



SPECIAL REPORT

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ABOUT THE REPORT

Negotiations between Pristina and Belgrade on the future status of Kosovo under the auspices of UN Special Envoy Martti Ahtisaari are expected to produce a settlement, one way or another, by the end of the year or early in 2007. The talks have focused so far on “technical” issues such as decentralization, the economy, and cultural heritage. Pristina and Belgrade have shown few signs of compromise, making a negotiated outcome less likely. This report seeks to analyze current conditions on the ground in Kosovo that could lead to partition, with disastrous implications for the region.

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The views expressed in this report do not necessarily reflect the views of the United States Institute of Peace, which does not advocate specific policy positions.

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Kosovo Ethnic Nationalism at Its Territorial Worst



Source: United Nations Interim Administration Mission in Kosovo

Summary

- The international community’s military and financial investments in the Balkans over the past fifteen years have led to substantial improvements in most of the territories of the former Yugoslavia.
- This progress will be put at risk if talks on Kosovo’s status lead to *de facto* ethnoterritorial separation, with Serbs governed on their own territory by Belgrade without reference to Pristina. Partition, or something approaching it, could trigger another wave of violence, mass displacement of civilians, and instability in multiethnic states of the region.

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- The international community has failed so far to reintegrate Serbs into Kosovo. Freedom of movement is insufficient, Serbs returning to their homes in Albanian-majority areas are minimal, Kosovo's governing institutions lack Serb representation, and Belgrade has tightened its grip on Serbs living in the north and in enclaves elsewhere.
- Serbia aims to govern the Serbs of Kosovo directly from Belgrade on clearly defined territory and without reference to Pristina. This is precisely the kind of ethnoterritorial separation that will cause trouble throughout the region.
- The Kosovo Albanian leadership has failed to improve the living conditions of Serbs living in Albanian-majority areas. Hardliners among Kosovo Albanians would also like to see ethnoterritorial separation, as it would offer them a chance to expel the remaining Kosovo Serbs south of the Ibar River and rid themselves of a "Trojan horse."
- If the status talks lead to ethnoterritorial separation in Kosovo, serious instability could affect southern Serbia (Presevo Valley), western Macedonia, and Bosnia.

Introduction

The international community has been involved in war and peace issues in the former Yugoslavia for the past fifteen years. This portion of the Balkans has drawn both military and financial support from the international community unmatched on a per capita basis by any other international intervention in recent history.

The result has been a qualified and partial success: the wars that plagued the region in the 1990s, aimed at creating ethnically pure states, have ended. Today, the situation by and large is improving. Slovenia, the first republic to break away from Yugoslavia, is already a member of the European Union (EU) and the North Atlantic Treaty Organization (NATO). Croatia, after enabling the arrest and transfer of indicted General Ante Gotovina to the International Criminal Tribunal for the Former Yugoslavia in The Hague, is opening talks on EU accession.

In Bosnia and Herzegovina, political leaders have embarked on their first effort at reforming the Dayton Accords in a way that would make their government more functional and compatible with requirements set by the EU, which has formally opened talks for a stabilization and association agreement. Even once recalcitrant Bosnian Serbs have come to understand that they can better leverage their political influence by cooperating than by undermining state institutions. They are choosing a major role in Sarajevo over a bit part in Belgrade.

Macedonia, after a relatively small-scale conflict in 2001 between Albanians and Macedonians, is moving closer to joining the EU. The Ohrid Framework Agreement, which brought peace, has benefited Macedonia's Albanians, who increasingly accept their role inside Macedonia and reject romantic notions of Greater Kosovo or Greater Albania. It also reestablished the legitimacy of the Macedonian state. In December 2005, Macedonia was granted candidate status and is now awaiting a date for accession talks to begin. Recent election troubles notwithstanding, Albanians in Macedonia have a strong incentive to work within the Macedonian political framework: they could become the first Albanians in the region to claim EU citizenship.

