sending a clear signal to President Milosevic that NATO is willing and ready to intervene should he continue using violence in Kosovo. Following this meeting, a senior NATO representative should visit Belgrade to convey to President Milosevic NATO’s position. Furthermore, the mission of the UN Preventive Deployment Force (UNPREDEP) in Macedonia should be extended and the number of troops increased and strengthened with NATO forces. Consideration should also be given to deployment of an international force in Albania close to the borders with Kosovo. These last two steps would help prevent the conflict in Kosovo from spreading and would facilitate rapid and effective action should an intervention become necessary. The possibility of holding military exercises in Macedonia or in Albania – which is a “Partnership for Peace” member -- should also be considered. To make matters perfectly clear to the Belgrade regime the “Christmas Warning” (in December 1992 then president George Bush warned Milosevic in a cable that in the event of conflict in Kosovo, the US would be prepared to employ military force against the Serbs) should be restated multilaterally through NATO if possible, unilaterally by the Clinton administration if necessary.

#### **2. Sanctions and other punitive measures**

Only the credible threat and, if necessary, the imposition of effective sanctions or other measures will persuade both parties to engage in meaningful and unconditional negotiations on the future status of Kosovo. If such an approach is to be effective, however, the international community must agree on a common policy concerning which sanctions are appropriate and under what conditions they will be enforced. The initial emphasis should be on forcing the Belgrade leadership to agree to genuine negotiations without pre-conditions. Among the measures that should be considered are the freezing of all overseas assets of the government of the Federal Republic of Yugoslavia (FRY) and its individual leaders; visa restrictions to prevent the FRY leadership from travelling beyond Yugoslavia; tougher trade sanctions; and the suspension of air links into and out of Belgrade. Given the more conciliatory approach adopted by the Montenegrin government, thought should be given to ways to soften the effects of such measures on Montenegro and its leadership. Steps may also need to be taken to exert pressure on the Kosovo Albanian leadership if it continues to rule out a compromise solution and refuse to enter into negotiations.

### **3. Mediation of immediate issues**

Given the diametrically opposed political objectives of the parties, the intervention of a neutral, high-level envoy is essential to initiate a genuine process of dialogue and negotiations. The appointment of former Prime Minister Felipe Gonzalez as the Personal Representative of the OSCE Chairman-in-Office and the European Union Representative in the mediation effort is a welcome development, pending his acceptance as mediator by the two sides. To coordinate the political efforts of the international community, Mr Gonzalez should also work in close cooperation with the US government and, if appointed, a US special envoy.

### **4. International Presence**

The presence of international personnel on the ground—including diplomats, journalists, and human rights monitors—can play an important role in deterring acts of violence. Governments, the United Nations, the European Commission, other international organisations, and international NGOs should increase as far as possible the number of international observers based in Kosovo. NATO observer force should be introduced throughout Kosovo, initially comprised of Belgrade-based NATO member embassy attaches and diplomats. They would not only send a clear signal and help deter acts of violence, they could also assess the compliance-level by Belgrade and Pristina of any conditions or moratoriums.

## **B. ACCOMPANYING MEASURES**

### **1. Negotiations**

The collapse of the Rome agreement on education had a profoundly negative effect on the prospects for a solution in Kosovo. It undermined confidence in the very idea of negotiation, with both sides accusing each other of not being a worthy partner. There are now efforts to revive the Rome agreement and the prospects of its implementation may be better because of the effect of the wave of protests and the world's attention being concentrated on Kosovo. If the education agreement remains unimplemented, it will be difficult to rebuild trust in the negotiating process but it can be done.

Once the immediate mediation aimed at stopping the violence is successfully completed, secret negotiations about the status of Kosovo should be encouraged, with no media

attention, no intermediaries that would like to use the event for their own promotion. This would have to be something along the lines of the Oslo Peace Process. For the participants such a modus operandi would reduce the risk of being blamed in the event that the negotiations fail, and make it easier to present and sell concessions as part of a broader package. A non-governmental organisation or a very neutral government should prepare the logistics and some minimal procedural matters.

## 2. Increased Contacts

All kinds of contacts between the two ethnic communities should be encouraged. Diplomats should practice parallel diplomacy by inviting Albanians and Serbs together to events, and strengthen their Kosovo desks by bringing in people with the knowledge of Albanian. (The USIS office in Pristina and the political desk of the British Embassy are seen by the Kosovars as the best informed diplomatic missions). Non-government organisations and UN agencies should continue to explore every avenue that can bring people of the two communities together.

