

**Kosovo Problem and Options to Final Status**

**Thesis submitted to the  
Institute for Graduate Studies in Social Sciences  
in partial satisfaction of the requirements for the degree of**

**Masters of Arts  
in  
Political Science and International Relations**

**by  
Arzu Troşala**

Bogazici University Library



39001102518290

14

**Bogaziçi University**

**2004**

## **ACKNOWLEDGEMENTS**

I am deeply grateful to Doç.Dr. Gün Kut for his supervising during the preparation of this thesis.

I wish to extend my special thanks to Doç.Dr. Mine Eder and Yrd.Doç.Dr. Gül Sosay for accepting to be the committee members and for their careful review.

Special thanks are reserved for my wife Sule Can Troşala, my sisters Meral, Caner and İnci since they gave me valuable motivation to finish up the study.

## **ABSTRACT**

Few places in the world of the size and population of Kosovo have received an attention both among policy makers and academics. Why is Kosovo important? The Kosovo problem deserves attention because it occupies a central position in the Balkans both geographically and strategically and its development, whether positive or negative, will have effects throughout the region. Among all the future status of Kosovo has yet to be defined and the security problem and the future of peace keeping operation need to be resolved. The guns have fallen silent in Kosovo but a lasting peace has yet to come. Difficulties over the solution between parties (Albanians and Serbs) and unsolved status of Kosovo possess obstacles in creating peace, stability and prosperity in the region as well as its integration in Europe.

The purpose of this study is to determine the causes and course of Kosovo problem and analyze possible alternative solutions to the Kosovo problem.

## ÖZET

Nüfusu ve yüzeyölçümü küçük olmasına rağmen yaşanan olaylardan dolayı, Kosova son birkaç yıldır akademisyenlerin ve siyasetçilerin dikkatini çekmektedir. Kosova'yı önemli kılan nedir? Kosova'nın Balkanların merkezinde coğrafi ve stratejik bir konuma sahip olması ve oradaki olumlu veya olumsuz gelişmelerin yakın çevresine etkilerinden dolayı önemlidir. Kosova'nın statüsü, güvenliği ve uluslararası barış misyonunun akıbeti henüz belli değildir. Silahlar susmuş olsa da uzun süreli bir barışın sağlandığını söylemek henüz mümkün değildir. Sırp ve Arnavutlar arasında Kosova'nın statüsü, güvenliği ve geleceği ile ilgili henüz bir anlaşma sağlanmamıştır.

Bu durumda barış tehdit altında kalmakta, refah seviyesini yükseltmek ve Kosova'nın Avrupa Birliği ile bütünleşmesi de mümkün olamamaktadır.

Bu çalışma Kosova sorununun temelinde yatan faktörleri, ve Kosova sorununun çözümü için alternatifleri incelemek amacıyla yapılmıştır.

## TABLE OF CONTENTS

	<u>Page</u>
<b>ACKNOWLEDGEMENTS</b>	iii
<b>ABSTRACT</b>	iv
<b>ÖZET</b>	v
<b>TABLE OF CONTENTS</b>	vi
<b>INTRODUCTION</b>	1
<b>Chapter 1: Historical background</b>	
1.1 Ancient history of Kosovo	5
1.2 Kosovo under the Ottoman rule and Balkan Wars	12
1.3 Kosovo and Albanians in the SCS Kingdom (from 1918 Yugoslavia)	20
1.4 Kosovo during the II WW	26
1.5 Kosovo in the Tito's Yugoslavia	29
1.6 Kosovo after Tito's death	33
1.7 Serbian Nationalism with Milosevic and Albanian resistance	36
<b>Chapter 2: The role of the international community</b>	46
2.1 Kosovo in Dayton Agreement	49
2.2 The appearance of the Kosovo Liberation Army (KLA)	50
2.3 The Rambouillet Conference	55
<b>Chapter 3: NATO intervention</b>	59
3.1 The NATO intervention and Military Technical Agreement	61
3.2 Kosovo after the NATO intervention	67
<b>Chapter 4: The Final Status of Kosovo</b>	72
4.1 Conditional Independence	75
4.2. Independent Kosovo	79
4.3. Indefinite Protectorate	83
4.4. Partition	85
<b>Conclusion</b>	87

**BIBLIOGRAPHY** 90

**APPENDICES** 95

**APPENDIX 1: United Nations Security Council Resolution 1160 (1998)** 95

**APPENDIX 2: United Nations Security Council Resolution 1199 (1998)** 101

**APPENDIX 3: United Nations Security Council Resolution 1244 (1999)** 107

## INTRODUCTION

The history of Kosovo has been little understood and little studied in the West. Until 1999 Kosovo was unknown for many people in Europe and in the rest of the world. What was/is wrong in Kosovo? Both Serbs and Albanians claim Kosovo on their own grounds of history, myths, law, and demographic arguments. The Albanian collective consciousness, as well as the Serbian one sees itself as a total victim. Both Albanian and Serbian sides have their interpretation of history and events concerning Kosovo, which are mutually exclusive and frequently antagonistic. There is constant reference to historical events in Kosovo – the battle of Kosovo in 1389 , the Serbian Exodus of Kosovo 1690, the Albanian League of Prizren in 1878, the Serbian reconquest (or from Albanian perspective invasion) of Kosovo in 1912, etc. Today both sides try to present the international community their case as being particular and therefore deserving particular attention and consideration. However if both cases are presented as being particular, but both claims rest on more or less equivalent arguments then how we should evaluate Serbian or Kosovo Albanian claim for political right to rule Kosovo. In order to understand the state of the Kosovo problem today and even more coming up with solutions for the future taking Serbian and Kosovo Albanian relationship in the course of the history into account is crucial. The thesis will argue that Kosovo problem gained a different dimension after Milosevic came to power in Serbia in 1987. Milosevic joined with nationalist intellectuals created a political context where individual interest was defined not in terms of economic well-being, but as the

survival of the Serbian people. The Serbian leadership with Milosevic shifted the focus of attention toward ethnic questions, in particular the alleged "genocide" against Serbs in the province of Kosovo that was achieved with a combination of press manipulation, mass rallies and political manipulation. The Serbian nationalism and nationalistic symbols became widely manifested in all spheres of lives. Soon this led to emergence of the tension not only in Kosovo but in the whole region of the former Yugoslavia. As a result of growing Serbian nationalism, Serbian and Kosovo Albanian communities became widely divided and the emergence of the violent conflict in Kosovo became inevitable. At the methodological level the analysis of the Kosovo problem requires sensitivity to historical, economic, demographic and politic factors that affected the emergence of Kosovo problem. The nature of topic requires extensive recourse to available factual data, including books, articles, documents, reports and the work of analysts. This thesis cannot and does not seek to present a single interpretation of Kosovo problem, but rather attempts to make analysis of the problem and attempts to determine the complexities underlying Kosovo problem. So the purpose of this study is to determine the causes and course of Kosovo problem and come up with solutions to the problem. The analysis that is offered to the reader is not conceived as a definite account of the situation and is open to reexamination by readers.

Before getting started with the topic, it would be instructive to clarify the designation used for the territory. The region had been officially called Kosovo-Metohija between 1945- 1968. However in

1968 Albanian communist leaders requested the name to be changed to Kosovo. The Metohija originates from Greek word 'metoh' the land of monasteries. The word 'Kosovo' comes from the Serbian word for blackbird. The term Kosova is widely used in the independent Serbian media and it is most popular term in abroad. Recently, the Albanian version of the term Kosovo (which can be also written as Kosovë) gained popularity in foreign accounts. Since the term Kosovo is widely known and practices in the English texts, the same term will be used in this dissertation as well. Kosovo itself is located in the south west of Balkan Peninsula. Kosovo borders Serbia in the north and northeast, Montenegro in the northwest, Albania in the west and the Former Yugoslav Republic of Macedonia (FYROM) in the south. It covers a total of 10,887 squared kilometers and its population is over two million, 90 percent of which are Albanian, around 8 percent are Serbian and Montenegrins. The remaining of the Kosovo population is composed of other minorities such as Turks, Romans and Bosnaks.

The thesis is divided in four chapters. Each chapter contents essential arguments related to the topic, and all together they will reveal the core of Kosovo's dispute and probably the most possible option for the final status of Kosovo.

The first chapter concentrates on revealing historical facts about Serbs and Kosovo Albanians. The chapter presents studies on the origin of the Serbs and Kosovo Albanians. It brings a comprehensive account of the Kosovo Albanians and Serbs and their experience in

the region from ancient history until the NATO intervention. The chapter also discusses political, economic, and demographic developments in Kosovo so that the study can be read with clear understanding of the subject matter. Second chapter encompasses diplomatic efforts carried out and analyses situation in the period before the NATO intervention. Third chapter is reserved for discussion of international intervention will reflect discussions concerning the NATO intervention in Kosovo. The fourth chapter is the last chapter and it makes an attempt to explore some of the most likely options for the final settlement of Kosovo.

# CHAPTER 1

## 1. Historical background

### 1.1 The ancient history of Kosovo

The earliest known inhabitants of Kosovo were called Illyrians by both Greeks and Romans. First findings about Illyrians date back to 2000 B.C.<sup>1</sup> Albanians and many international academics claim that Albanians are descendants of the ancient Illyrian tribes, who until the fifth century dominated much of present-day Albania, Montenegro, Serbia, Macedonia and northern Greece.<sup>2</sup> However, the Albanian word first emerge in the historical record in 1043, when Albanian troops appear fighting alongside Greeks in the army of rebel Byzantine general.<sup>3</sup> The thesis that Albanians are descendants of the ancient Illyrian tribes is supported with multidisciplinary scientific studies.<sup>4</sup> It is a fact that the structure of the Albanian language is different from the other languages in the region and it is the only surviving representative of an ancient Balkan language apart from Greek. In parallel to these linguist statements, it has been observed that the names of the animals and plants in the high mountains in the region were in Albanian language at that time. Although there are no written remains of the Illyrian language, there

---

<sup>1</sup> Polo,S & Puto,A. (1981) . The History of Albania. London: Routledge & Keagen Poul. p.2

<sup>2</sup> Demsey,G. (1998). Kosovo Crossfire.Mediterranen Quarterly 9 (3) p.95

<sup>3</sup> Polo,S, & Puto,A. (1981) . The History of Albania. London: Routledge & Keagen Poul. p.37

<sup>4</sup> Rizaj,S. (1993). Kosovo Albanians and Turks yesterday, today and tomorrow. Prishtine-İstanbul-Tirana :Marifet. pp. 90-91

are linguistic studies of place names, (words derivations) and the Greek-Roman references that supported the theory.<sup>5</sup> Antiquity, onomastics, toponomastics, and archeological data provided scholars to lay the basis of Illyrian theory.<sup>6</sup> According to the theory, the ancient Illyrians are the first settlers of the present-day Albania, Montenegro, Serbia, Macedonia, northern Greece and present day Albanians. This theory provided the basis for the national myth stating that the ancient Illyrians are the first settlers of the Balkan lands and the present day Albanians are their sole and direct descendants. Therefore, all lands on which the Albanians presently live are theirs by the right of first occupation.<sup>7</sup>

The Serbs are people who speak a Slavic language related to other Slavic languages such as Russian, Polish, Czech, and Bulgarian. The arrival of the Slavs in Europe occurred in the fourth century, the time of great migrations. They moved in from the north and east of Europe as part of a huge wave of resettlement known as the migration of the peoples. This wave of settlers also included other Slavs, who would eventually become the Croats, Bosnians, and Bulgarians. The Serbs settled the present day Kosovo between the seventh and tenth centuries.<sup>8</sup> Following the arrival of the Serbs in the Balkans they lived in tribes and clans. It is believed that the

---

<sup>5</sup> Waller, M., Drezov, K. & Gökay, B. (Eds.). (2001). Kosovo: The politics of delusion. London: Frank Cass. pp 7-8

<sup>6</sup> Pifti, K., Nasi, L., Omari, L., Xhufi, P., Pulaha, S., Polo, S. and Shtylla, Z. (Eds.). (1993). The truth on Kosova. Tirana: Encyclopedia Publishing House. p.6

<sup>7</sup> Waller, M., Drezov, K. & Gökay, B. (Eds.). (2001). Kosovo: The politics of delusion. London: Frank Cass. p.8

<sup>8</sup> Batakovic, D., (1992). Kosovo and Metohija: A historical survey Belgrade: Plato. p.20

Serbian tribes and clans accepted Christianity in the late ninth century.<sup>9</sup>

The Serbian rule over Kosovo lasted for 250 years. The Serb Kingdom never had an official capital city; most of the emperors had a tendency to consider a certain town as a governmental and residential. Some of the towns in Kosovo such as Prizren and Pristina served for this purpose.<sup>10</sup>

The Serbian theory claims that by the late twelfth century Kosovo was political, economic, administrative and cultural center of Serbs.<sup>11</sup> Medieval Kosovo is referred to in general terms as the cradle of the Serbian nation, as if it had been a Serb heartland from outset, but according to Malcolm the reality is rather different. The earliest Serbian religious foundations were mainly on the north of Kosovo in the territory known as Rasica. The cradle of Serbian monasticism in the first two or three generations of Nemanjic rule was located outside of present day Kosovo, further to the north and west. Kosovo became important for Serbian Church because of the location of the seat of the Archbishop and then Patriarchate in Pec. This was largely the consequence of attacks on the monastery Žiča in the 1290's by a marauding force of Tatars and Cumas. Malcolm states that had those raiders taken another route, Kosovo would

---

<sup>9</sup> Judah, T. (1997) *The Serbs*. New Haven and London: Yale University Press. p.9

<sup>10</sup> Malcolm, N. (1998). *A Short History of Kosovo*. London: Macmillan. p.50

<sup>11</sup> Bieber, F. & Daskalovski, Z. (Eds.) . (2003). *Understanding the war in Kosovo*. London: Frank Cass. p.19

never have acquired the significance which it gained for modern Serbs.<sup>12</sup>

Some Albanian historians suggest that given the dominance of Serbian Orthodoxy and the Serb language in medieval Kosovo, there was assimilation of Orthodox Albanians when Serbs came to Kosovo. Furthermore, they claim that assimilation and massive settlements of the Slavs in the Balkans brought changes in the ethnic balance of the population as well as changes in the linguistic composition of the people residing in the southern Balkans.<sup>13</sup> Malcolm does not deny the occurrence of assimilation of those people who have lost the Albanian language and became Serbs, but puts into question their number. He concludes that Albanians have had a continuous presence in the region but after the arrival of Slavs he suggests that Albanians were a minority in medieval Kosovo.<sup>14</sup>

The Turkish victory at the river Marica in Bulgaria in 1371 opened the way to the overall Ottoman conquest of the Balkans.<sup>15</sup> As a result of this war Serbs lost large amount of land in Macedonia, but the turning point in the Serbian history and mythology is the war to come soon in Kosovo. The great battle of Kosovo was fought between Serbs and Ottomans in the plain near Pristina on 28 June 1389. The battle ended with the victory of the Ottoman army. Both prince Lazar and Sultan Murat were killed during the battle. Battle of Kosovo has

---

<sup>12</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.51

<sup>13</sup> Rexhepi, F. (1998). Kosova gjate historiese. (Kosova during history). Prishtine: Kosova. p.20

<sup>14</sup> Malcolm, N. (1998). A Short History of Kosovo. London: Macmillan. p.57

<sup>15</sup> Jelavich, B. (1993). History of Balkans. Cambridge: Cambridge University Press. p.31

a status unlike that of anything else in the history of the Serbs.<sup>16</sup> It was nationalist writers and nation-builders of the nineteenth century such as Vuk Karadzic (the influential early nineteenth century folk song collector and dictionary writer) and Petar Petrovic Njegos (the poet and ruler of Montenegro) who took the elements of the popular Kosovo folk-poetic tradition and transformed them into a national myth. A national myth centered on the idea of rebelling against and making wars on the Ottoman Turks, particularly referring to Serbian heroism during the Kosovo Battle of 1389 and reminded Serbs of a glorious pre-Ottoman past. One of the most powerful elements regarding the Kosovo myth is the Kosovo covenant; Prince Lazar was offered a choice between an earthy kingdom and heavenly one and Lazar chose latter. The Lazars' decision is described as a covenant with God and the Serbs are often to consider themselves as a 'heavenly people'. In the folk tradition the story appears in a song *The Downfall of the Serbian Kingdom* collected by Vuk Karadzic, where St Ilija appears to Lazar before the battle in the form of falcon, and offers him a choice between two kingdoms. In some songs Lazar declares that 'It is better to die in the battle then live in shame'.<sup>17</sup> The Battle of Kosovo stands in Serbian history and culture as a symbol of suffering, of the struggle against invaders, and of cultural survival. Its lasting legacy lay in the myths and legends that shaped the nation's historical and national consciousness. The epic tales were told and retold through the centuries. They served as an

---

<sup>16</sup> Jelavich, B. (1993). *History of Balkans*. Cambridge: Cambridge University Press. p.31

<sup>17</sup> Malcolm, N. (1998). *A Short History of Kosovo*. London: Macmillan. pp. 78 -82

inspiration in the national struggle against Ottomans in 1804 and in the Balkan wars. Unfortunately, the elements of the epics, history, and narratives will be used for mass psychological manipulation of the Serbian population in the late 1980's and early 1990's by Serbian politicians, media and academics. It was Milosevic that successfully manipulated crowds and masses to consolidate his power in Serbia acting as a new Serbian Tsar. He told hundreds of thousands at a Belgrade rally in November 1988:

We shall win the battle for Kosovo regardless of the obstacles facing us inside and outside the country. We shall win despite the fact that Serbia's enemies outside the country are plotting against it, along with those in the country. We tell them that we enter every battle with the aim of winning it. <sup>18</sup> It was a signal of the change in Serbia that would soon lead country to the catastrophe. Which battle was he talking about, and what were his intentions was to be seen in coming years.