In April 2005, the European Commission adopted a feasibility study that concluded Serbia was ready to negotiate a stabilization and association agreement, provided it cooperates in the arrest of indicted war criminal Radko Mladic, which has not yet taken place. Montenegro's successful independence referendum, conducted on May 21, 2006, means that Serbia will negotiate with the EU separately from Montenegro. But Montenegrin independence entailed no risk of war, as secessions of former Yugoslav republics did in the 1990s. Montenegro is an explicitly nonethnic state, one in which several minorities

supported independence. There is no appetite in either Podgorica or Belgrade for use of the military despite passionate feelings among some of their citizens.

The question of Kosovo's future political status remains the only unresolved Balkan issue that could reverse progress made in the past decade. While partition solutions have been more or less avoided in the rest of the Balkans, in Kosovo ethnoterritorial division is a likely outcome, whether negotiated or by force. The Contact Group (consisting of the United States, the United Kingdom, Russia, Germany, France, Italy, and the EU) made it clear in its guiding principles for the status talks that Kosovo will not be partitioned,¹ but did not specify how to avoid partition. Should ethnoterritorial separation in Kosovo be formalized, the implications for the region could be immense. It could unravel the regional fabric and vitiate an enormous investment in maintaining multiethnic states, avoiding redrawing borders to accommodate ethnic differences, and preventing mass displacement of civilians.

This paper will consider the prospects for avoiding ethnoterritorial separation and possible partition in Kosovo. It will analyze the main actors and their preferences, including the international community, the Kosovo Albanians, and finally Serbia and Kosovo Serbs.

The International Community

UN Security Council Resolution 1244, adopted in June 1999, ended the NATO-Yugoslavia war and provided for the deployment of NATO military forces in Kosovo (KFOR) and a UN civilian interim administrative mission (UNMIK), headed by a special representative of the Secretary General. The mandate of the mission was to "establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo."² The Security Council gave UNMIK full executive power in, and NATO military control of, the entire territory of Kosovo.

Although legally in charge of the entire territory, UNMIK has proven incapable of ending Belgrade's *de facto* control of three and a half northern municipalities in Kosovo, which are contiguous with Serbia proper, as well as several Serb enclaves in central and eastern Kosovo. This inability to control all of Kosovo's territory has led to the creation of a dual system in almost every aspect of political and economic life in Kosovo. In the areas it controls, Belgrade dictates the school curricula, runs the health care system, and applies laws passed in Serbia. This situation has reinforced the already sharp division between the Serbian and Albanian communities in Kosovo, which today continue to live separate lives within close proximity, arguably even more separate than before 1999. Ethnoterritorial separation in Kosovo is already a fact, one that would require considerable effort to change.

UNMIK did attempt to create multiethnic, inclusive institutions of governance at both the local and central levels by organizing four elections in Kosovo: local elections in 2000 and 2002 and central elections in 2001 and 2004.³ These elections, which were considered free and fair by international observers, provided Kosovo with an elected assembly and provisional institutions of self-government. However, although Kosovo Serbs took part in the municipal and first central elections, they largely boycotted the 2004 central elections despite intense international pressure. With most of Belgrade's institutions calling for a boycott,⁴ only a tiny percentage of the Kosovo Serbs went to the polls to elect representatives in the Kosovo Assembly, in which they are guaranteed ten seats. This left Kosovo Serbs with no significant representation in Pristina's political life and created a

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“leopard-skin” political map of Kosovo, where Albanian-dominated areas are controlled by elected leaders and Serb areas by Belgrade’s handpicked representatives.