## 3. Support for Education and Health Service

The parallel systems of education and health service set up by Kosovo Albanians are clearly not satisfactory. The Kosovars are making the best out of adverse circumstances and their effort is admirable. All of the dozen non-governmental organisations operating from Pristina and dealing with health, nutrition, education and construction direct their efforts and funds to supporting services that benefit mainly the Kosovo Albanians. Given the demographics and the discrimination practised by the Serbian regime, this is the right policy and should be continued.

Direct financial assistance to the parallel Kosovo education and health systems would, however, contribute to further isolating the two communities and would reinforce the Kosovars belief that their parallel system is sustainable, which it is not. Instead, the international community should use the instrument of aid conditionality—the attachment of tough conditions to the granting of financial assistance—to create links between the two systems and benefit both. For example, funding could be used to renovate schools and health institutions on the condition that they are used by both communities.

## 4. Civil society

A Kosovar journalist likes to say that Kosovo is a non-governmental organisation itself, but it remains in great need to build its NGOs and its own civil society. The women's groups are strong, but other types of NGOs need strengthening. The international community should increase its support for projects in education, public health, community building, independent media, culture, and civil society building. This would have a positive impact on the quality of life of both the Albanian and Serbian populations of Kosovo. The projects themselves could have an important confidence-building effect. Such assistance would also be a decisive gesture of support for the non-violent path by demonstrating that social progress and opportunity can result from civil, rather than military, effort.

## 5. Media

The group of journalists around the independent Pristina daily *Koha Ditore* offers the most balanced source of information for the Albanian-speaking population of Kosovo. They should be supported in their efforts to obtain a licence and create their own television and/or radio station. It is necessary to have the most influential media in the most professional hands. *Koha Ditore* recently started a joint project with the independent Belgrade radio B92

and with the independent wire service Beta, also from Belgrade. This is an example of a possible collaboration between media from Belgrade and from Pristina. More such projects should be encouraged through media-oriented NGOs.

There is a surprisingly high number of satellite dishes in Kosovo, so the audience for any satellite broadcast would be significant. To offer Kosovars world news broadcast in their language may bring them a reality check and help them realise that they need to take their fate into their own hands and come up with more realistic demands and expectations. A major international news provider, such as for CNN, could be asked to donate the right to rebroadcast news programmes on the satellite link used by Tirana TV. (Some East European countries have a CNN-translated news service and it is always a popular broadcast).

## 6. Students

Positioned between two more extreme political alternatives (the passivity of the LDK or the violence of the UCK), the Kosovar students' movement may provide the best basis on which to build an effective, moderate opposition capable of putting forward a credible and peaceful plan of action.

Kosovar students should be encouraged to increase their contacts and take advice from students in Eastern Europe more than in the West. The *modus operandi*, the concrete actions undertaken by young people under totalitarian regimes are more likely to provide useful examples for the Kosovars than the more distant experiences of students in Western societies. They should also be encouraged to get in touch and collaborate with students from Belgrade.

The Union of Students desperately needs help with public relations; even as the wave of protests swept through Kosovo, they failed to take the lead the way their peers did in 1968 in Paris.



## VI. APPENDICES

### APPENDIX 1: CHRONOLOGY OF EVENTS IN KOSOVO 1946-1992

(courtesy Human Rights Watch)

**1946:** First post-war Yugoslav Constitution was adopted in which Yugoslavia was defined as a federal state of six sovereign republics. Within Serbia, the territories of Vojvodina and Kosovo were granted a degree of autonomy. Both provinces were allowed to send representatives to a chamber of the federal legislature but their internal affairs (e.g., system of education, the specific rights and degree of autonomy) were to be defined by the Republic of Serbia, not the federal government.

**1946-1963:** During Tito's clash with Stalin, Albania supported the USSR and border clashes between Yugoslav and Albanian border guards ensued along the Kosovo-Albania border. The Yugoslav secret police heightened persecution of the Albanian population in Kosovo, especially in the 1950s. Serbs began to migrate from Kosovo for economic reasons and because of alleged Albanian persecution and harassment.

**1963:** New Yugoslav and Serbian constitutions were adopted. Both documents increased Serbia's control over the provinces by conditioning the provinces' autonomy on the will of the Serbian government. The provinces' representatives to the federal parliament were to sit as part of the Serbian delegation, not as separate provincial delegations.

**1968:** Demonstrations in which Albanians demanded that Kosovo be recognised as a separate republic took place. The Serbian authorities made several concessions, including the establishment of an Albanian-language university.

**1968-1974:** Amendments to the federal Yugoslav and Serbian constitutions further augmented the independent authority of Kosovo and Vojvodina. The provinces were allowed to promulgate their own laws, provided such laws conformed to the federal and Serbian constitutions. Kosovo and Vojvodina again were allowed to participate in the federal government as separate delegations representing their respective provinces.