When Albanians are concerned, there is an indication of Albanian presence in the Battle of Kosovo. It is important to note that in 1389 the Serbs were assisted by the Albanians in the Battle of Kosovo. There evidences show us that an Albanian Theodor II Muzaka, the Prince of Berat, fought the Battle of Kosovo against the Ottoman. Many Albanian nobles of the time were forced to accept vassality of the Ottoman Sultan. The Albanians at that time still were

---

<sup>18</sup> Judah, T. (1997). The Serbs. New Haven and London: Yale University Press. p. 163

Christians and lived in harmony with Serbs <sup>19</sup> Historical evidence support to be that both Serbs and Albanians fought against the Turks in 1389, while other groups from both sides collaborated with the Turks.<sup>20</sup>

The Serbian resistance against Ottomans continued after the Kosovo battle in the north of current Kosovo borders. The Ottoman domination of the region was completed after the Second Kosovo Battle that took place in 1448. Soon after the Second Kosovo battle Ottomans emerged as the only and dominant power in the region. <sup>21</sup>

This historical events and resulting studies by Serbian and Albanian scholars will serve for occurrence of divergent historical perceptions both for Kosovo Albanians and Serbs, each side claiming the primacy over the territory as an argument for the possession. For Albanians it will be tracing their origins back to the Illyrians to be one of the fundamental arguments as only eligible nations for primacy over region and for the Serbs it will be Kosovo to be considered the cradle of the Serbian nation and political center of the medieval Serbia, and symbol of glorious past. Recollecting past events in mythological light has been a key component of nationalist mobilization both for the Serbs and Kosovo Albanians as well as other nations in former Yugoslavia. In the mobilization of the myths, for the political purposes the Serbian leadership must take the lion's share of the blame. The section that deals with late 1980's, will

---

<sup>19</sup> Malcolm, N. (1998). A Short History of Kosovo. London: Macmillan. p.62

<sup>20</sup> Cordesman, A. (2001). Air and missile campaign in Kosovo. London: Praeger. p. 5

<sup>21</sup> Skendi, S. (1967). The Albanian national awakening 1878- 1912. Princeton: Princeton University Press. p.63

demonstrate how myth became the instrument for mobilization of masses.

We should bear in mind that such ancient history and resulting claims cannot and should not have implication for modern politics, but the interpretations may be of sentimental interest to Kosovo Albanians and Serbs.

## **1.2 Kosovo under the Ottoman rule and Balkan Wars**

The Ottomans ruled the region more than four century. The Ottoman rule over the region is a wide topic and itself is a theme for a thesis dissertations. For the purpose of my dissertation I will concentrate briefly on major events of importance during the Ottoman rule in Kosovo. The Ottoman Empire was divided into two parts for administrative purposes; beylerbey of Rumelia and beylerbey of Anatolia. The name Rumelia was largely applied to the Ottoman possessions in Europe (except Bosnia and the areas to the north of the Danube), for the most part in Ottoman possession since the 14th respectively 15th century.<sup>22</sup> With the administrative reform undertaken in the year 1864, Ottomans formed Kosovo vilayet. The Kosovo vilayet had total area of 22,900 km<sup>2</sup>. The Kosovo vilayet stretched from Pirot and Kumanova in the east up to Plava on the

---

<sup>22</sup> Skendi, S. (1958). *The Balkans since 1453*. New York, Chicago, Toronto, London, San Francisco: Holt Rinehart Winston. pp.97-99

west and included cities such as Nis, Pazar and cities on the north Diber and Elbasan.<sup>23</sup>

During the Ottoman period there was not forcible conversion to Islam in the region. The overwhelming majority of the Muslims in Kosovo have been produced by the conversion of local people from Christianity (Albanians). The growth of Islam in Kosovo was more evident an urban phenomenon. How and why did this growth occur? is a fundamental question because the growth of a Muslim population was not caused by any kind of mass settlement of Muslims from outside. Probably the main reasons were involving economic benefits; such as reduction in tax.<sup>24</sup> Some Albanian scholars have claimed that the growth of Islam and the apparent growth of Albanian population to argue that there was invisible mass of ethnic Albanians who had not been disguised in the records under Slav Orthodox names. The Albanian academics also provide several evidence about the presence of Albanians in Kosovo and around Kosovo. They claiming that Albanians were majority at that time.<sup>25</sup> On the Serbian side almost there was not conversion since Serb resistance to conversion was strengthened by the Orthodox Church.<sup>26</sup> Another turning point during the Ottoman rule came in late 1680's, when Habsburg forces invaded the Balkans. In the autumn of 1689 a

---

<sup>23</sup> Rexhepi, F. (1998). Kosova gjate historiese. (Kosova during history) Prishtine: Kosova. p.23

<sup>24</sup> Bozboran, N. (1997). Osmanlı yönetiminde Arnavutluk ve Arnavut ulusçuluğunun gelişimi. (Albania and Albanian national awakening under the Ottoman rule). İstanbul: Boyut kitapları. p.68

<sup>25</sup> Rizaj, S. (1993). Kosovo Albanians and Turks yesterday, today and tomorrow. Prishtine-İstanbul-Tirana :Marifet. pp. 92-95

<sup>26</sup> Deak, I. (1998). Out of the Past. New Republic. 218 (23). p.36

small imperial army invaded Kosovo and established Austrian control over the whole area. They remained in the region for only a few months and soon the Ottomans recaptured the region. With the retreating Austrians Serbs left Kosovo across the Sava River in large numbers. The event led to the creation of another historical myth that of the great exodus of Serbs from Kosovo. There is a three part theological parallel at work in the Serbian mythology. The defeat of the Serbs at Kosovo in 1389 is compared to the crucifixion of Christ. The second phrase, corresponding to Christ's death and burial is the withdrawal of the Serbian people from Kosovo in Great Migration or Velika Seoba in 1689 and third phrase corresponding to the resurrection is the reconquest of Kosovo by Serbian forces in 1912<sup>27</sup>. The number and origin of those, who left Kosovo in 1689 is a theme of discussion among academics. Estimates about the number of those who left Kosovo have ranged from 40,000,<sup>28</sup> up to 400,000.<sup>29</sup>

On the other side Albanian academic Skender Rizaj offers different explanation about the event. He states that the migrations from the present territory of Kosovo cannot be confirmed to be more than 10,000 during the year 1689. He comes to this conclusion referring to archives of Budim and studies conducted by Serbian scientist D.J. Popovic. Moreover he puts into debate the origin of those who have migrated and points out that the people who moved

---

<sup>27</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.140

<sup>28</sup> Jelavich, B & Jelavich, C. (1965). The Balkans. New Jersey: Englewood. p. 42

<sup>29</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.140

from Kosovo were not only Serbs but there were also Orthodox and Catholic Albanians and Vlachs.<sup>30</sup>

The correct number of the people who moved from Kosovo remains open to discussion but it should be noted that migration from Kosovo in 1689 is an important event in terms of demographic change in the region. The demographic structure of the region was/is one of the most discussed topics among Serbs and Kosovo Albanian scientific circles. Both sides argue with the aim to prove who was the first and numbered more in Kosovo during the ancient times. The one who was first and numbered more is used as an evidence for primacy over Kosovo.

The nineteenth century was marked by the revolts of the Balkan nations against the Ottomans .The international crisis that followed was resolved first with the Treaty of San Stefano in 1878 and then with its revision, the Congress of Berlin in the same year. These events also had profound effect in Kosovo. Until this period there were not any major incidents between Albanians and Serbs, they used to live together in reasonable harmony. The first recorded serious incidents between Albanians and Serbs seem to happened during 1870's. Albanians populated territories of Nis, Prokuplje, Kursumlija ,Vranje and Leskovac were given to Serbia; Montenegro was given the areas of Tivar,Podgorica, Plava and Kolasin. This events followed mass and forceful movements of Albanians from their native territories in late 1870's. By the end of the 1878 there were

---

<sup>30</sup> Rizaj,S. (1993). Kosovo Albanians and Turks yesterday, today and tomorrow. Prishtine-Istanbul-Tirana :Marifet. p.126

60,000 Albanians refugees in Macedonia and 65,000 – 70,000 in the vilayet of Kosovo that had been driven at a time of intense cold. <sup>31</sup>

The Albanian reaction was fierce against the fragmentation of the Albanian populated territories. Albanian leaders convened a meeting on June 10, 1878 in Prizren with more than 300 participant delegates from all Albanian territories. National revival of Albanians starts with the founding of the League of Prizren. The League of Prizren had a goal to unit all Albanian inhabited lands (Four vilayets Janina, Monastir, Shkoder and Kosovo) into single administrative and political unit. The League aimed at creation of autonomy under the Ottoman Empire and protection of Albanian inhabited lands. Its importance lies on the fact that it united Albanian leaders and focused on working toward Albanian autonomy and creating a sense of Albanian identity that would cut across religious and tribal lines. <sup>32</sup>

During this period there was no Ottoman policy of expelling Serbs from Kosovo, but still there was a steady emigration of Serbs from Kosovo due to poor administration of the region and the attraction of life in Serbia. The combined effect of the Serbian emigration and the influx of Muslim Albanian refugees resulted in the decline of the proportion of Serbs in Kosovo. Malcolm refers to Austrian statistics of 1903 for Pristina, Pec and Prizren and Ottoman statistics of 1912, the former one indicates Serbs as being 25 per cent of the population in Pristina, Pec and Prizren, and latter one as 21

---

<sup>31</sup> Malcolm, N. (1998). *A Short History of Kosovo*. London: Macmillan. 228

<sup>32</sup> Vickers, M. (1998). *Between Serb and Albanian: A history of Kosovo*. New York: Columbia University Press. pp.43-49

per cent.<sup>33</sup> These figures are supported with the Ottoman registers as well. They indicate sandjaks of Kosovo vilayet being composed of predominantly Muslim Albanians. They records show that Pristina. Sandjak had total population of 373,938 and Muslims population numbered 239,616 (64 percnt) the rest consisted of non Muslims inhabitants. In Prizren sandjak 75 percent, in İpek sandjak 74 percent of population was Muslim.<sup>34</sup>

The Serbs rose in revolt in 1804 because the Ottoman imperial government had become so ineffectual that it was unable to supervise the administration of distant provinces. Although this revolt was not against the Ottoman Empire itself, it gained different dimension with intellectual awakening in Serbia, and support of Russia. By concluding an alliance with Russia, the Serbs converted what had begun as a protest against janissary oppression into full fledged war for independence. On May 25 1833 with help from Russia, Serbia became the autonomous principality with definite boundaries. With national awakening and Russian support, Serbia not only gained full independence but also obtained considerable territory after the Berlin Treaty 1878.<sup>35</sup> Thus Serbs succeeded in organizing their state earlier than Albanians.

The Serbian pretensions to Kosovo were laid down in Nacertanije, or draft plan, a document which laid out the Serbian

---

<sup>33</sup> Malcolm, N. (1998). *A Short History of Kosovo*. London: Macmillan. p.230

<sup>34</sup> McCarthy, J. (2002). *Population history of the middle east and the Balkans* Istanbul: Isis Press. p.122.

<sup>35</sup> Skendi, S (1958). *The Balkans since 1453*. New York, Chicago, Toronto. London, San Francisco: Holt Rinehart Winston. pp.393-396

principality's long-term foreign policy objectives. Nacertanije is a blueprint for a Greater Serbia. In 1844 Garasanin a minister of the interior sent a secret document (Nacertanije) to Prince Aleksander, In this document, Garasanin recalled the glories of medieval Serbia and speculated on a revival of Serbia's fortunes. He recognized that Serbian expansion implied the destruction of the Ottoman Empire in Europe, Garasanin went on to list potential territories for future Serbian rule. Of primary interest were Bosnia-Hercegovina, Montenegro and northern Albania, all Turkish possessions with Serbian inhabitants. Albanian inhabited lands were also important because it offered an outlet to the sea. Practical suggestions for achieving these aims included the setting up a network of agents to gather information about the regions, to identify local leaders and to collect military intelligence.<sup>36</sup> In order to achieve aspirations described in Nacertanije Serbian emissaries had talked with some Albanian leaders, exploring the possibilities of joining in an insurgency against the Turks in early years of 1910s. In Early 1912 Serbian officials had offered arms to the Albanians who were in mutiny against the Ottomans. Before the Balkan wars Serbia already had made plans for advance into Kosovo. The advance of Serbian Army into Kosovo began before Serbia's declaration of war on 16 October 1912 and the conquest of Kosovo was completed at the end of October. The Serbian officials in Kosovo immediately took measure of forced conversion of Muslims and Catholics to Orthodoxy. Also

---

<sup>36</sup> Judah, T. (1997) The Serbs. New Haven and London: Yale University Press. p 58

there are reports of massacring of the Albanian population in large numbers. There are various estimates of the massacred number of Albanians in Kosovo in 1912. Halaçoğlu estimates the number to be around 20 000 and Lazer Mjeda, the Catholic Archbishop of Skopje, in a report to Rome, estimated that about 25,000 Kosovo Albanians were massacred in 1912.<sup>37</sup>The reason for these measures was to change the population statistics and strengthen the diplomatic case of Serbian government to incorporate conquered lands<sup>38</sup> In the meantime, the Serb-Montenegrin occupation of Northern Albania became a topic of international concern. The London Conference of Ambassadors was called (December 17, 1912), to decide on Albanian frontiers. The Ambassadors Conference in London (July 29, 1913), reached decision of giving Albanian populated lands to neighboring countries (Serbia, Montenegro and Greece) about 55% of territory which ethnic Albanians represented the majority of the population living there. Albania was recognized as an independent state but over 60% of the Albanian population was left outside the existing borders of Albania.<sup>39</sup>

On 28 July 1914 Austria-Hungary declared war on Serbia, within short period Austrian forces succeeded in driving Serbian forces from Kosovo. During this period Albanians sided with Austria-Hungary and they were eager to take revenge from retreating Serbian army. The Austrians and its ally Bulgarians stayed in Kosovo for