The international community in Kosovo has also failed to create conditions where all ethnicities enjoy freedom of movement. Despite initially deploying more than 40,000 soldiers and close to 3,000 international policemen, UNMIK and KFOR allowed ethnic nationalists on both sides to hinder movement across the areas they controlled. While conditions have improved markedly since 1999, UNMIK has continued to allow Belgrade to require that Kosovo Serbs use Serbian license plates, both to circulate within Serb-controlled areas of Kosovo and to enter Serbia proper.⁵ This ensures that Serbs enter Albanian-controlled areas as infrequently as possible (for fear of being targeted) and ensures that Albanians, who use UN-issued license plates, are readily identifiable when they enter Serb-controlled areas. It also makes it difficult for Albanians to enter Serbia, since UN plates are not accepted there. The freedom of movement achieved so quickly and easily in Bosnia—where the international community insisted on ethnically neutral license plates—has never been established in Kosovo.

Part of the reason for the international community’s failure to ensure reintegration in Kosovo has been the diminishing focus on the Balkans in general. Engaged in many new crises, from Afghanistan to Iraq, and recently Sudan, the international community—especially the Contact Group countries—has been reluctant to focus energy and time on yesterday’s problems. Preoccupied with the global war on terror since 2001, the United States shifted its focus away from the Balkans to areas more vital to its national interests. The EU, faced with enlargement fatigue and constitutional problems,⁶ also lacks the focus and energy to concentrate once again on the troublesome Balkans. Once Milosevic was in The Hague and replaced by a political leadership reluctant to use force, the Balkans seemed safely past the wars of the 1990s.

The March 2004 riots demonstrated the volatility of the situation in Kosovo, raising the specter of renewed ethnic violence on a larger scale. The rioting triggered an effort to accelerate Kosovo’s move toward fulfilling international standards and led in the spring of 2005 to an international consensus to deal with final status issues. Violence once again drew the attention of the international community to the region.

In setting out the preconditions for talks on Kosovo’s final status, the Contact Group has stated that it will allow neither partition nor union with neighboring Albanian-populated territories to be discussed. It is not clear, however, what the Contact Group is prepared to do to prevent these outcomes, or what it is prepared to do to reverse the existing ethnoterritorial separation in Kosovo. It has, however, encouraged discussion of “decentralization,” which in practice could allow separate governance of Serb communities on their own clearly defined territory.

Kosovo Albanians and Their Institutions

The Kosovo Albanian political leadership, while claiming to want reintegration of Serbs, has consistently failed to do what is necessary to achieve this goal. In June of 1999, as NATO forces entered Kosovo, followed immediately by Albanian refugees, Serbs were leaving for fear of revenge or because of violence against them and their religious sites. The Kosovo Liberation Army, which took control of many municipalities south of the Ibar River, made no secret of its desire to see the Serbs leave. The Kosovo Albanian leadership, scattered between Pristina and refugee camps, failed then and since to counteract acts of violence and crimes committed against Serbs remaining in Kosovo. Even with the election of the first Kosovo government in 2001, Kosovo Albanians failed to appreciate the need to welcome Serbs back to their homes. In March 2004, when violence escalated in Kosovo, the Albanian leadership was in disarray, with some trying to benefit politically from the violence.⁷

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situation. Pristina has done next to nothing to guarantee that Serbs can use their own language, worship freely, and preserve their cultural and religious sites. This has driven the Kosovo Serbs into the arms of Belgrade, encouraged them to create separate institutions, and further marginalized them politically. In the past seven years, only one Kosovo prime minister has sought even to visit northern Kosovo. He was not welcomed warmly.⁸ It was only the introduction of the “standards before status” policy by the international community in 2003 that compelled the Kosovo Albanian leadership to engage more actively in saying it wanted to integrate the Kosovo Serb population.⁹ The current prime minister, Agim Ceku, is sincere in his desire to see Serbs reintegrated, but his government has done little so far to make that process safe and attractive.