**1974:** Yugoslavia's third constitution was adopted. The new constitution formally defined the autonomous provinces as constituent members of the federation. De facto, Kosovo and Vojvodina were granted the status of sovereign republics in almost all respects; their status differed from the other six Yugoslav republics only insofar as they were not granted the right to secede from the federation. Both Vojvodina and Kosovo were given seats in the federal parliament and the federal constitutional court.

It should be noted that the 1974 constitution regulated Kosovo's and Vojvodina's constitutional status in *federal* affairs; it did not explicate the authority Kosovo and Vojvodina would have within Serbia -- that was left to the Serbian government. In 1974, the new Serbian constitution incorporated the principles set forth in the amendments to the 1963 constitution, thus granting both Kosovo and Vojvodina a large degree of autonomy. (De jure, Serbia had the right to regulate the political status of the provinces within its territory, thus providing the legal justification for the revocation of the provinces' autonomy in 1990.)

**March 1981:** Student demonstrations calling for better living conditions and financial aid were forcibly dispersed by the local police in Kosovo.

**Early- and mid-1980s:** A series of demonstrations took place in Kosovo in which the participants demanded higher wages, greater freedom of expression, the release of political prisoners and republican status for Kosovo. The Serbian authorities forcibly dispersed many of these demonstrations and federal police and Yugoslav army (JNA) forces were sent to Kosovo. Several people were killed and many were

arrested and sentenced to prison terms ranging in duration from several months to 15 years for so-called "verbal crimes," (e.g., mentioning the words "Kosovo Republic" or making the "V" sign.) The press, schools and local government bodies were purged and a new communist party (formally called the League of Communists of Yugoslavia - LCY) leadership was installed. (Azem Vlassi was named as the new LCY chief for Kosovo.) Albanians protested the measures and resorted to sabotage, bomb explosions and destruction of Serbian property. According to Serbian sources, approximately 30,000 Serbs left Kosovo in the early 1980s.

**1986:** Serbs lodged complaints in the federal Assembly against what they viewed as Albanian "genocide" against Serbs in Kosovo.

**1987:** Milosevic ousted his mentor and then-leader of the Serbian League of Communists, Ivan Stambolic, and assumed power in Serbia.

**Late 1988:** Milosevic proposed several measures and constitutional amendments that would effectively revoke the autonomous status of Vojvodina and Kosovo. In response, Albanian calls for secession from Serbia increased. Peaceful demonstrations took place but Serbian authorities responded by banning all public meetings in Kosovo. Strikes spread throughout the province.

**Early 1989:** Albanian miners in Kosovo went on strike to protest the proposed constitutional amendments. In March, Kosovo's communist party chief, Azem Vlassi, was arrested for having met with the striking miners. Vlassi was considered to have been insufficiently loyal to the Milosevic regime and was charged and tried for "counter-revolutionary acts, destruction of brotherhood and unity, and destroying the economic base of the country." (In May 1990, charges against Vlassi were dropped as a result of international pressure against what was widely viewed as a "show trial.")

**February 1989:** Yugoslavia's collective presidency imposed "special measures" in Kosovo and assigned responsibility for public security in the province to the federal government. The federal militia was sent to Kosovo. Arrests and trials of approximately 50 political and business leaders and about 1,000 striking workers took place. Most were sentenced to 60 days of imprisonment.

**March 1989:** A meeting of Kosovo's Assembly took place to discuss the proposed amendments to the Serbian constitution. One hundred fifty of the 184 delegates were present. Because the LCY had announced that it would consider a vote against the amendments to be a "counter-revolutionary act," almost all of the Albanian delegates abstained from voting. Sixty delegates voted in favour of the amendments while 10 voted against. Despite the fact that the required two-third majority of the full Assembly was not met, the Serbian president of the Assembly declared that the amendments had passed. Six days of demonstrations and riots ensued. Estimate of the number of persons killed in the riots range from 26 to 100. Hundreds were injured and about 900 demonstrators were imprisoned for up to 60 days. Intellectuals who signed petitions opposing the amendments also were arrested and detained without charge.

**Autumn 1989:** Extraordinary elections were held in Kosovo and new delegates to the Kosovo Assembly were elected.

**January-February 1990:** Renewed violence and demonstrations took place throughout Kosovo.

**April 1990:** The federal Yugoslav authorities lifted the special measures in Kosovo and removed most of the federal police, leaving matters to the Serbian government and its republican security forces.