---

<sup>37</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.250

<sup>38</sup> Ibid pp.250-262

<sup>39</sup> Qosja, R. (1998). Ceshtja Shqiptare: Historia dhe politika (Albanian Question:History and politics). Tirana: Toena p.5

three years .By the summer of 1918 Austro-Hungarian forces in the Balkans started to withdraw from Kosovo. Serbian army again advanced and occupied Kosovo. Kosovo was now back under Serbian rule. Kosovo was reintegrated into Serbia through Serbia into the newly created South - Slav state, although the will of Kosovo Albanians was not in that direction.<sup>40</sup>

### **1.3. Kosovo and Albanians in the Serb-Croat-Slovene Kingdom ( from 1929 Kingdom of Yugoslavia)**

It is worth noting that with the creation of Serb-Croat-Slovene Kingdom (from 1929 Kingdom of Yugoslavia) in 1918 until -1940 , the Albanian question had been a problem falling exclusively within the jurisdiction of Serbian authorities. The Colonization Commission was one among them that was responsible authority for the expulsion of Albanians and the settling of the Serb colonies in Kosovo. <sup>41</sup> During only two waves of Serbian colonization in 1922-29 and 1933-38, over 10,877 Serbian families were settled on 120,672 hectares of land taken away from Albanian owners under the imposed state Agrarian reform. For the incoming settlers 330 settlements and villages were built with 12,689 houses, forty-six schools and thirty-two churches.<sup>42</sup> Hence, it is not difficult to understand what the aim of the colonization was; it was about changing the ethnic composition of

---

<sup>40</sup> Deak, I. (1998). Out of the Past. New Republic. 218 (23). p.38

<sup>41</sup> Vickers, M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press. p. 104

<sup>42</sup> Ibid p.105

Kosovo's towns, changing their religion, and to eradicate the Albanian language and Albanian heritage. The following is what Djordje Krstic (Chief Agrarian Commissioner responsible for the colonization of Kosovo) wrote:

“Among the results obtained is that of progress in towns. Urosevac is no longer the Albanian town it was before, for a large number of Hercegovines have settled there, and they will before long become the dominant element. Pristina is in a good way becoming a modern town and is making a great progress. Pec, where before it was difficult to see one of our people, is today crowded with our colonizers, who seem to give a new life to the town, and very soon they will change the town's entire character”.<sup>43</sup>

The treatment of the Kosovo Albanian question was also left at the hands of the Ministry of Foreign Affairs of Yugoslavia, and two very powerful Serb think tanks, the Serbian Academy of Sciences and Arts, and the Serbian Cultural Club. Representatives of various Serb and Yugoslav Ministries and institutions were invited to actively participate in the meetings organized by the Ministry of Foreign Affairs of Yugoslavia. In these meetings the question was formulated openly and clearly, “what should be done to organize and achieve the expulsion of all the Albanians without damaging further the precarious political situation of Yugoslavia”? Regardless of the differences in the projects offered and means suggested, all agreed on one point, Albanians should be expelled and their territories

---

<sup>43</sup> Vickers, M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press. P. 108

colonized by Slavs once and for all. <sup>44</sup>Yugoslav government controlled by Serbs forced Albanians and Turks to emigrate. During the interwar period there were huge emigrations of Albanians and Turks from Yugoslavia (predominantly from Kosovo). According to Albanian resources in the period between 1912 and 1941 around 300,000 Albanians were expelled from Yugoslavia mainly from Kosovo, while 14,000 Serbian families settled in the region.<sup>45</sup> The most comprehensive program in which the means and methods of solving the Albanian question were defined was the Memorandum, "The Expulsion of Albanians", presented by the leading Serb historian Vasa Cubrilovic.<sup>46</sup> Although the Memorandum was presented at the Serbian Cultural Club on 7<sup>th</sup> March 1937, it would remain unknown to Albanian and Yugoslav public opinion for a long time. At the time when the memorandum was written, and for many years later, Serb policy-makers were careful to disclose its existence. They were aware of the fact that a racist project aimed at the elimination of an entire population from its ethnic territories, a rare project in the European history, would have political consequences damaging to its international standing and reputation.<sup>47</sup> The aim, essentially, was to push the Kosovo Albanians into exile by making their lives unbearable. The author of the project Vaso Cubrilovic wrote:

---

<sup>44</sup> Qosja, R. (1998). Ceshtja Shqiptare: Historia dhe politika (Albanian Question:History and politics). Tirana: Toena p.153

<sup>45</sup> Prifti,K.,Nasi,L.,Omari,L.,Xhufi,P.,Pulaha,S.,Polo,S. and Shtylla,Z. (eds). (1993). The truth on Kosovo. Tirana: Encyclopedia Publishing House. P.147

<sup>46</sup> Ibid. p.179

<sup>47</sup> Qosja, R. (1998). Ceshtja Shqiptare: Historia dhe politika (Albanian Question: History and politics). Tirana: Toena. p.153

“At a time when Germany can expel tens of thousands of Jews . . . the shifting of a few hundred thousand Albanians will not lead to the outbreak of a world war. The enforcement of laws to make economic activity by Albanians impossible, the ill-treatment of their clergy, the destruction of their cemeteries, and secretly burning down their villages and city quarters are some of the immediate measures that should be imposed”<sup>48</sup> According to the very detailed project, the only way to provide a final solution to the Albanian question was to expel Kosovo Albanians in masses, collectively in Turkey and Albania. An agreement between Serb and Turkish officials to expel initially over 40,000 Albanian families and later some 400, 000 Albanian families to Turkey was made in 1938.<sup>49</sup> The WW II terminated the realization of the project.

During the interwar period there were also efforts of Serbian authorities to assimilate Albanians. Albanians in large numbers were forced to change their names by adding the Serbian suffixes –vic and – ic . The Serbian officials considered the Albanians to be not a distinct nation but merely Albanian speaking Serbs. The official ideology was based on the Arnavutas (Albanized Serbs) thesis developed by Milosevi and Gop in the late nineteenth century that considered Albanians as Albanian speaking Serbs <sup>50</sup> On the other hand, the Yugoslav census of 1921 recorded 439,657 Albanians in

---

<sup>48</sup> <http://www.ess.uwe.ac.uk/genocide.htm>

<sup>49</sup> Qosja, R. (1998). Ceshtja Shqiptare: Historia dhe politika (Albanian Question:History and politics). Tirana: Toena p.161

<sup>50</sup> Babuna,A. (2000). The Albanians of Kosovo and Macedonia: ethnic identity superseding religion. Nationalities Papers. 28(1). pp. 67-68

the whole Yugoslavia, of whom 280,440 were in Kosovo, composing 64% of population.<sup>51</sup> These figures were regarded as underestimates by foreign and Albanian observers. Italian expert on Albania Antonio Baldacci suggests that there were at least 700,000 in Yugoslavia in 1920s, and Romanian geographer Nicolae Popp put the total at 800,000.<sup>52</sup>

During the period of 1918 -1941 the Serbian officials did not provide Albanians education in their vernacular but in Serbian language and tried to assimilate the Albanians. Soon it became clear that assimilation of the Albanians would not produce the intended results. Moreover Serbian officials were afraid that Serbian school might produce some Albanian intellectuals in opposition to regime. As a result the Serbian officials prevented Albanians from attending Serbian public schools. Instead religious education in the so-called Turkish schools mektebs (elementary schools) and medreses (secondary schools) employing the Arabic of the Quran and Turkish as the medium of education became alternative for Albanians in official Serbian policy. The Serbian officials hoped that these schools would keep Albanians backward, but these schools contrary to Serbian expectations were turned into underground centers of nationalist education and anti-government activities.<sup>53</sup>

---

<sup>51</sup> Vickers, M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press. p.95

<sup>52</sup> Malcolm, N. (1998). A Short History of Kosovo. London: Macmillan. p.268

<sup>53</sup> Babuna, A. (2000). The Albanians of Kosovo and Macedonia: ethnic identity superseding religion. Nationalities Papers. 28(1). pp. 67-68

Statistical data of the school-year 1939-1940 show in Kosovo there were 252 obligatory schools with 37885 pupils and 657 teachers and instructors, as well as 13 secondary schools. Only 30.2 % of the children were enrolled in these schools. In the primary schools there were 24 914 Serbian and Montenegrin children and only 11876 Albanian children. Virtually the teaching staff was made up of Serbs and Montenegrins and lessons were given only in the Serbian language. As a consequence of the Serbian state policy there was a high level of illiteracy in Albanian population; more than 90% of the Albanian population was illiterate.<sup>54</sup> Here it is interesting that one can see parallel between the policy of Serbian officials in 1930's and 1990's because both policies aimed against development of Albanian education and making life unbearable to Albanians so that they would leave Kosovo.

Serbian pressures and colonization program triggered response from Albanians in a rebellion. Albanians were organized in a group popularly known as Kachaks. The Kachaks took to forest and waged guerrilla warfare against authorities. The movement was political phenomenon directed against Serbian rule soon being suppressed by Serbian authorities.<sup>55</sup> The movement is important because it showed that Kosovo Albanians did not accept the legitimacy of Serbian or

---

<sup>54</sup> Prifti, K., Nasi, L., Omari, L., Xhufi, P., Pulaha, S., Polo, S. and Shtylla, Z. (eds). (1993). The truth on Kosova. Tirana: Encyclopedia Publishing House. P.147

<sup>55</sup> Vickers, M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press. pp.98-100

Yugoslavian rule and they seriously obstructed the colonization program.<sup>56</sup>

#### **1.4 Kosovo During the II WW**

The Second World War was a period when Albanians with the help of Italians and Germans appeared on scene and controlled Kosovo. Actually Kosovo was divided into three sectors. The Bulgarians controlled small part in the east of Kosovo. The Germans controlled Trepça and mines on the north. The rest of Kosovo and Albanian inhabited areas of Macedonia were united with the Albania.<sup>57</sup> The attachment of Kosovo to Italian dominated Albania was a solution that was welcomed by Kosovo Albanians because it was in this new state that education in Albanian language was introduced and Albanian language administration was established. Moreover by the decrees of the Italians the inhabitants of Kosovo were considered as citizens of the Albania and could fly their flag.<sup>58</sup> After the years of oppression and discrimination under Serbian rule, Albanians in Kosovo enjoyed freedom under Italian protectorate and everything was better compared to the Serbian rule. The books and newspapers flourished in Albanian language as well as formation of the radio in Albanian language were positive developments on the

---

<sup>56</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.278

<sup>57</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.27

<sup>58</sup> Babuna, A. (2000). The Albanians of Kosovo and Macedonia: ethnic identity superseding religion. Nationalities Papers. 28(1). P. 68

behalf of Albanian population.<sup>59</sup> In this way Italians gained sympathy from the Albanians.

The communist movement in Kosovo was very weak, because it was considered as a Slav organization and hence did not receive mass support from Kosovo Albanians. In order to get the support of Kosovo Albanians some vague promises were made by the Yugoslav Communist Party. The promises were mainly based on the fact that Kosovo Albanians would be granted the right of self-determination up to secession after the war. It was Tito himself made a statement on December 4 1943 that reads: 'The future of Kosovo will be decided by plebiscite and borders if it is needed will be regulated to the benefit of Albania.'<sup>60</sup> The right for self determination and union with Albania was further stressed at the Bujan Conference held on December 31, 1943 – January 2, 1944.<sup>61</sup> The appeals of Yugoslavian Communists were responded by Kosovo Albanians joining into armed struggle against Italians and Germans, with the hope that their aspirations regarding self-determination will be realized as promised. At the end of the war Yugoslav communist forces came to Kosovo to establish communist rule and pacify Albanians that collaborated with fascist forces. It is estimated that around 28,400 people in Kosovo lost their lives during the Second World War.<sup>62</sup>

---

<sup>59</sup> Juka.S (1984). Kosova: The Albanians in Yugoslavia in Light of Historical Documents, New York, : Waldon Press, p 47.

<sup>60</sup> Ismaili, H. (1992). Mbledhja e Dytë e AVNOJ-it dhe çështja e Kosovës (The second meeting of AVNOJ and Kosova issue) Prishtine: E drejta. p.33

<sup>61</sup> Prifti, K., Nasi, L., Omari, L., Xhufi, P., Pulaha, S., Polo, S. and Shtylla, Z. (Eds.). (1993). The truth on Kosova. Tirana: Encyclopedia Publishing House. pp.217-219

<sup>62</sup> Malcolm, N. (1998). A Short History of Kosovo. London: Macmillan. p.312

The initial period of Albanian dominance in Kosovo is marked with Albanian attacks towards the Serbian and Montenegrin colonists. The general aim was to get rid of the colonists and take back confiscated land which was given to them. From the Serbian perspective this was a period of terror and a campaign of expulsion and mass extermination against the Serbian population in Kosovo. The number of those who fled or expelled ranges from 30,000 to 100,000, and the number of Serbs and Montenegrins killed in this period ranges from 3,000 to 10,000. <sup>63</sup> According to the Serbian historian Predrag Zivancevic 60,000 Serbs and Montenegrins were killed during the war.<sup>64</sup> It was Albanians who suffered under Serbs in 1878 and in the period 1918-1941 and now it was Serbian colonists to suffer from Albanians who wanted to return back their confiscated properties.

After the end of the war the given promises to Kosovo Albanians regarding self-determination turned to be forgotten and Kosovo was again to remain under Yugoslavian-Serbian regime without consultation of the will of Kosovo Albanians. The Albanian inhabited lands were to be divided between Serbia, Montenegro and Macedonia. Once again the Kosovo issue was addressed without Albanian consent. Once again the permanent solution to the Kosovo question failed to be materialized.

---

<sup>63</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.27

<sup>64</sup> Burg, S. (1983). Conflict and cohesion in Socialist Yugoslavia. Princeton, N.J: Princeton University Press. p. 48

## 1.5 Kosovo in the Tito's Yugoslavia

According to the new constitution of 1946 Yugoslavia was composed of six republics and two autonomous units. According to 1946 constitution Kosovo was an autonomous region but did not have independent legislature, Supreme Court, or provincial administration, it was integral part of Serbia and Serbia enjoyed total control over region.<sup>65</sup> Moreover, Serbs dominated the security and police forces and held all important positions, although they made up only about quarter of the population.<sup>66</sup>

After the World War II some improvements in position of Albanians occurred compared with the pre war situation. For the first time Albanians were recognized as a distinct national group and Albanians gained the right to education in the vernacular. In spite of these improvements large number of Albanians and Turks continued to immigrate to Turkey because of Serbian pressures. It was a period when Kosovo Albanians experienced both harsh persecution and glimpses of freedom. The effects of the government sponsored colonization by Serbs of Kosovo were mitigated when Tito returned some land to its Albanian owners in 1945.<sup>67</sup> These gains were however undermined by repressive policies for which Aleksandar Rankovic, a Serb and head of the state security has been responsible. Under the pretext of fighting Albanian nationalism and irredentism,

---

<sup>65</sup> Repishti, S. & Pipa, A. (Eds). (1984). Studies on Kosova. New York : Columbia University Press pp.233-238

<sup>66</sup> Judah, T. (1997) The Serbs . New Haven and London: Yale University Press. p.151

<sup>67</sup> Poulton, H. (1991). The Balkans: Minorities and states in conflict. London: Minority Rights Publications. pp 59-61

the secret police pursued a campaign of intimidation against the Albanians. Secret police officials interfered in all aspects of life and maintained files on about 120,000 suspected Albanians. On many occasions, most notably during the arms collection campaign in 1956, they employed violence and terror including the murder of many Albanians suspected for nationalist activities. More than in any other part of Yugoslavia, members of secret police in Kosovo were involved in breaking of the law. The secret police also pressured the Albanians to emigrate. Between 1953 and 1957 alone some 195,000 Albanians emigrated, by 1966 about 230,000 Kosovo Albanians left Yugoslavia.<sup>68</sup> The situation for Albanian side began to change after the Rankovic's dismissal in 1966. As public education spread in Albanian language increasing number of Albanians became aware of their national identity and language, their history and more important their subordinate position in Yugoslav federation. In 1968 there were student demonstrations as in the rest of the Europe. Kosovo Albanians demanded republic status for Kosovo, an Albanian university and the right to fly their national flag. Although the demonstrations were dealt with harshly, a series of measures were taken during this period which greatly improved the situation of Kosovo Albanians. The culmination of improvements was the 1974 Yugoslav constitution, under which Kosovo like Vojvodina was declared autonomous province of Serbia. The status of autonomous province was almost the same as the status of republic. Kosovo had