Radical elements in Kosovo Albanian society would like to see Kosovo partitioned in order to ensure its ethnic purity. They believe that integrating Serbs largely controlled by Belgrade could block further development or serve as a Trojan horse, compromising Kosovo's independence in the future. The extremists also view partition as an opportunity to seek return of the Presevo Valley (in southern Serbia), which was once part of Kosovo,¹⁰ or compensation in western Macedonia, predominantly populated by ethnic Albanians. Moreover, extreme nationalists view partition at the Ibar as justification to expel the remaining Kosovo Serb population scattered south of the river, where two-thirds of Kosovo's remaining Serbs live.¹¹ Only the promise of final status negotiations has put extremist efforts on hold.

Serbia and Kosovo Serbs

Since the end of the NATO-Yugoslavia war, Serbia—whether under Milosevic or Prime Minister Vojislav Kostunica—has tried to ensure that its motto, “Only Unity Saves the Serbs,” is more than a slogan. Belgrade seeks to monopolize representation of the Kosovo Serbs, serving as their sole voice and self-appointed protector. While Belgrade officially supports the Contact Group's no-partition policy, it is well aware that the Contact Group seems to lack the political will to back rhetoric with action.

In Belgrade's view, protection for Kosovo Serbs must be ensured by Serbian institutions on clearly defined territory. These parallel institutions already exist in Kosovo Serb communities of any size, financed with tens of millions of euros.¹² Serbian security services have been operating in Kosovo since 1999; in the north they operate openly. Linking Serb communities horizontally and connecting them vertically to Belgrade, Serbia seeks a Serb “entity” (analogous to Republika Srpska in Bosnia) within Kosovo that it can control independently of Pristina. Even moderate Serbian politicians, such as President Boris Tadic, support a Serb entity in Kosovo.¹³

Since “partition” is a prohibited word, Belgrade uses the internationally approved term “decentralization” as the code word for its planned ethnoterritorial separation in Kosovo. Serbia's decentralization plan envisions the creation of ethnically pure municipalities that would welcome Serbs displaced from all over Kosovo.¹⁴ These communities are already connected to the rest of the world through the Serbian telephone system rather than the Kosovo system. Sandra Ilic-Raskovic, Serbia's coordinator for Kosovo, has called on Kosovo Serbs to give up salaries received from Kosovo institutions and remain exclusively on Serbia's payroll.¹⁵

In northern Kosovo, since the election of Kostunica, Serbia operates through its surrogates, most notably the Serbian National Council (SNC). In central Kosovo, there are moderate Kosovo Serb voices that would like to participate in Kosovo institutions, but they are threatened physically¹⁶ or depicted as traitors by Belgrade. Moreover, Belgrade discourages Kosovo Serbs from thinking about their future within Kosovo if it becomes independent. Marko Jaksic of the SNC, a leading Kosovo Serb nationalist, recently stated, “We said that Kosovo independence and the survival of the Serbian community are two completely opposite realities; the two ideas are incompatible.”¹⁷ Such statements are a

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clear signal to Serbs living south of the Ibar that they should leave for the north if Kosovo becomes independent.

Implications for the Region

It is not hard to imagine scenarios in which the ethnoterritorial separation Belgrade seeks, Pristina resists, and the international community has ruled out (in the extreme form of partition) become a reality. If negotiations fail, both Serb and Albanian extremists will seek their preferred outcome—ethnoterritorial separation—by violent means, ethnically cleansing areas north and south of the Ibar of their Albanian and Serbian minorities, respectively. Successful negotiations, if they accept the Serb definition of “decentralization,” will provide Serbs with the separate governance on clearly defined territory that they seek.

It should be clear that whatever Serbs get in the settlement will set a potentially destabilizing standard for what Albanians in southern Serbia and in Macedonia will seek. If Serbs get an entity—either in name or in fact—Albanians in Macedonia will seek the same thing, with links to Pristina, which is a good deal more than they got in the Ohrid Framework Agreement and more than the Macedonian majority would be prepared to provide. Likewise, Presevo Albanians—to whom Serbia has offered nothing approaching what it is seeking for the Kosovo Serbs—would abandon their relatively moderate demands in favor of an Albanian “entity” governed separately from the rest of Serbia and linked directly to Pristina.