**June 1990:** The Serbian legislature passed a law which effectively extended the emergency period and mandated Belgrade's direct control over the administration of special measures in Kosovo.

**2 July 1990:** The Kosovo Assembly responded to Serbia's June law by issuing a proclamation which declared Kosovo an independent republic within the Yugoslav federation.

**5 July 1990:** The Serbian Assembly suspended the Kosovo Assembly and other organs of the provincial government. The Serbian authorities also took control of approximately 60 enterprises, including hospitals and energy plants. Repressive measures were taken against Albanian-language media that reported the recently dissolved Kosovo Assembly's declaration of republican status for Kosovo.

**Summer 1990:** Demonstrations against Serbian policy took place but were forcibly dispersed. (One such demonstration took place in August, during a visit by a delegation of the U.S. Congress, which was headed by Senator Robert Dole. The delegation witnessed the beating of peaceful demonstrators by police in front of the Hotel Grand in Pristina.) Serbian police searched entire Albanian villages for weapons; most house searches were arbitrary and were conducted without warrants. The police frequently beat and detained the inhabitants of the searched home.

**3 September 1990:** Albanians participated in a 24-hour general strike. The Serbian authorities responded by dismissing thousands of participants from their jobs and by fining shopkeepers who honored the strike.

**7 September 1990:** Delegates to the recently dissolved Kosovo Assembly met secretly in the town of Kacanik and adopted a new constitution for Kosovo, stressing its status as a sovereign republic within Yugoslavia. A clandestine government and legislature were elected. Many Albanians continue to abide by the decisions of this underground government rather than Belgrade's rule.

**17 September 1990:** One hundred eleven delegates of the underground Kosovo Assembly and six members of the Kosovo government were charged with "counter-revolutionary activity" for having approved the 2 July proclamation of republican status for Kosovo and the 7 September constitution. The charges were subsequently changed to "endangering the territorial integrity of Yugoslavia." Serbian courts stripped the Assembly's delegates of their legislative immunity. Most of the delegates fled Serbia but some were arrested. Journalists who reported the 2 July proclamation or the 7 September constitution also were arrested. Most were detained for 30 to 60 days.

**28 September 1990:** The Serbian Assembly adopted a new constitution for all of Serbia, including Kosovo and Vojvodina. The autonomous status of both provinces was effectively revoked. The constitution vested all effective control of Kosovo's political, economic, judicial and security institutions in the hands of the Belgrade government. Only cultural and educational institutions are left in control of local Serbian authorities.

Also, by placing Vojvodina and Kosovo directly under Belgrade's control, Serbia gained two seats in the collective Yugoslav presidency, thus granting it three voices in federal affairs, while the remaining republics retained only one vote in the presidency. This action increased Serbia's relative power in the Yugoslav federation.

**29 November 1990:** The Yugoslav Presidency granted individual pardons to 124 prisoners, all of whom were released. A further 69 prisoners had their prison sentences reduced. Some of those who benefited from the pardon included ethnic Albanians who had been imprisoned for the peaceful expression of their political views.

**26-30 September 1991:** Kosovo Albanians held an unofficial referendum on Kosovo's independence. Although voting was open in most rural areas, voting in the cities was conducted in private homes to avoid police repression. Nevertheless, numerous seizures of voting materials and arrests by the Serbian police occurred.

**27 April 1992:** Following the secession of Slovenia, Croatia, Macedonia and Bosnia-Herzegovina, the republics of Montenegro and Serbia (including the provinces of Kosovo and Vojvodina) declared the formation of a new Yugoslavia. A new constitution was adopted but the status of Vojvodina and Kosovo remains unchanged in the current Yugoslav state.

**24 May 1992:** Albanians held elections for new members to their clandestine government. Ibrahim Rugova, the leader of the Democratic League of Kosovo -- the strongest political party representing Albanians in

Kosovo -- was elected president of an independent Kosovo. Delegates to the 130-member legislature also were elected.

## APPENDIX 2. WHO IS WHO

### POLITICIANS

LDK (Lidhjes Demokratike të Kosovës) - Democratic League of Kosovo

Ibrahim Rugova	president of LDK
Fehmi Agani	former vice president LDK (until 26 February 1998)
Hydajet Hyseni	former vice president LDK (until 26 February 1998)

PPK (Partia Parlamentare e Kosovës) - Parliamentary Party of Kosovo

Adem Demaci	chairman of PPK
Bajram Kosumi	vice chairman PPK

### Other parties

Hivzi Islami	chairman Peasants' Party of Kosovo
Mark Krasniqi	chairman Christian Democratic Party of Kosovo
Luljeta Pula-Beqiri	chairman Social Democratic Party (wing I)
Kaqusha Jashari	chairman Social Democratic Party (wing II)
Ukshin Hotti - currently in jail	chairman Albanian Party of National Unification (UNIKOMB)