---

<sup>68</sup> Biberaj, E. (1990). Albania: A socialist maverick. Boulder: Westview Press. pp.117-118

its own assemble, judiciary and constitution, which regulated economic, social, cultural and political affairs independently from Serbia.<sup>69</sup>

Kosovo after the Second WW was subject to discrimination in the economic sphere in the new Yugoslavia. Although Kosovo was clearly the most underdeveloped region in Yugoslavia until the late 1950's it was not listed as such and was not eligible for special development funds. After 1958 the government granted assistance, but it was insufficient to accelerate the region's development. Investments per capita in Kosovo were considerably below the Yugoslav average. During the period from 1945 to 1981, the total per capita investment in Kosovo amounted to only 50 percent of the country as a whole. By 1979 per capita annual income in province had fallen to 27.8 percent of the Yugoslav average.<sup>70</sup> In 1984 unemployment in Kosovo was %29.1 compared to % 12.7 national averages and only 1.8 in Slovenia. <sup>71</sup> Out of a population of 1.5 million only 178,000 had jobs in all forms of state run enterprises (civil service, schools ,hospitals ,factories and so on) and there was significant imbalance in place with Serbs and Montenegrins who formed 15 percent of population but held 30 percent of jobs. <sup>72</sup> Another important economic aspect is that investments in Kosovo were primarily concentrated into the extractive industry that made region supplier of raw-materials for

---

<sup>69</sup> Kraja,M.(1995). Vitet e humbura (The lost years). Tirana: Encyclopedia. p.74

<sup>70</sup> Biberaj,E.(1990) . Albania:A socialist maverick. Boulder: Westview Press. pp.123

<sup>71</sup> Poulton,H. (1991). The Balkans: Minorities and states in conflict. London: Minority Rights Publications. p.74

<sup>72</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.337

manufacturing and processing industries in the developed republics of Yugoslavia. Furthermore the raw-materials were bought far below actual the prices in the world market but manufactured and processed products from these raw-materials were sold back to Kosovo above the world market prices. Although naturally rich in resources, Kosovo was economically one of the most backward regions in Yugoslavia and economic problems have contributed greatly to growing dissatisfaction among Albanians.<sup>73</sup> It is always worth remembering that Tito himself did not ever visit Kosovo until 1967, a generation after he had taken power in Yugoslavia. Kosovo was a low priority during the Tito's Yugoslavia. In the first 5 year plans of post-war Yugoslavia, the developing of manufacturing production in Kosovo was major investment. The major investments were plants to make rubber products and tiers at Suva Reka, a smelter at Gjakova, the Ferro-nickel plant at Glogovac. Some investments were made at the Trepca plant complex. But this progressive outlook did not alter the basic arithmetic of production in Kosovo. These plants were meant to operate within the planned economy. In practice most of the surplus was appropriated by privileged groups outside Kosovo, principally the party elite centered in Belgrade and the northern cities. One of the most important examples of this economic exploitation was the development of the Kosovo electricity industry. Rich reserves of lignite were discovered in Kosovo near Pristina, and major lignite burning power stations were

---

<sup>73</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. p.337

built. Although Kosovo benefited from the power produced, most of it went to south Serbia in general as a free 'gift'. A small communist party elite developed within Kosovo itself, along with a larger professional group of educated Albanians, but all real power was kept in the centre, in Belgrade. The vast majority of the Kosovo population, both Serb and Albanian, remained of a working class or peasant composition.<sup>74</sup> The policy of repression during the Rankovic period, forced emigration of Albanians from Kosovo, economic exploitation of the region and plus the privileged economic, social and political status of Serbs and Montenegrins in Kosovo contributed to the growing tension and dissatisfaction among Albanians. By the late 1970's and early 1980's the break between the two ethnic communities in Kosovo was virtually complete. However the accelerating separation of the Serb and Albanian communities was met with total inaction on the part of the Kosovo and Yugoslav elite.

### **1.6 Kosovo after Tito's death**

After Tito's death in 1980, with the steady deterioration of the economy and growing discontent and unrest among Albanians, Kosovo experienced the emergence of movement for a separate republic. The mass of young Albanian university graduates who were unemployed became the backbone of the Albanian movement in 1980's demanding the status of republic.<sup>75</sup> Albanians believed that

---

<sup>74</sup> Pettifer.J (2002) Kosovo Economy & Society After 1945 Surrey :Defence Academy of The United Kingdom. pp.6-10

<sup>75</sup> Mertus.J.(1999)How myths and truths started a war Berkley:University of California Press. p. 29

Kosovo's underdevelopment, their unemployment and poverty as well as subordinate position were a result of insufficient control over their economic and politic life. They believed that republic status would surely give them greater economic control, with which they would introduce more favorable policies. This idea attracted students, academics, journalists, workers, farmers and partly political elite of Kosovo. The central authority of Yugoslavia showed insensitivity towards growing Kosovo problem. They insisted that the issue of ethnic Albanians had been solved. In reaction to Belgrade's insensitivity and inflexibility Kosovo exploded in the spring of 1981. Tens of thousands Albanians took to the streets following the death of Tito in 1980, demanding the improvement of Kosovo's economic conditions, equal rights with other ethnic groups, release of political prisoners and republican status for Kosovo. The issue was primarily one of status rather than a desire for independence. The demonstrations are described as mainly peaceful outburst of despair and frustration provoked by the rapid economic and social deterioration of the province.<sup>76</sup> The riots in the province in 1981 during which 300 people died further alienated Serbs from Albanians.<sup>77</sup> A state of emergency was declared and heavy security force reinforcements and army units were brought into the province and at least 2000 people were arrested. The Communist Party undertook "differentiation" process that included dismissal of

---

<sup>76</sup> Lindhold.H. (1994). Kosovo-Intifada Tomarrow Belgrade:Republika. p. 14

<sup>77</sup> Vickers,M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press. p.198

thousands of university professors and schoolteachers from their jobs.<sup>78</sup> The harsh government response radicalized the Albanian population and also they fostered the rise of the Serbian nationalist movement. Thus the relations between Albanians and Serbs continued to deteriorate with each passing day.

Another critical factor after the 1981 demonstrations becomes the demographic change in Kosovo that was politicized. After 1981 events, Serbs and Montenegrins started to immigrated from Kosovo. As a result Serb population fell to 13 per cent.<sup>79</sup> In fact, emigration among all communities within Yugoslav regions was high, mainly for economic reasons. The developed regions and big urban centers had greater attraction and bigger opportunity for employment.<sup>80</sup> Kosovo was stagnating while other parts of Yugoslavia were booming. In 1979, average per capita income in Kosovo was \$ 795. The Yugoslav national average was \$ 2,635, the highest being in Slovenia \$ 5,315.<sup>81</sup> Due both to the very high birth rate of Albanians and to outmigration of Serbs and Montenegrins the proportion of Albanians in the population of Kosovo rose from 67% in 1961 to 78% in 1981.<sup>82</sup> But among the Serbs, there were additional reasons; many complained of harassment and discrimination as reasons for

---

<sup>78</sup> Raduski.N. (1998). Demografska slika Kosova (Demographic picture of Kosovo) Belgrade: Institut drustvenih nauka p.3

<sup>79</sup> Bora,T. (1995). Milliyetçiliğin provokasyonu: Yugoslavya (Provocation of Nationalism: Yugoslavia). İstanbul: Birikim Yayınları

<sup>80</sup> Prifti,P. (1999). Confrontation in Kosova : the Albanian-Serb struggle, 1969-1999 Boulder: East European Monographs p.267

<sup>81</sup> Vickers,M. (1998). Between Serb and Albanian: A history of Kosova. New York: Columbia University Press. p. 187

<sup>82</sup> Raduski.N. (1998) Demografska slika Kosova (Demographic picture of Kosovo) Belgrade: Institut drustvenih nauka p.3

emigration. Some of the wilder claims were circulating in Belgrade, especially about systematic rape and murder as an instrument of ethnic repression that were not substantiated by official figures. Crime rates including rates of rape were considerably lower in Kosovo than in the rest of the Yugoslavia. The only serious study of this issue was carried out by an independent committee of Serbian lawyers and human right experts in 1990. Analyzing the statistics of crime rates including rates of rape and attempts of rape for the 1980's they found that the frequency of crime was significantly lower in Kosovo than in other parts of Yugoslavia. None of the accusations were ever fully confirmed. In fact, all available information suggests that throughout this period (1980's) it was Albanians who remained the primary target of repression by the Yugoslav political system.<sup>83</sup> Albanians continued to provide the greatest number of political prisoners in the country. Although the Albanians made up only 8 per cent of the population of Yugoslavia, they compromised 67 per cent of those condemned for political offenses. Over 584,000 Albanians had been handled by police and courts.<sup>84</sup>

### **1.7 Serbian Nationalism with Milosevic and Albanian resistance**

However, beginning in the late 1985 the situation of the Serbs in Kosovo began to feature more and more in the mainstream of Serbian

---

<sup>83</sup> Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan. pp.337-340

<sup>84</sup> Prifti, P. (1999). Confrontation in Kosova : the Albanian-Serb struggle, 1969-1999 Boulder: East European Monographs pp.283-284

public opinion. In January 1986, 216 prominent Serbian intellectuals, members of the prominent Serbian Academy of Arts and Sciences, including Dobrica Cosic, who had been expelled from the Central Committee in 1968 for favoring the Rankovic policy towards Kosovo, presented a petition to the Serb and Yugoslav Assemblies.<sup>85</sup> Later, in the same year a Memorandum published by Serbian Academy of Arts and Sciences sent shock waves through Yugoslavia. This Memorandum is a critique of the Yugoslav system from a Serbian nationalist point of view, which assumes that Serbia was exploited by other Yugoslav republics and must correct the situation without hesitation. The Memorandum of the Serbian Academy of Arts and Sciences (SANU), is a well-organized list of complaints and criticisms against the Yugoslav system as it existed at the time. The main theme of the argument in the Memorandum is that Serbia was wrongfully taken advantage of and weakened under 1974 constitution of Yugoslavia. The document consists of two parts: the first explains the reasons for the economic and political crisis in the country; the other deals with the position of Serbia and Serbian people in Yugoslavia. What strikes a reader of the first part of the document is its openly national content and Marxist analysis of the main causes of the Yugoslav crisis. In the second part the Memorandum talks about physical, political, legal and cultural genocide of Serbs in Kosovo.<sup>86</sup> The petition referred to the Kosovo question as the most important national question of the Serbian

---

<sup>85</sup> <http://www.reliefweb.int/library/documents/thekosovoreport.htm>

<sup>86</sup> <http://zagreb.hic.hr/books/greatserbia/sanu.htm>

nation and considered the demonstrations in Kosovo in 1981 as a declaration of open and large scale war against the Serbian people.<sup>87</sup> The rise of Slobodan Milosevic in Serbian Communist Party marked the beginning of another period for Kosovo and the Yugoslavia. Slobodan Milosevic by exploiting the issue of Kosovo as a basis that quickly turned himself into national leader. He seems to adopt the Memorandum as his own political program, and stressed in 1987 the necessity of administrative unification of Serbia to include the autonomous provinces Vojvodina and Kosovo. Milosevic started to organize meetings, during these meetings Milosevic stressed that it was not the Slavs living in Kosovo but Albanians themselves who were minority in Serbia. So called 'truth meetings' were organized through Serbia and other regions in the former Yugoslavia in order to reveal the pressures on the Serbs and Montenegrins living in Kosovo. Milosevic successfully exploited Kosovo for his own political aims, soon he was to become the president of Serbia <sup>88</sup> On 28 June 1989 on the 600<sup>th</sup> anniversary of the Battle of Kosovo declared to hundreds of thousands of people gathered on Kosovo Polje that Kosovo was sacred to Serbia. Moreover Slobodan Milosevic in his speech said: Six centuries later, again we are in the battles and quarrels. They are not armed battles, through such things should not excluded yet.<sup>89</sup> Moreover Milosevic remained that Europeans forget that they owe their survival and peaceful development above all to Serbia, which

---

<sup>87</sup> Mihajlovic.K.&Kresic.V.(1995).Memorandum Belgrade:SANU .pp. 99-149

<sup>88</sup> Cohen,L. (1993). The Disintegration of Yugoslavia. Boulder: West View Press. p.52

<sup>89</sup> Judah,T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.27

defended Western Europe on the field of Kosovo from the Turkish advance. In his speech at the celebration of the 600<sup>th</sup> anniversary of the Kosovo battle he said: Six centuries ago, here on Kosovo field, Serbia defended herself. But she defended also Europe. She stood then on the rampart of Europe, defending European culture, religion European society as a whole.<sup>90</sup> In Serbian politics we see a purposeful and rational strategy planned by those most threatened by changes to the structure of economic and political power, changes being advocated in particular by reformists within the ruling Serbian communist party. A wide coalition of conservatives in the Serbian party leadership, local and regional party elites who would be most threatened by such changes joined together with nationalist intellectual elite. They created a political context where individual interest was defined not in terms of economic well-being, but as the survival of the Serbian people. Their original goal was to recentralize Yugoslavia in order to crush reformist trends throughout the country, but especially in Serbia itself. By doing this, they provoked a populist nationalism that successfully legitimized their program.<sup>91</sup> It was Kosovo and their non-Serb citizens to suffer first under the new wave of Serbian nationalism.