It is also worthwhile to ask why ethnoterritorial separation should be necessary in a region where protection of individual and group rights according to European standards is the declared goal of all. It is of course true that both Kosovo Serbs and Albanians have reasons to doubt the goodwill of the other. But with the freedom of movement that comes with EU membership—and even before that with entry into the Schengen area—it will be impossible to keep Albanians and Serbs separate in Kosovo for long. The real question is not how they can be kept apart but how they can live together.

That is not a trivial question anywhere in the Balkans, although the relatively benign evolution of affairs in Croatia, Bosnia, and Macedonia, as well as in Serbia proper, suggests it can be done. A common language, however, is a prerequisite (one met in all these countries—even Macedonia—but not in Kosovo). Discussion of language issues in Kosovo focuses almost entirely on protection of the right to speak Serbian or Albanian, or, more accurately, attacks on the right of the others to use their own language, whether in parliament or on street signs. There is virtually no discussion of the need for a common language in which to conduct everyday business. Until this problem is solved, it will be difficult to reintegrate Serbs into Kosovo.

There is only one feasible solution: English. No young Albanian would want to learn Serbian, and no young Serb would want to learn Albanian, in preference to learning English. This they have in common. It is time to recognize that reintegration of Serbs in Kosovo—whatever its future status—will require easy availability of education in English for both Serbs and Albanians. Given the enormous economic advantages that accrue to anyone in the Balkans who is fluent in English, it would not be difficult to integrate schools in Kosovo if they were available—not required—in English.

Is reintegration, even with a common language, possible? This is an especially important question for Mitrovica, the northern Kosovo city still divided between the Albanian-controlled section south of the Ibar River and the Serb-controlled territory north of the Ibar. It remains to be seen, but experience elsewhere in the Balkans suggests that with sufficient international political will and modest resources a remarkable degree of reintegration can be achieved, even after bitter fighting. Eastern Slavonia (as well as other previously Serb-controlled areas) was reintegrated into Croatia by a UN mission with a clear mandate and vigorous leadership. The northeastern town of Brcko, which sits in the

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most contested corridor of the Bosnian war, has been reintegrated under U.S. leadership, despite an initially uncertain status that was resolved only after reintegration was well under way. In contrast, the southern Bosnian town of Mostar remains largely divided despite enormous financial investments by the EU, largely due to lack of international and local political will. Clarity of purpose and unity of effort will be far more important than finances in determining the outcome of Mitrovica.

Conclusion

The question of Kosovo's status is gradually boiling down to the question of the status of the Kosovo Serbs, and the degree of their integration into the rest of Kosovo. Or, to put it another way, the question of Kosovo's status is not whether it will be independent or not, but whether it will be sovereign and, if so, over what territory.

Kosovo is already independent in the sense that the Albanian-populated areas govern themselves, within limits imposed by the UN Security Council, independently of Belgrade. No one in Belgrade has put forward a plan to govern the Albanians, and no one any longer imagines—as Milosevic did—that they can chase the Albanians from Kosovo. But if decentralization allows separate governance of the Serbs within Kosovo, without reference to Pristina, Kosovo will not be sovereign over the territory occupied by Serbs. It should be no surprise then that some in Belgrade and in West European capitals imagine that Kosovo can be given independence but not a seat at the UN, where all sovereign states rightfully sit.

This kind of ambiguous solution is a formula for failure and violence. Seven years after NATO's intervention, the future of Kosovo and most of the rest of the former Yugoslavia is once again at stake. With talks on the future status of Kosovo already initiated, the implications of ethnoterritorial separation inside Kosovo need to be understood: calling it decentralization does not change reality, and the reality of ethnoterritorial separation leads to instability and violence. The international community and the people of the Balkans have come too far over the past decade to end up in a scenario that would only satisfy extreme nationalists. The Balkans endgame can be a peaceful one, but only if ethnoterritorial separation is ruled out.

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