### STUDENT ACTIVISTS

Bujar Dugolli	chairman Students' Independent Union (Unioni Pavarur i Studentëve)
Driton Lajci	vice chairman Students' Independent Union
Albin Kurti	international officer Students' Independent Union

### HUMAN RIGHTS ACTIVISTS

Gazmend Pula	chairman Helsinki Committee for Human Rights
Pajazit Nushi	chairman Council for the Defence of Human Rights and Freedom (Këshilli)
Shaban Shala	vice-chairman Këshilli
Binak Ulaj	vice-chairman Këshilli
Nora Ahmetaj	Humanitarian Law Centre (Pristina office)
Vjosa Dobruna	Centre for Protection of Women and Children

### JOURNALISTS AND POLITICAL COLUMNISTS

Veton Surroi	editor <i>Koha Ditore</i>
Dukagjin Gorani	deputy editor <i>Koha Ditore</i>
Baton Haxhiu	deputy editor <i>Koha Ditore</i>
Gjeraquina Tuhina	journalist <i>Koha Ditore</i>
Arber Vllahiu	journalist <i>Koha Ditore</i>
Blerim Shala	editor <i>Zeri</i>
Auni Spahiu	editor <i>Bujku</i>
Shkelzen Maliqi	director of Open Society Institute, Pristina
Rexjep Qosja	writer

### FORMER YUGOSLAV OFFICIALS FROM KOSOVO

Mahmut Bakalli  
Azem Vlasi

Remzi Koljgeci  
 Kaqusha Jashari  
 Gani Jashari

**SERBS**

Ljubinko Cvetic	spokesman for the Serbian Interior Ministry (MUP)
Veljko Odalovic	deputy head of Kosovo district
Bosko Drobnjak	Kosovo information secretary
Momcilo Trajkovic	president Serb Resistance Movement - Srpski pokret otpora (SPO)
Aca Rakocevic	vice- president Serb Resistance Movement
Artemije Radosavljevic	bishop of Raska and Prizren, head of the Serbian Orthodox Church in Kosovo

**NGOs present in Kosovo (all based in Pristina)**

Children Aid  
 Catholic Relief Service  
 HANDICAP  
 International Committee of Red Cross  
 International Federation of Red Cross  
 International Rescue Committee  
 Medecins du Monde (Doctors of the World)  
 Mercy Corps International  
 Medecins sans Frontieres  
 Mother Teresa Society (SHBH Nena Tereze)  
 OXFAM  
 Pharmaciens sans Frontiers  
 Save the Children  
 UNHCR  
 UNICEF  
 WHO (World Health Organisation)  
 World Vision was planning to open a mission in the spring of 1998

**Most commonly used acronyms:**

LDK	<b>L</b> idhjes <b>D</b> emokratike të <b>K</b> osovës - Democratic League of Kosovo
PPK	<b>P</b> artia <b>P</b> arlamentare e <b>K</b> osovës - Parliamentary Party of Kosovo
QIK	<b>Q</b> endra për <b>I</b> nformim e <b>K</b> osovës - Kosovo Information Centre or KIC
MUP	<b>M</b> inistarstvo <b>U</b> nutrasnjih <b>P</b> oslova - Ministry of Interior Affairs of Serbia
UCK	<b>U</b> shtrisë <b>C</b> lirimtare të <b>K</b> osovës - Kosovo Liberation Army whose acronym is KLA, KAL or also LAK) and in Serbian <b>O</b> slobodilacka vojska <b>K</b> osova (OVK) also KOA (Kosovska oslobodilacka armija) - UCK is pronounced “oo-che-kah”
SAJ	<b>S</b> pecialne <b>A</b> ntiteroristicke <b>J</b> edinice - Special Anti-terrorist Units of Serbia’s MUP
UPS	<b>U</b> nioni <b>P</b> avarur i <b>S</b> tudentëve - Students’ Independent Union

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We want to head off crises before they develop,  
rather than react to crises after they happen.

Senator George Mitchell, ICG Board of Trustees Chair

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International Crisis Group  
Hamdije Kresevljakovica, 18  
Sarajevo, Bosnia and Herzegovina  
Phone: (387-71) 200-447  
Fax: (387-71) 200-448  
email: 100034.2220@compuserve.com

International Crisis Group  
Rue des Minimes 26  
B1000 Brussels, Belgium  
Phone (32-2) 502-90-38  
Fax (32-2) 502-50-38  
email: 100557.2213@compuserve.com