In November 1988 Milosevic forced the popular leader of the Kosovar Albanians Azem Vllasi to resign and replace him with Rahman Morina a loyal politician to Milosevic. This initiated mass

---

<sup>90</sup> Colic.I. (2002). Politics of identity in Serbia New York:New York University Press p.43

<sup>91</sup> Gagnon.V.P. (1995). Ethnic Nationalism and International Conflict: The Case of Serbia International Security 19 (3) pp. 135-150

demonstrations by ethnic Albanians and a general strike in Kosovo in protest at this. Belgrade sent in the Yugoslavian National Army and federal police and imposed emergency measures. <sup>92</sup>At the same time this was signal of Albanian resistance to the constitutional changes limiting the province's autonomy which the Serbian leadership was pushing through. In February 1989 troops were sent into Kosovo. On 23 March 1989 the assembly of Kosovo met under unusual circumstances, and at the time of voting the building of the Assembly of Kosovo was surrounded by tanks, military and police and members of the secret police were present in the hall. Under such conditions without the required quorum (2/3), without numbering the votes, without public discussion of the amendments, the president of the Assembly of Kosovo who was a Serb proclaimed the approval of constitutional changes. The rights given to the Albanians by the 1974 constitution were retracted and Serbia sharply increased its control over Kosovo in defense, foreign affairs, the judiciary, educational policy, social and financial planning. <sup>93</sup>

The abolishment of Kosovo's autonomy resulted into dissatisfaction among Kosovo. Soon there were demonstrations throughout Kosovo that were repressed with brutal force. The local leader Azem Vllasi and 14 Kosovo Albanian leaders were arrested under accusation of endangering social order. The opening of the trial and abolishment of autonomy was followed with almost daily street

---

<sup>92</sup> Ramet.S. (1997). Whose Democracy?: Nationalism, Religion, and the Doctrine of Collective Rights in Post-1989 Eastern Europe Lanham: Rowman & Littlefield p.147

<sup>93</sup> Gashi,A. (1992). The denial of human and national right of Albanians in Kosovo. New York: Illyria. pp.102-103

demonstrations. During the demonstrations against the abolishment of Kosovo's autonomy at least 72 Albanians were killed and hundreds were wounded in the period from 1989 to 1990.<sup>94</sup>

The systematic pressure toward Albanians during the 1990's in complete violation of OSCE standards were increasingly in the years to come and make Kosovo a region with the worst human rights record in Europe. These included discriminatory language policies: the closure of Albanian language newspapers, radio, and television; the closure of the Albanian Institute, and the change of street names from Albanian to Serbian. Some 1,855 doctors and other medical staff were dismissed and health care facilities in the countryside were shut down.<sup>95</sup> In particular, the introduction of a new Serbian curriculum for universities and schools: resulted in the closing down of the Educational Administration of Kosovo and of other institutions and facilities in the field of education. The financing of the Albanian schools, including 21,000 teaching staff, stopped. The closure of companies that published textbooks and teaching materials followed.<sup>96</sup> In response to Serbian actions, Kosovo Albanians organized their parallel educational system using their curriculum as a base and continued educational facilities in private homes, garages or other buildings. In 1998 there were 266,413 primary school pupils, 58,700 secondary school pupils and 16,000 university

---

<sup>94</sup> Biberaj,E.(1990) Albania:A socialist maverick. Boulder: Westview Press: pp.129-130

<sup>95</sup> Kostovicova,M.( 1997) Parallel Worlds: Response of Kosovo Albanians to loss of authonomy in Serbia,1989-1996 Keele : Keel University Press p32

<sup>96</sup> Ibid. p. 35

students studying in the parallel system.<sup>97</sup> At least 100,000 Albanians were fired from factories, mines, schools, hospitals, the judiciary, cultural institutions, media, etc. and replaced by Serbs, Montenegrins or pro-Serbian Albanians.<sup>98</sup> It is estimated that 400,000 Albanians immigrated to European countries between 1991 and 1994 in order to escape Serbian oppression.<sup>99</sup>

At the beginning of the Yugoslavian crisis the majority of Albanians supported the Yugoslavian framework. On 2 July 1990 the Kosovo Assembly declared Kosovo's equality in status to the other republics of Yugoslavia.<sup>100</sup> It was only three days after this the Serbian authorities closed down the Kosovo Assembly permanently and abolished the government of Kosovo. On 7 September, 1990 111 Albanian, Turkish and Muslim members of the former Assembly together with some politicians and intellectuals proclaimed the constitution of the Republic of Kosovo in Kacanik. This constitution which was considered illegal by the Serbian authorities declared Kosovo a seventh republic in Yugoslavia and stressed the independence of Kosovo from Serbia. By the summer of 1991 a nonviolent resistance movement had been organized for creation of a parallel Albanian state in Kosovo. After the Slovene and Croatian declarations of independence in June 1991, the demand for a republic was changed to a demand for independence. In September

---

<sup>97</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.70

<sup>98</sup> Schmid, F., (1993). Kosovo: The time bomb that has not gone off. RFR/RL research report 2 (39) pp.21-25

<sup>99</sup> Babuna, A. (2000). The Albanians of Kosovo and Macedonia: ethnic identity superseding religion. Nationalities Papers, 28(1). p 73

<sup>100</sup> Malcolm, N. (1998). A Short History of Kosovo. London: Macmillan. pp.337-340

1991, a self-organized referendum on independence took place. 87% of voters took part, including some minorities, and the vote was 99% in favor. <sup>101</sup>On 24 May 1992 Kosovo-wide elections were held for a new Kosovo parliament and to elect a president, using private homes as polling stations. The results of the election were an overwhelming victory for LDK (Democratic League of Kosovo), which picked up 76.44 per cent of votes and Rugova was elected as a president of Kosovo by 99.5 per cent of those who voted. <sup>102</sup> The Kosovo Albanians boycotted the December 1992 Yugoslav elections on the pretext that Republic of Kosovo was no longer part of Yugoslavia.

Despite strong Serbian pressure the Kosovo Albanians managed to create an alternative state with its own parliament, government, and president as well as health care and education system. Taxes were levied on all Kosovo Albanians. Suggested guidelines were: for employed individuals, 5%, for businesses, between 8% and 10%, and for landowners, according to the productivity of their land; workers in the Diaspora were expected to contribute 3% of their income. Computerized databases were maintained that tracked the tax records of individual families; non-compliance was low. As for expenditure, 90% of the funds were spent on the parallel education system and the remainder went on sports, some cultural activities, the LDK administration and some health care.<sup>103</sup> In 1991, the parallel education system employed 20,000 teachers, lecturers, professors

---

<sup>101</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.6

<sup>102</sup> *ibid.* p.68

<sup>103</sup> <http://www.reliefweb.int/library/documents/thekosovoreport.htm>

and administrative staff; it included 312,000 elementary school pupils and 65 secondary schools with 56,187 pupils.<sup>104</sup> The higher education included 13,763 students in 20 faculties and colleges.<sup>105</sup>

During all these troublesome years for Kosovo Albanians, they have shown great patience towards the Serbian aggressiveness and with strong determination followed Ghandi type peaceful resistance to Serbian regime and hoped to solve the Kosovo problem peacefully. The division between communities was evident all spheres of life. The politics of oppression was fully institutionalized and it amounted to formal discrimination against the Albanian population. Formal and informal discrimination, violence of human rights was practiced on a day to day basis by Serbian authorities in Kosovo. Serbian opposition never tried publicly to raise question of the human rights abuse in Kosovo. Instead, the Serbian opposition party leaders' implicit acceptance of the regime's systematic oppression of Kosovo Albanians effectively legitimized the apartheid-like rule of Milosevic's regime. The Albanians were hoping that international actors will touch the issue of Kosovo in the final settlement of disputes in the regions of former Yugoslavia. However, the Dayton Agreement was a shock to Albanians, and signaled that they had been by passed by the international community. The international community's continuing neglect of the Kosovo issue and discriminatory policies, abuse of

---

<sup>104</sup> Hyseini.H.&Shatri.B.(1998) Gjendja dhe pozita e arsimit shqip në Kosovë në periudhën 1990-95 dhe mundësit e zhvilimit te mëtejme ( Position of education in Albanian language in Kosovo in the period of 1990-95 and its development) Pristina: Instituti ekonomik. pp.38-39

<sup>105</sup> Koliqi,H.,(1997) The survival of the University of Pristina 1991-1996 Pristina: University of Pristina. p.61

human rights in all sphere of lives by Serbian regime left hard liner  
Albanian's choice for active opposition to the Serbian regime as the  
only viable solution.

## Chapter 2

### 2. The role of the international community

Kosovo was not a priority for the international community before 1998. The province's troubles almost appear to have been an inconvenience, adding further complications to negotiations about the wars in Slovenia, Croatia, and Bosnia. Kosovo seems to have been regarded as secondary to these conflicts in terms of both urgency and status. Had the international community shown greater interest and commitment in these years preceding the rise of the KLA, the war in Kosovo might conceivably have been avoided.

The one strong statement that was made in official circles during this period was President Bush's Christmas warning. On December 24 1992, the US Ambassador to Belgrade read the following message to Milosevic: "In the event of conflict in Kosovo caused by Serbian action, the US will be prepared to employ military force against Serbians in Kosovo and Serbia proper." The message was subsequently reiterated by Madeline Albright in the UN Security Council in August <sup>106</sup>

None of the main international actors, including the International Conference on Former Yugoslavia (ICFY), the European Union (EU), the Organization of Security and Co-operation in Europe

---

<sup>106</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.74

(OSCE) and the United Nations (UN), paid Kosovo more than sporadic attention. The tone was set by the European Union (EU, then European Community Conference on Yugoslavia, chaired by Lord Carrington, which took place in the Hague in 1991. This conference went so far as to define Kosovo as an “internal” problem for Yugoslavia, thus discouraging international interest and involvement. At its second meeting in London in August 1992, Carrington put out very mixed signals, almost but not inviting Rugova to attend. On 17 August Lord Carrington the chairman of the conference, wrote to Dr Rugova. “If you are planning to be in London at the time of the conference “he told him, then it would be possible for him to have some meetings but it would not “for practical and other reasons, be possible to grant your delegation access to the Conference chamber” In addition Lord Carrington promised to set up a small side room with a live video link in it. This practically meant that the Kosovo Albanians could watch the fate of almost everyone else in the former Yugoslavia being discussed, except their own.<sup>107</sup> It was obvious that again Albanians and their demands were put aside and others were to decide on their fate.

Meanwhile, Rugova and other LDK leaders were managing to get increased attention from the international NGO community, and even arranged several diplomatic meetings with foreign governments. The international message given to Rugova was nearly unanimous praise

---

<sup>107</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press p. 93

for his movement, especially for its non-violent character, but this praise was never translated into concrete support.<sup>108</sup>

The low priority of the Kosovo issue was reflected in the EU's deliberations about the recognition of Slovenia and Croatia in the autumn of 1991. Rugova had appealed to the EU for recognition of independence in December 1991 when the EU was discussing the issue of recognition of Slovenia and Croatia. The Badinter Commission, which reported in early 1992, proposed that republics of Yugoslavia should have the right to become independent provided certain preconditions were met. Autonomous provinces were not offered the same option. In November 1993 the European Union endorsed a proposal for the reestablishment of autonomy for Kosovo in its European Action Program on Yugoslavia but leading politicians, including David Owen, the co-chair of ICFY, continued to insist on the integrity of Yugoslavia.<sup>109</sup> Over all evaluation gives impression that Kosovo was out of international agenda and little was done to find solution to Kosovo problem. Only reports on abuses of human rights and observations on Kosovo were occasionally on agenda but nothing concrete was done in order to solve the problem in Kosovo until 1998.

---

<sup>108</sup> Ibid 95

<sup>109</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press p.58

## **2.1 Kosovo in Dayton Agreement**

From the mid-1990s, the situation began to deteriorate in Kosovo. Many ordinary Kosovo Albanians were losing patience with the strategy of passive resistance and were becoming exhausted from the struggle to sustain the parallel system under difficult conditions. Kosovo Albanians and their leader Ibrahim Rugova did not want to lose hope for peaceful resolution of Kosovo problem. They expected that soon there would be international settlement on ex-Yugoslavia by which they would also reach their interest; it was Dayton Conference that they hoped to address their demands.

It is certain that The Dayton Peace Accords was big success of international diplomacy led by US to put an end to the ongoing war in Bosnia. Unfortunately for Kosovo Albanians, Kosovo issue was not put on agenda. Moreover, the full-scale UN embargo imposed on Yugoslavia in 1992 was lifted and soon the EU formally recognized the Federal Republic of Yugoslavia. The decision to exclude the Kosovo question from the Dayton negotiations, and the lack of results achieved by the strategy of non-violence, led many Kosovar Albanians to conclude that violence was the only way to attract international attention. It brought more and more criticism on the policy of passive resistance. Some politicians and intellectuals began to discuss openly the necessity of a change in the policy pursued by Rugova and LDK. Leaders of the opposition parliamentary Party of Kosovo, Adem Demaçi proposed more active measures against 'Serbian occupation'

making Kosovo ungovernable.<sup>110</sup> Also the famous Albanian writer Ismail Kadare appealed for more active resistance against Serbs. After The Dayton Peace Accords more active resistance remained as the only option that may have produce some result to the stalemate on situation in Kosovo. Kosovo Albanian youngsters were now ready to take up arms to set Kosovo free.<sup>111</sup>

## **2.2 The appearance of the Kosovo Liberation Army (KLA)**

It was after the Dayton Peace Agreement that the KLA first made its appearance. It is hardly an exaggeration to say that the Kosovo Liberation Army was one of the most successful guerrilla organizations of modern times. Originally KLA grew out of a Marxist-Leninist-Enverist party formed in the Diaspora in the early 1980s called the LPK (Levizja Popullare e Kosoves). In 1992 and 1993, the LPK played a leading role in setting up a guerrilla group in secret meetings in Prishtina/Pristina and Tetovo (Macedonia). The first violent action taken was the killing of a Serb policeman in 1995. But it was not until 1996 that an organization based in Switzerland and calling itself the KLA claimed responsibility for these attacks. The KLA barely numbered 200 when they made their first public appearance at a funeral in November 1997. At the time most Albanians believed that the KLA attacks were artificial provocations by the authorities. Rugova also claimed that no such organization

---

<sup>110</sup> Bugajski, J. (1997). The Kosovo volcano. *Transitions* 4 (5) p.68

<sup>111</sup> Dinmore, G (1997, Decembar 14) Serbia: Turning point. *The Economist*. pp.35-36

existed and claimed that it was make-up of Serbian intelligence service.<sup>112</sup> Initially KLA and armed struggle was not supported by most of the Albanians and the intellectuals as well as politicians. Both Kosovo Albanians and their leader Ibrahim Rugova favored peaceful solution to the problem rather than war, but dissatisfaction with the situation was growing. After the Dayton Peace Agreement the Albanian expectations for peaceful settlement of Kosovo problem did not materialized and many Albanians started to believe that non-violent movement would not give results.

Until late 1997, active armed resistance groups in Kosovo were very small and without permanent bases in the province. They had few arms and do not seem to have had any clear leadership structure. Individual operations consisted of hit-and-run terrorist attacks on Serbian police outposts and supposed Albanian "collaborators". The collapse of the Albanian state system and institutions in 1997 and growing Serb repression changed the situation dramatically. Albanian Army and Interior Ministry warehouses and depots were looted and arms and ammunition were made available to the KLA. Because of the collapse of the security system and the ensuing lawlessness in Albania, it was possible, for the first time, to organize training facilities in northern Albania near the borders with Kosovo. This proved to be the most important precondition for creating permanent recruitment and training

---

<sup>112</sup> Waller, M. , Drezov,K. & Gökay,B. (Eds). (2001). Kosovo: The politics of delusion. London: Frank Cass. pp.20-22

facilities, for organizing supply routes into Kosovo. <sup>113</sup> The slow escalation of the fighting then began to reach the level where the international community began to react. The United Nations, the North Atlantic Treaty Organization, the European union, the Organization for security and Co-operation in Europe and the Contact Group comprising France, Germany, Italy, Russia, The UK and USA began to treat the situation as a potential crisis. In December 1997, NATO Foreign Ministers stated that NATO's interest in the Balkan stability extended beyond Bosnia to Kosovo and expressed their concern at the rising ethnic tension in Kosovo.<sup>114</sup>

With the rise of the KLA, the already pervasive police harassment increased. The Serbian government proclaimed the KLA a terrorist organization, thereby justifying searches, detentions and systematic abuse of human rights. Albanians charged with membership in the KLA reported the use of torture to extract false confessions. The explosion came in February of 1998 when Serbian forces attacked the Drenica region of Kosovo in an open terrorist fashion. The sudden Serb offensive cost the lives of over 100 civilians and 5000 people were displaced from their villages due to the Serbian attack<sup>115</sup>. From 4 to 7 March 1998, the Serbian side directed a second attack on Drenica villages of Prekaz and Lausha where whole families and clans

---

<sup>113</sup> Waller, M. , Drezov,K. & Gökay,B. (Eds.). (2001). Kosovo: The politics of delusion. London: Frank Cass. p.30

<sup>114</sup> <http://www.mod.uk/news/kosovo/account>

<sup>115</sup> Prifti,P, (Eds.). (1999). Confrontation in Kosova : the Albanian-Serb struggle, 1969-1999 Boulder: East European Monographs p.223

were killed.<sup>116</sup> After this attack, KLA started to get support of Kosovo Albanians and KLA grew into a mass liberation movement. Soon thousands of Albanians started to join KLA. On March 31, the United Nations adopted Security Council Resolution 1160, condemning the excessive use of force by Serbian security forces against civilians in Kosovo, and also established an embargo of arms and materials against Federal Republic of Yugoslavia. Serbia, however, continued to build up its regular army and Special Forces in Kosovo. The violence did not halt. The Serbian attacks continued during summer 1998, it is estimated that resulting fighting between the KLA and Serbian military and police forces and Kosovo Albanian forces resulted in the deaths of over 1,500 Kosovo Albanians during this period.<sup>117</sup> The situation inside Kosovo continued to deteriorate in coming months. In fall 1998, 300,000 Kosovo civilians were forced to flee their homes, 50,000 of them finding shelter in forest and mountains. The situation reached alarming level as the winter approached because many faced death from cold and starvation. Soon U.N Security Council Resolution 1199 of September 23, 1998 was passed that urged the parties to halt the conflict and spoke of humanitarian catastrophe and characterized developments as a threat to peace and security in region. It expressed deep concern about excessive use of force by Serbian security forces and the Yugoslav

---

<sup>116</sup> Bodies attest to fury of Serb attack. (1998, March 10). International Herald Tribune p.6

<sup>117</sup> Cordesman.A. (2001) Air and missile campaign in Kosovo. London: Praeger. p. 10

army and called for a cease- fire by both parties to the conflict.<sup>118</sup> The US special envoy Richard Holbrook negotiated with Milosevic and signed the Stand Down Agreement. The agreement included the withdrawal of troops and heavy arms from Kosovo, the return of refugees and constructive negotiations among parties. The OSCE Kosovo Verification Mission (KVM) was set up to monitor parties involved in the crisis and their compliance with agreement.. The primary mission of the KVM was to ensure FRY compliance with UN Security Council Resolutions 1160 and 1199<sup>119</sup> Within several weeks it became clear that Milosevic did not comply with agreement, soon he intensified the military campaign thought Kosovo. The Contact Group (France, Germany, Italy, Russia, England, and USA). On 29 January demanded the Yugoslav forces to stop offensive and repression in Kosovo and asked both parties to meet and negotiate a political settlement with direct involvement of the Contact Group.<sup>120</sup> The Contact Group agreed to summon representatives from federal Yugoslav and Serbian Governments, and representatives of the Kosovo Albanians to meet in Rambouillet France to begin discussions with direct involvement of the Contact group. It was Rambouillet Conference the last chance to stop the conflict before the NATO intervention.

---

<sup>118</sup> Solana,J (1999) NATO's success in Kosovo.Foreign affairs 78 (5)p.116.

<sup>119</sup> Ibid. p.117

<sup>120</sup> The six nation Contact Group established by the 1992 London Conference on the Former Yugoslavia

### **2.3 The Rambouillet Conference**

Despite the warnings, UNSC resolutions and the presence of OSCE mission in Kosovo, the conflict was escalating due to Serbian offensive. Rambouillet Conference was the most serious attempt and activity of international actors (organized by Contact Group) to bring Kosovo Albanians and Serbs to settle the Kosovo issue. The Rambouillet Conference held on 6-23 February and 15-18 March 1999, at Rambouillet near Paris aimed to find a political and peaceful solution to Kosovo problem. Both sides were pressed to come and discuss the problem. The Serbs were told that if they failed to come and failed to sign the agreement they would be bombed. The other side, the Albanians were being told that if failure was to be result of their action or inaction they would be left to the mercies of the Serbian security forces and paramilitaries.<sup>121</sup> Despite their reservations, both Kosovo Albanians and Serbs sides agreed to participate on the Conference.

The Albanian delegation included Rugova, Bukoshi and Agani the LDK and government in exile, Thaçi and Xhavit Halili, two of the founders of the KLA, and Rexhep Qosja the leader of United Democratic Party (LBD) . The delegation also included Veton Suroi of Koha Ditore (newspaper) and Blerim Shala from Zeri. Thaç was selected as the formal leader of the delegation (because the LBD was

---

<sup>121</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.197

close to KLA) and it was agreed that consensus would be needed for all decisions. <sup>122</sup>

The Serbian delegation was led by Ratko Markovic constitutional lawyer, Nikola Sainovic, a Yugoslav deputy premier, Vladan Kustelic, constitutional lawyer and Serbian deputy minister Vladimir Stanbuk. The rest of the delegation was made up of unknown representatives of Gypsies, Turks, Slav Muslims and Albanians who were loyal to Milosevic and who could not say anything in the process but were included into delegation under the argument that all ethnic groups from Kosovo should have a say in the future of the province. The key person and the one who makes decisions in Serbia Slobodan Milosevic was not there.<sup>123</sup>

The whole process was concentrated on immediate ending of the conflict, the withdrawal of Serbian (Yugoslavian) military, police and paramilitary forces from Kosovo, the stationing of international military force (led by NATO) in Kosovo, the unconditional safe return of all refugees into their homes, and political-legal solution to Kosovo status. The structure and process of the conference was centered on Contact Group negotiations that were on go-between duty.<sup>124</sup>

The Albanian delegation was more active in the process; they engaged with the draft agreement, provided suggestions for governmental and legislative structures and various aspects of practicable implementation. On the other hand Yugoslav delegation

---

<sup>122</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.200

<sup>123</sup> Ibid p 200

<sup>124</sup> Bieber, F. & Daskalovski, Z. (Eds.) . (2003). Understanding the war in Kosovo . London: Frank Cass. pp. 103-105

was inactive throughout the Rambouillet talks. There were two important issues that can be seen as the obstacles that determined the process of Rambouillet process. The first major obstacle was the transitional occupation of Kosovo by NATO-led forces; that included the free use of all Yugoslav territory. The second obstacle was a referendum to be carried in Kosovo after the three year transition period.<sup>125</sup> Towards the end of the talks, the Albanian delegation was able to clarify the reference to the final legal solution for the Kosovo crisis. With the support of US Secretary of State Madeleine Albright, the language was added to the agreement that referred to the 'will of the people' of Kosovo. This was practically the guarantee of a future independence referendum that would lead to an independent Kosovo after the three-year transition period. The Albanian delegation accepted agreement on March 18, 1999 after the inclusion of the clause that read 'will of the people' of Kosovo upon which the final resolution of status would be reached after the three-year transition period.<sup>126</sup>

On the other side Serbian delegation broke up the negotiations without signing an agreement, because an agreement provided the free use of Yugoslav territory for NATO forces and the inclusion of the referendum over Kosovo, that were considered unacceptable by Serbian side.

Michal Mandelbraum characterized the process as follows:

---

<sup>125</sup> Layne, C. (Eds.) (2001). NATO's empty Victory Washington D.C. Cato p.16

<sup>126</sup> Weller, M. (1999) The Rambouillet Conference on Kosovo. International Affairs 75 (2) pp. 232-233

NATO summoned the Serbs and KLA to the French chateau of Rambouillet, presented them with a detailed plan for political solution in Kosovo under NATO auspices, demanded that both agree to it, and threatened military reprisal if either refused. Both did refuse. The Americans thereupon negotiated with KLA, acquired its assent to the Rambouillet plan, and when the Serbs persisted in their refusal, waited for withdrawal of the OSCE monitors and then began to bomb.<sup>127</sup>

As a consequence the Kosovo Albanians signed but Yugoslav delegation did not accept the offered plan, so the Rambouillet negotiations turned to be an unsuccessful attempt of international community in finding peaceful solution to Kosovo.

After the failure of Rambouillet negotiations attacks against the Albanians in Kosovo increased. On March 20, OSCE observes, as well as diplomats and other international organizations left Kosovo due to full scale Serbian operations in Kosovo. Ten thousand of people began to flee their homes due to Serbian military operations in Kosovo<sup>128</sup> Richard Holdbrooke flew to Belgrade on March 22 in a last effort to persuade Milosevic to accept the terms of the Rambouillet Accords.<sup>129</sup> Unfortunately, all diplomatic efforts did not yield results. It was Milosevic who decided to gamble on fate and on March 24 1999, the NATO forces began to bomb Yugoslavia for 78 days.

---

<sup>127</sup> Mandelbaum, M. (1999) . A perfect failure . Foreign Affairs 78(5) p. 10

<sup>128</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press.  
pp.227-229

<sup>129</sup> Ibid p. 226

## **Chapter 3**

### **3. NATO intervention**

The NATO intervention in Kosovo provoked discussions about the legality of the intervention in NGO, government, politician, academic and other circles. To evaluate the legality of the NATO intervention demands expertise in law and international intervention. Here it would be plausible to present shortly views on the subject. There are two reactions regarding the NATO intervention in Kosovo; one reaction states that intervention towards a sovereign state was an illegal action from the point of UN charter and NATO concept and the other one favoring NATO intervention on the ground of humanitarian intervention. The first one favors the idea that the NATO bombing campaign was undertaken without specific authorization by the United Nations Security Council (UNSC). Thus NATO on this occasion ignored the U.N. Charter with used force. On the other hand, NATO intervention is justified on the ground that it was humanitarian intervention. In Kosovo, large scale violations of fundamental human rights were documented by a variety of intergovernmental organizations. (OSCE, Human Rights Watch, Amnesty International and others). Furthermore two member states, Russia and China, would surely have vetoed any solution directly

supporting such military action on SC. <sup>130</sup> It was time to prevent another Bosnia to happen but there was gap in law. The best description about the NATO intervention in Kosovo seems to be the description of Kosovo report group that states NATO intervention was illegal but it was legitimate. It was illegal, because it did not receive prior approval from the UNSC. It was legitimate because human rights violations were taking place and all diplomatic efforts had been exhausted and Kosovo.<sup>131</sup> As a consequence of the intervention, the oppression of Kosovo Albanians was ended, and all those who had been expelled by Yugoslav forces during the war were able to return to their homes.

The effectiveness of NATO military policy in Kosovo remains highly controversial. There might be allegations that the NATO campaign made matters worse in the region both for ethnic Albanians and for the Serbs living in Kosovo as well as on global politics. However, the policy of massive ethnic cleansing was terminated, refugees returned back and the prospects for justice and peace have improved. The legitimacy of intervention depends not only on what happens during and immediately after the intervention, but also on the longer-term follow-up. Those who undertake intervention have obligations to ensure that their actions contribute to a stable and productive outcome. Therefore, one could make a final evaluation of intervention in Kosovo only after finding a long lasting

---

<sup>130</sup> Bieber, F. & Daskalovski, Z. (Eds.) . (2003). Understanding the war in Kosovo. London: Frank Cass. p.149-151

<sup>131</sup> The Independent International Commission on Kosovo (2000) Kosovo report Oxford: Oxford University Press p. 25

solution acceptable for all sides involved in the conflict. If peace and stability will prevail in Balkans after NATO intervention, if people will not kill each other just because of different ethnic belonging, if multi-ethnicity will prevail over mono-ethnicity, then we can say that intervention in Kosovo was justifiable.

### **3.1 The NATO intervention and Military Technical Agreement**

There were distinct objectives and interest from Serbian side and NATO that lead to war. President Bill Clinton, in his statement to the American nation on the opening day of NATO bombing, outlined three objectives for the United States and NATO. Allied forces were “to demonstrate the seriousness of NATO’s purpose so that the Serbian leaders understand the imperative of reversing course, to deter an even bloodier offensive against innocent civilians in Kosovo, and, if necessary, to seriously damage the Serb military’s capacity to harm the people of Kosovo”<sup>132</sup> Throughout the air campaign, NATO leaders repeatedly emphasized five objectives which Yugoslav President Slobodan Milosevic was required to accept:<sup>133</sup>

- a verifiable cessation of all combat activities and killings
- the withdrawal of Serb military, police and paramilitary forces from Kosovo

---

<sup>132</sup> Statement by the President to the Nation” (White House, Office of the Press Secretary, March 24,1999)

<sup>133</sup> Roberts. A. (1999) .NATO's 'Humanitarian War Over Kosovo. Survival 41(3) p.2

- the deployment of an international military force; the return of all refugees and unimpeded access for humanitarian aid
- the establishment of a political framework agreement for Kosovo on the Rambouillet Accords.<sup>1</sup>

Maintaining sovereignty over Kosovo was an important objective for the Serbian government and Milosevic. The Rambouillet agreement guaranteed the Kosovo Albanians that Kosovo's political future would be tied to a referendum. This prospect of a referendum for future status of Kosovo was unacceptable for Milosevic and the Serbian citizens.<sup>134</sup> It was obvious that if referendum was materialized over Kosovo's future, Serbia would lose Kosovo forever because majority of Kosovo population (90 %Albanians) would favor solution for independence from Serbia. Bearing this fact in mind Serbia had a greater interest in the outcome of Kosovo than did NATO. The role played by Kosovo in Serbia's consciousness and the interpretation of Kosovo as the birthplace of the Serbian Orthodox Church and Serbian State impacted the strong popular support among Serbs for actions taken in Kosovo. For the Serbs, military action against Kosovo separatism translated into a war for the integrity of Serbia. Milosevic had great personal interest in pursuing the war because Serbian control of Kosovo had been a political issue that contributed to his rise to power.<sup>135</sup> The humanitarian reasons for NATO's offensive, far removed from survival concerns, indicated NATO's

---

<sup>134</sup> Hosmer, S. (2001). Why Milosevic decided to settle when he did. Santa Monica, Calif: RAND. p.13

<sup>135</sup> Hosmer, S. (2001). Why Milosevic decided to settle when he did. Santa Monica, Calif: RAND. p.9

lower interest in pursuing the war. However, two factors boosted NATO's interest. First, the atrocities committed in Bosnia-Herzegovina and Croatia from 1991 to 1995 were fresh in the minds of NATO leadership. In these conflicts, NATO intervened to stop conflicts that had already begun. In Kosovo, NATO hoped to act before a major humanitarian crisis occurred. Second, throughout the 1998 and early 1999, NATO had become an increasingly active player in trying to resolve the crisis. NATO's credibility had become tied to resolution of the conflict in Kosovo, and this raised NATO's interest in prosecuting the war.<sup>136</sup>

In terms of military power, NATO had an overwhelming capability vis-à-vis Serbia. The combined Gross National Product (GNP) of NATO countries was 900 times greater than Yugoslavia. The defense spending of NATO was 300 times greater than Yugoslavia.<sup>137</sup> Through the course of the air war, NATO would fly 37,465 sorties, while the Serbs failed to employ a credible air defense. When Milosevic finally capitulated NATO had tripled its initial forces to 912 aircraft and 35 ships.<sup>138</sup> Without direct external military support from Russia, Yugoslavia's options were limited because of the disparate military power balance between sides.

Serbia hoped to use its strong diplomatic ties with Russia to pressure NATO. Since President Clinton had expressly ruled out the possibility of a ground invasion, Milosevic planned to take advantage

---

<sup>136</sup> Roberts, A. (1999) NATO's 'Humanitarian War' over Kosovo. *Survival* 41 (3) pp.108-111

<sup>137</sup> Posen, B. (2000). The War for Kosovo. *International Security* 24 p.49

<sup>138</sup> Roberts, A. (1999) NATO's 'Humanitarian War' over Kosovo. *Survival* 41 (3) p. 109

of his military power on the ground in Kosovo and launch a counter-insurgency operation against the KLA. In conjunction with attacks against the KLA, paramilitary and police forces also planned a brutal campaign to drive the general Kosovo Albanian population into neighboring Macedonia and Albania. Milosevic hoped to realize two benefits from this "ethnic cleansing" campaign. First, it would eliminate support for the KLA within Kosovo by pursuing a strategy of forcing the exodus of the entire population to "drain the sea in which the rebel fish swam."<sup>139</sup> Milosevic could also realize another benefit. The ethnic cleansing campaign would change the ethnic composition of Kosovo and limit the viability of future independence movements. This led the Serbian forces to systematically strip Kosovo Albanians of identity papers to prevent their return. Tim Judah, suggests that the Serbs may have even planned to use Kosovo as a future home for the 600,000 Serbian refugees from Croatia and Bosnia.<sup>135</sup> Finally, it appears likely that Milosevic calculated that an enormous refugee crisis would threaten NATO resolve, and, in fact, Serbia could demonstrate that NATO attacks would produce even more refugees<sup>140</sup> NATO began the war with a very simplistic strategy. NATO would conduct limited air strikes against Serbia to coerce acceptance of the Rambouillet settlement. Most political leaders of NATO assumed that Milosevic would agree to

---

<sup>139</sup> Daalder, I.H & O'Hanlon, M.E. (2000). Winning Ugly: NATO's War to save Kosovo Washington, DC:Brookings Institute Press p.114

<sup>140</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. pp 250-151

the settlement after “a little light bombing.”<sup>141</sup> The NATO strategy failed initially because it lacked a back-up plan in the case that Milosevic would not give in. In addition, Milosevic’s refusal to concede meant that NATO had no way directly to prevent further violence and forcing a political settlement. As NATO launched its air attacks, Milosevic quickly escalated the ground war in Kosovo. Earlier in February, Milosevic had ordered the start of Operation Horseshoe, which aimed to expel the Albanian population. Until NATO bombing began, the Serbs executed this operation discretely. The advent of the air war seemed to lift all control of Milosevic as the Serbian military and police forces now openly drove large numbers of Kosovo Albanians from their homes and across the borders. By the end of the war, almost one million inhabitants fled Kosovo, and half a million people were displaced within Kosovo.<sup>142</sup>

The Military technical agreement was signed on June 9, 1999, and next day NATO air strikes ended after 78 days of bombardment. On June 1999 UN Security Council issues resolution 1244. During the war the diplomatic efforts were continuing to end the strikes and to reach the agreement. Initially Milosevic showed no interest in accepting NATO’s conditions. He continued to deploy military troops, police, and paramilitary into Kosovo to support the ethnic cleansing operation. The first important diplomatic achievement came after meeting in Germany where the foreign ministers of the Group of seven leading industrial countries and plus Russia (G-8) agreed on

---

<sup>141</sup> Roberts, A. (1999) NATO’s ‘Humanitarian War’ over Kosovo. *Survival* 41 (3) p. 111

<sup>142</sup> *ibid* p.113

general principles that would end the air strikes. The included all key points that would be latter included in the UN resolution 1244 that ended the conflict. <sup>143</sup> They called for 'withdrawal from Kosovo of military, police and paramilitary forces', and deployment of effective international civil and security presence. <sup>144</sup> The final talks known as military-technical talks started on June 6. These talks lasted three days and resulted in the Serbian military gaining more time to conduct their withdrawal and in a reduction of the buffer zone in Serbia proper, from 15 miles to 3 miles. The military-technical agreement was signed on June 9. The next day, NATO Secretary General, Javier Solana announced a general ceasefire and termination of bombing against Serbia.<sup>145</sup>

The Serbian military, police and paramilitary forces from Kosovo were withdrawing according to the agreement and KFOR forces were taking control. Now it was time to secure peace in Kosovo. If we compare the Rambouillet agreement and Military Technical Agreement (MTA), it seems MTA to be more favorable to Serbs because according to MTA the NATO would not have access to the whole territory of Serbia but only to Kosovo. Also the MTA did not foresee any referendum over Kosovo status but negotiation of parties.

---

<sup>143</sup> Judah, T. (2000). Kosovo war and revenge. New Haven: Yale University Press. p.276

<sup>144</sup> For details refer to appendix Security Council Resolution 1244

<sup>145</sup> Posen, B. (2000). The War for Kosovo. International Security 24 pp. 77-79.

### **3.2 Kosovo after the NATO intervention**

With the NATO intervention the large scale humanitarian catastrophe was prevented but still there remain many unresolved problems, the major one being the future status of Kosovo. The resolution 1244 makes reference to the commitment of all UN member states to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, and yet calls for substantial autonomy and meaningful self-administration for Kosovo.

After the NATO air campaign the United Nations Interim Mission in Kosovo (UNMIK) in accordance with the resolution 1244 rest its activities as follows<sup>146</sup>:

- Humanitarian affairs, led by the UNHCR
- Civil administration under UNMIK
- Democratization and institution-building, led by the Organization for Security and Cooperation in Europe
- Economic development, managed by the European Union

With the departure of Serbian military, police and paramilitary forces, NATO assumed control and responsibility for security. Over 40,000 heavily armed known as the Kosovo Force (KFOR) led by NATO took control over province. In the initial period crime rates and inter ethnic violence was high and prevention was difficult because many Albanians sought to engage in revenge. Approximately 200,000 Serbs lived in Kosovo before the war, some of them left Kosovo voluntarily,

---

<sup>146</sup> William G. O'Neill. (2002). Kosovo An Unfinished Peace London: Lynne Reinner Publishers. pp37-43

and many left in fear of revenge. The remaining 100,000 Serbs are concentrated in several enclaves; in northern Mitrovica, Ulpiana-Gracanica, Rahovec-Orahovac.

The UNHCR was responsible for coordinating and overseeing all humanitarian assistance programs in Kosovo. The refugees were successfully returned home and their destroyed homes were rebuilt. UNHCR also lead in identifying problems faced by minorities in Kosovo.

UNMIK itself was responsible for coordinating all works in Kosovo as well as providing administrative services such as; registering birth and deaths, repairing roads, getting the court system running, issuing business licenses and collecting taxes. Their duty was difficult because apart the effects of war there was UCK efforts to take over running Kosovo as much as they could. The UN's slow recruitment and deployment of civilian personnel allowed the UCK structure to grow and fill the vacuum and eventually grow of illegal activities.

The third task was focusing on institution building and monitoring and reporting human rights. The OSCE is the main player in this arena in organizing and monitoring elections. There were two municipal and one Assembly elections carried out. Results for 19 November 2001 Kosovo Assembly Election show that the population of Kosovo distanced from the radical groups and voted in favor of Rugova's party leading with 45.65% and takining 47 out of 120 seats in the parliament. The Democratic Party of Kosovo with

25.7 % of the vote and has won 26 seats. Among other nationalities The Kosovo Serb entity Coalition Return has won a total of 22 seats, including the ten seats set aside for Kosovo's Serbs community. The Bosniak-Gorani entity, Vatan has taken four seats including three set aside for the Bosniak community. The Kosovo Turkish Democratic Party (KDTP) has won a total of three seats, including the two seats set aside for their community. <sup>147</sup> Apart from organizing and monitoring elections OSCE actively works on democratization and institution building projects.

Last task to be carried out by EU is economic development. Kosovo itself did not suffer the NATO's bombing, but lack of investment for centuries make Kosovo's economy weak. There was little industry in the region and it was by far the poorest region in Yugoslavia. Economic situation in Kosovo still remains difficult with high unemployment rate. With its present status, Kosovo is not eligible for membership in any international financial institutions, thus not able to benefit from the IMF or World Bank support programmes. Kosovo benefits from the provided technical assistance and policy advice and received some grants for reconstruction and rehabilitation. The biggest financial donor to Kosovo remains EU with more than one billion €. <sup>148</sup>

One of the most important issues immediately after NATO intervention was violence and crime that was present in Kosovo.

---

<sup>147</sup> <http://www.osce.org/kosovo>

<sup>148</sup> Mitchev.E.&Bünger.K. (2003). A sustained economic revival in Kosovo Berlin Center for European Integration Studies. pp.6-7

According to Serbian agency Tanjug until November 18,2000 1055 people were killed, among those 853 were Serbs and Montenegrins, 80 Albanians and 55 are from other ethnic groups. <sup>149</sup> Crime rates statistics released by UNMIK suggest that the general incidents of crime have decreased but the ethnically motivated crimes still remain cause for concern. <sup>150</sup>

One of the most controversial issues after the NATO intervention was demobilization of KLA that by the end of the NATO intervention numbered approximately 18000 soldiers. One of the first challenges to the international presence in Kosovo after June 1999 was the demilitarization of UÇK that took place in the summer of 1999. On 20 June 1999, the then political leader of KLA Hashim Thaçi and Agim Çeku, Chief of general Staff of KLA, signed an Undertaking of demilitarization and transformation of the KLA with the Commander of KFOR. As an outcome of this undertaking, in September 1999 the vast majority of KLA returned to the roles they had performed before mobilization. Some 3000-4000 has been involved with Kosovo Protection Corps (KPC) and some have joined Kosovo Police Service.<sup>151</sup> The establishment of the KPC was a desirable compromise that would not only send soldiers home but also keep the remaining 3000 under international control.. Nowadays, KPC is perceived by majority of Kosovo Albanians as the future army of Kosovo despite the fact that its role according to UNMIK regulation and

---

<sup>149</sup> Tanjug November 24, 2000

<sup>150</sup> [www.civipol.org/unmik/statistics.htm](http://www.civipol.org/unmik/statistics.htm)

<sup>151</sup> Pettifer.J (2002) Kosovo Protection Corps in Transition Surrey :Defence Academy of The United Kingdom pp.1-3

Constitutional Framework is entirely that of a civilian emergency organization. The KPC leadership has proposed the KPC should evolve towards being Kosovo Defence Force with the following definition of its main tasks<sup>152</sup>:

- the defense of Kosovo sovereign territory in partnership with Balkan neighbors, to create stability in the region
- military aid to the civil community in providing a disaster response service, such as search and rescue teams
- military aid to the civil authorities

The main duty of KPC was supposed to be undertaking purely civil activity when formed but more specifically it has become involved with some military activity such as mine clearance. In the last five years the KPC has evolved considerably, and there is a tendency by Albanians to increase the responsibility of KPC, this may lead to disputes over its legal status.

---

<sup>152</sup> Pettifer.J (2002) Kosovo Protection Corps in Transition Surrey :Defence Academy of The United Kingdom pp.5-6

## Chapter 4

### 4. The Final Status of Kosovo

UN Security Council Resolution 1244 of June 1999 envisaged the withdrawal from Kosovo of all military, police and paramilitary forces of FRY, whereas enabled a deployment in Kosovo of an international civil and security presence. Resolution 1244 also envisaged the appointment of a Special Representative of the UN Secretary General (SRSG) to administer Kosovo. Resolution 1244 did not foresee any definitive political solution for Kosovo, nor did it determine its future status. For the interim period of the international administration, Resolution 1244 reaffirmed the commitment of UN member states both to sovereignty and territorial integrity of FRY on that time and to the substantial autonomy and meaningful self-administration of Kosovo, while also mandating UNMIK to facilitate a political process designed to determine Kosovo's future status.<sup>153</sup> It is very important to mention that Resolution 1244 is not the product of an agreement between Kosovo Albanians and Serbs, containing a road map on how to implement a political settlement of Kosovo conflict. The settlement of the conflict can be achieved after the Serbian and the Albanian side reaches an agreement under IC supervision. 2005 is mentioned as an appropriate time to address the issue of the final status, but this might be postponed taking into consideration current developments

---

<sup>153</sup> [http://www.usip.org/library/pa/Kosovo/adddoc/Kosovo\\_unsc1244.html](http://www.usip.org/library/pa/Kosovo/adddoc/Kosovo_unsc1244.html),

and increased tension in Kosovo. There is deep dissatisfaction within Kosovo Albanian society about the lack of progress in resolving the final status of the province, continuing economic stagnation, and deepening concerns about Belgrade's attempts to consolidate political control in the region. The UNSC Resolution 1244 assigns UNMIK and the SRSB the task of "facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet Accords." Michael Steiner's "standards before status" speech at the UN in April 2002 marked the end of this three-year time-out. His proposal of standards can be considered as the best possible option before the final negotiations over Kosovo starts. He defined eight standards as follows:

1. Functional state institutions;
2. Enforcement of the rule of law;
3. Freedom of movement;
4. Right of return for all Kosovars;
5. Market economic development;
6. Clarity of property title;
7. Normalized dialogue with Belgrade; and
8. Reduction and transformation of the Kosovo Protection Corps (KPC).

"Standards before status" opened the prospect of a mediated bilateral dialogue on non-status issues. The ceremonial opening of "technical" negotiations between Prishtina and "Belgrade" in Vienna on 14 October 2003 constituted the breakthrough of sorts concerned

the readiness of the Kosovo leadership and Belgrade to accept each other as negotiating parties. Thus, on 14 October 2003, the delegations met under the Contact Group, Lord George Robertson (NATO), Jaap de Hoop Scheffer (OSCE) and Javier Solana (EU). Zoran Zivkovic, Prime Minister of Serbia, and by Nebojsa Covic, his Deputy and President of the Coordination Centre for Kosovo represented Serbia-and- Montenegro. The President Ibrahim Rugova and Nedžad Daci represented Kosovo Albanians. After a short meeting with high media coverage it was formally decided to install four working groups that were to meet alternately in Prishtina and Belgrade, to deal with

- (1) Electricity supply for Kosovo;
- (2) Transport and telecommunications;
- (3) Refugee return;
- (4) Missing persons.

Despite these initial contacts between the parties there is a long way in finding the solution that will be subject to agreement between two parties and IC. The dialogue over future status of Kosovo has not yet started. All evidence shows that for any Kosovo Albanian leader yielding one inch from the claim to full independence would be political suicide.<sup>154</sup> On the other side Belgrade seems ready to consider any option except Independence.<sup>155</sup>

---

<sup>154</sup> TRT1 20.08.04 22:30

<sup>155</sup> <http://cap.lmu.de/publicationen/cap/kosovo.htm>

What follows now is an attempt to explore some of the options for the final status of Kosovo that which have so far been advocated by a few international outstanding institutes and organizations.

#### **4.1. Conditional Independence**

The Conditional independence is an alternative that is proposed by the Independent International Commission on Kosovo.<sup>156</sup> The Commission assumes that people of Kosovo have right to self determination and hence they have legitimate right to undertake referendum on future status of Kosovo but timing about referendum should depend on SRGS estimate of the security conditions. The international community should not ignore the will of people and it is to be expected that the outcome of the referendum will be in favor of independence. Further the Commission states that elected representatives of majority and minority communities would precise form of independence are possible stating that the most likely option would be conditional independence.

The commission states that not only full independent Kosovo would not be able to defend itself against external attack, but also would not be able to secure internal order and inter ethnic peace. These functions would be exercised by international security presence that includes international military and police presence.<sup>157</sup> Practically Kosovo will be a self-governing territory, outside Belgrade, but within a specific international framework in which the

---

<sup>156</sup> The Independent International Commission on Kosovo (2000). Kosovo report  
Oxford: Oxford University Press p. 271

<sup>157</sup> *ibid.*257

international community retains responsibility for the security of borders and overseeing the protection of minorities. It is argued that this option provides respects to Kosovo's territorial integrity and maintains internal peace as well as monitoring the human rights.

As long as minorities in Kosovo are unsafe and unable to travel freely and participate fully in Kosovo institutions, some supervisory international presence, both administrative and military, will remain necessary to protect them. If a referendum decided on independence, negotiations would then have to ensue between the elected representatives of both majority and minority communities and the UN administration to determine a constitutional regime that would protect minority rights, guarantee some continuing international military and administrative oversight of these rights, while also transferring the effective administration of Kosovo into the hands of a national parliament, an executive and municipal administration run by local people. The commission focuses that a constitutional regime would have to be based on acknowledging and respecting the following basic principles: <sup>158</sup>

- a. The international community would respect the right of all the citizens of Kosovo to freely determine their political future.
- b. The citizens of Kosovo would accept the role of the international community in providing external security and internal human rights protection.

---

<sup>158</sup> The Independent International Commission on Kosovo (2000) Kosovo report  
Oxford: Oxford University Press pp. 271- 277

- c. All citizens of a free Kosovo, regardless of origins, would have full and equal rights of access and participation in the institutions of a free Kosovo.
- d. All minorities in Kosovo would have internationally protected rights to government services in their own language, education in their own language, religious freedom and protection of religious sites, equality of employment rights and full mobility rights, including unimpeded travel to and from Serbia.
- e. Assured minority participation in the judiciary, police, and the local and national government.

The objective of the constitutional regime should be to move communities away from ethnically homogeneous enclaves or cantons into joint participation in common institutions. Only if the negotiations to establish this constitutional regime of self-government were successful and provided that the international community was satisfied with full self-government by the citizens of Kosovo was compatible with an internationally monitored minority rights regime and border security, then the UN Security Council would be asked to ratify Kosovo's conditional independence. While conditional independence would effectively end FRY sovereignty over Kosovo, it would not immediately pass the full international legal personality of statehood to Kosovo. The Commission has in mind a process in which Kosovo would gradually acquire the rights of a state as it demonstrates that its peoples can live in peace with each other and with the neighboring states in the region. As it did so, over a

period of years, the international community would be able to reduce its security presence within Kosovo, provided that minorities were securely protected by Kosovo's own courts, police and parliament. Only as it established conditions of internal and external peace, would Kosovo earn recognition from other states as a fully independent international state. Even then, as a small state, it would have to base its security and its economic viability on very close political, economic and security relationships with its neighbors in the region. Conditional independence for Kosovo is only a viable proposition within the context of a stability pact for all the small states in the region so that they can develop their infrastructure, trading ties, political and strategic partnerships within an enduring framework of peace. The European Stability Pact is a crucial step towards creating such a framework, but the Commission believes that the pact must acquire a political dimension as well as an economic one. It must develop a secretariat and a structure capable of reconciling political tensions in the region and above all, gradually guiding Kosovo to its proper place as a functioning state within the Balkan region. Such a pact should ensure, as its basic political principles, that all members respect the borders, territorial integrity and internal autonomy of its neighbors.

The conditional sovereignty is one of the solutions that would ensure internal and regional stability simultaneously. The option of conditional sovereignty seems to be a way to make independence acceptable to Kosovo's neighbors and to enhance security in the

region.<sup>159</sup> Solving the Kosovo issue also will pave the way both to Serbia and Kosovo Albanians into European integration.

## **4.2. Independent Kosovo**

Independence of Kosovo is another option that is proposed by the Centre for Strategic and International Studies (CSIS).<sup>160</sup> The report argues return to provincial status for Kosovo under Belgrade's authority is not acceptable because it will lead to armed resistance and clashes between Albanians and Serbs that we witnessed before the NATO intervention. Some kind union with Serbia and Montenegro is out of question because current union between Serbia and Montenegro is unlikely to survive. The report suggests that only independence offers the prospect of a promising future for Kosovo and its neighbors. The case for independence is elaborated on the basis of political, economic, and regional security considerations.<sup>161</sup>

### **Political**

- A freely elected self-government will gain greater legitimacy as a sovereign organ rather than as a simple tool in the hands of international players, primarily the United Nations. Its authority and accountability to the electorate will be enhanced through the successful completion of the process leading to statehood. This will also undercut attempts to subvert the legitimate Kosovo authorities

---

<sup>159</sup> Judah.T,(2001) Greater Albania, Survival, 43 (2), p. 16.

<sup>160</sup> Bugajski, J., Hitchner.B, and Williams.P (2003), Achieving a Final Status Settlement for Kosovo, Washington: CSIS. pp 4-6

<sup>161</sup> Bugajski, J., Hitchner.B, and Williams.P (2003), Achieving a Final Status Settlement for Kosovo, Washington: CSIS. pp 4-9

by nondemocratic and organized criminal elements favoring a weak or uncertain state that allows for their illicit operations, not only in Kosovo, but also across the border in Macedonia.

- An international commitment to statehood would lessen the likelihood of a social explosion in Kosovo provoked by painful economic conditions. Public morale and discipline will also increase with the realization that independence, which is overwhelmingly favored by the majority of the population in Kosovo, is achievable, imminent, durable, and vital to preserve.
- The creation of an independent Kosovo government, parliament, and judicial and other institutions is the only way to develop a law-abiding society and an inclusive democracy. In this society all citizens, regardless of ethnicity, would be granted the full array of human and civil rights, including the right to return of all legitimate Serb refugees to their homes. Most importantly, an independent government will be in a position to set social, economic, and institutional priorities and draft legislation—actions now almost entirely in the hands of UNMIK and other international organizations.

### **Economic**

- The report states that there is little prospect for economic development until Kosovo is independent and self-governing, as any other status solution would lead to growing instability. Only responsible and empowered public institutions in an independent Kosovo will set the political priorities and invest in the infrastructure

and services that will reduce the costs of production for private entrepreneurs and spur economic growth. Moreover, few, if any, foreign investors are likely to venture into a territory whose status remains unclear and whose future is ambiguous.

### **Regional Security**

- The report states that only statehood for Kosovo would ensure a more durable regional security in the Balkan, one that is not based principally on the presence of outside forces. With the development of an internal police force and a credible Kosovo military contingent, threats can be diminished and deterred, and contributions can be made to the international struggle against organized terrorism and criminality.
- The Stabilization and Association Process (SAP), the EU's main program for encouraging reform in the Balkans, requires participants to be, at a minimum, functioning sovereign states. As other Balkan states make progress towards the eventual goals of European integration, Kosovo is unable to participate because of its status as international protectorate. Only an independent Kosovo, not represented by UNMIK, can begin the essential process of European integration.
- Maintaining the de facto integrity of Kosovo will send a strong signal to extremists and ethnic agitators in Bosnia and Macedonia that partition is not an attainable goal. Dividing Kosovo along ethnic

lines would only serve to encourage destabilizing elements throughout the region.<sup>162</sup>

The report refers to the Rambouillet accords where it is states that “will of the people” to be taken into consideration in deciding final status is vitally important, and this paves way to referendum. In this line Kosovo Assembly could take the initiative in organizing a referendum on independence, followed by an independence declaration and negotiations with Belgrade and the international community over the details.<sup>163</sup> There are two possible obstacles with this solution. This solution would fulfill Albanian’s major goal for full independence but there is possibility that Serbs may not accept this as an option for solution. Also two permanent members of the UN Security Council, Russia and China will most probably oppose to independence on the grounds that granting independence would reward secessionist movements.<sup>164</sup> The crucial factor here is if Serbia is ready to show willingness to recognize Kosovo as an independent country and serve as a stabilizing actor in the region. It is a fact that under the 1974 Yugoslav constitution, Kosovo was given the right to establish its own constitution, legislative power, and financial autonomy. The bodies of executive, legislative, and judicial powers (including constitutional courts) had the same status as those in the republics. Moreover, as far as the political and

---

<sup>162</sup> Bugajski, J., Hitchner, B., and Williams, P. (2003). Achieving a Final Status Settlement for Kosovo, Washington: CSIS pp.4-6

<sup>163</sup> Bugajski, J., Hitchner, B., and Williams, P. (2003). Achieving a Final Status Settlement for Kosovo, Washington: CSIS pp.15-16

<sup>164</sup> The Independent International Commission on Kosovo (2000). Kosovo report Oxford:Oxford University Press p. 269

legislative process on the level of the federation was concerned, Kosovo was equal to the six republics and directly represented in the federal parliament, constitutional court, and presidency. What it follows from the arguments above practically Independence of Kosovo would mean upgrading Kosovo's borders to state borders that would mean not changing any borders in the region. This act would not be secession of Kosovo because Kosovo was one of the constitutive elements of the Yugoslav federation that ceased to exist. If Serbia decided to act as a stabilizing element rather than destabilizing element in the region, the stability and final solution to Kosovo would be achieved with the active participation of the IC. Then the way to European integration both for Kosovo and Europe would be paved. Within this option an international security presence and monitoring of the parties should be secured until such a time as the overall regional security situation demands it.

#### **4.3. Indefinite Protectorate**

Indefinite Protectorate for Kosovo is another option that is discussed by the Independent International Commission on Kosovo. This option implies that UNMIK would continue to oversee increasing Kosovo autonomy in the absence of any process to determine final status. No decision point or process would be specified for deciding on sovereignty, independence, or UN membership.<sup>165</sup> The commission concludes that this option has some support within the

---

<sup>165</sup> The Independent International Commission on Kosovo. (2000) Kosovo report Oxford: Oxford University Press p.263

Kosovo Albanians because there is significant majority of Albanians that doubt the capacity of the available local elite to handle full self-government. In addition to these it is argued that indefinite international protectorate brings powerful economic benefits to the region in terms of salaries and employment.<sup>166</sup> The unsatisfactory security situation for minorities and the lack of adequate conditions for the return of refugees are further reasons why a continued international presence is required. The principal difficulty with an indefinite extension of political status rest on the fact that Albanian extremists may resist and will demand independence as a final solution.<sup>167</sup> This option seems attractive because of following reasons; it will foster further the institutional building and establishment of democracy in Kosovo, it will secure Kosovo's external and internal stability, it would be easier to monitor and prevent human right abuses of minorities, assistance in economy and training of the skilled personnel would be benefit for Kosovo. The drawback of this option lies on the fact that Albanian extremist may resist violently if final status is delayed indefinitely. Also the postponement of final status will definitely inhibit investment and economic development in Kosovo. This option can be ruled out because the status of Kosovo cannot be delayed indefinitely; five years have passed since the intervention. The region needs urgent economic recovery, the undefined status inhibits investments. Also

---

<sup>166</sup> The Independent International Commission on Kosovo. (2000) .Kosovo report  
Oxford: Oxford University Press . p.264

<sup>167</sup> <http://www.usip.org/pubs/specialreports/sr91.html>

the self determination of the citizens of Kosovo would be neglected. All this together will increase resistance of the citizens of the Kosovo and will serve as tensions between UNMIK and the citizens of Kosovo.

#### **4.4. Partition**

In the failure of above mentioned solutions the one alternative that remains is a partition of Kosovo. In the case of partition, Kosovo's independence would be granted in exchange of a redesigning of its borders. Serbia would want to keep control over the northern part of Kosovo where Serbian population used to be dominant and where are some of the most important religious and historical sites. As most of the material wealth of Kosovo is in the north, Albanians are not subject to give up the richest part of the territory and would likely be against the idea. An additional difficulty would be defining the terms under which a new international boundary will be drawn. Choosing an ethnic, religious, geographic, or historic standard is certain to cause bitter disagreements. Further. The international community would be reluctant to continue establishing a precedent for ethnically defined borders. The re-drawing of boundaries which partition of Kosovo would involve would be destabilizing for the region and a barrier to any idea of multi-ethnic states in the region.<sup>168</sup> Although partition of Kosovo theoretically stands as an option to final status, it is most likely that this option would not be accepted by Albanians and Serbs and

---

<sup>168</sup> <http://www.parliament.the-stationery-office.co.uk/pa/cm199900/cmselect/cmcaff/28/2802.htm>

international community; such an outcome would be a defeat for more than 10 years of international policy-making in the Balkans. The partition of Kosovo also possesses a great threat for regional stability. It would be destabilizing percent for Bosnia, Macedonia and Serbia.

## Conclusion

Drawing a conclusion on a complex issue such as Kosovo problem is very difficult and almost impossible. All facts and arguments presented in this dissertation proved that the essence of the dispute over Kosovo is that both Kosovo Albanians and Serbs claim historic rights and control over territory. Although there was tension between Serbs and Albanians throughout the history, a kind of balance between parties was achieved with the 1974 constitution in Tito's Yugoslavia. The study shows that the Kosovo problem escalated in 1980's and 1990's. After the forceful abolishment of the Kosovo autonomy in 1989, Kosovo Albanians became subject to discrimination in all spheres of lives. In this period the ethnic cleavage between Serbs and Albanians was provoked by Serbian elites in order to create a domestic political context where ethnicity became politically relevant identity. Taking into account the experience of the events of 1990' and the consequences of terrible war that Kosovo Albanians went through, it will be absolutely naive and unjust to ask from them accept the Serbia rule again.

The facts reveal that the Serbian and Albanian relations started to deteriorate after the decline of the Ottoman Empire. The international diplomacy in Ambassadors Conference in London in 1913 decided to give Kosovo to Serbia. When Kosovo was handed over to Serbia, Albanians were overwhelming majority in Kosovo. Serbian government and officials took discriminatory measures for

decades in order to change the ethnic composition of Kosovo in favor of Serbs. Under the Serbian –Yugoslavian rule Albanians experienced human rights abuse, discrimination in political and economic sphere, they were not considered as a different nation, they were not provided education in their vernacular language, their land was confiscated, and they were forced to leave the territories where they used to live for centuries. On the other hand Serbs were constantly supported to settle Kosovo and they were provided various benefits by Serbian state. After the World War II some improvements in position of Albanians occurred compared with the pre war situation. For the first time Albanians were recognized as a distinct national group and Albanians gained the right to education in the vernacular. They gained additional rights under 1974 Yugoslav constitution. However Kosovo's economic and social conditions, health and social services were far below the Yugoslav average. As a result of economic and social problems in Kosovo Albanians protested in 1981 with demand for republic status that was hoped to be a cure for the existing problems. Inflammatory anti-Albanian rhetoric in the Serbian media and by prominent Serbian intellectuals served to justify a new round of Serbian domination in Kosovo. There were Serbian claims against Albanians about systematic rape of Serbian women, complains of harassment, murder and discrimination in Kosovo. Although none of the accusations were fully confirmed, they were suitable materials to supersede all other problems related to real life; hunger, poor health, poor education, unemployment, and

housing. In 1986 a group of intellectuals at the Serbian Academy of Arts and Sciences had written Memorandum. The main theme of the argument in the Memorandum is that Serbia was wrongfully taken advantage of and weakened under 1974 constitution of Yugoslavia, and that as a result, Serbians are the victims of genocide in Kosovo. The Memorandum talked about physical, political, legal and cultural genocide of Serbs in Kosovo. Slobodan Milosevic by exploiting the issue of Kosovo as a basis that quickly turned himself into national leader. He seems to adopt the Memorandum as his own political program, and stressed in 1987 the necessity of administrative unification of Serbia to include the autonomous provinces Vojvodina and Kosovo. Soon Albanian rights gained with 1974 constitution were suspended in 1989 with Milosevic. After 1989 a formal depreciation of the status of Kosovo Albanians permeated all Serbian laws and regulations governing economic, social, cultural and political life in Kosovo. The elimination of the Kosovo's autonomy, and discriminatory policy by Serbian elite was turning point in the history of the Kosovo problem. The response of the Kosovo Albanians to the Serbian state's policies of ethnic discrimination stimulated Kosovo Albanians to press their claims for full territorial sovereignty. The international community's continuing neglect of the Kosovo issue and Serbian discriminatory policies, abuse of human rights in all sphere of lives by Serbian regime left Albanian's choice for active resistance to the Serbian regime as the only viable solution. The international community remained silent until the emergence of

humanitarian catastrophe in Kosovo upon which NATO intervention followed in 1999. Had the international community acted earlier in Kosovo problem may have been solved peacefully.

The issue of Kosovo's status will not be solved independently from the establishment of the new international order in the southeastern Europe. The final goal of IC is creation of such international order in the Balkans where peace is self-sustainable so that foreign troops can pull out from the region. In devising final solution for Kosovo's status, IC will take into account also what are consequences of particular option for the regional stability. Arguments proved that independent undivided Kosovo is one of the best alternatives to the Kosovo's final status. If international community is really interested to impose a long lasting settlement for Kosovo and for the region, it should foster dialogue between two sides. The status of Kosovo should not be delayed anymore; the talks should start as soon as possible and explore all alternatives that will serve for peace and stability in Kosovo and region.

## BIBLIOGRAPHY

Babuna,A. (2000). The Albanians of Kosovo and Macedonia: ethnic identity superseding religion. Nationalities Papers. 28 (1)

Batakovic.D. (1992). Kosovo and Metohija: A historical survey Belgrade: Plato.

Biberaj,E.(1990). Albania:A socialist maverick. Boulder: Westview Press.

Bieber,F. & Daskalovski,Z.(Eds.). (2003). Understanding the war in Kosovo . London: Frank Cass.

Bodies attest to fury of Serb attack. (1998, March 10). International Herald Tribune

Bozbora,N. (1997). Osmanlı yönetiminde Arnavutluk ve Arnavut ulusçuluğunun gelişimi. (Albania and Albanian national awakening under the Ottoman rule). İstanbul: Boyut kitapları.

Bugajski,J., Hitchner.B, and Williams.P. (2003). Achieving a Final Status Settlement for Kosovo, Washington: CSIS.

Bora,T. (1995). Milliyetçiliğin provokasyonu: Yugoslavya (Provocation of Natinalism: Yugoslavia). İstanbul: Birikim Yayınları

Bugajski,J. (1997). The Kosovo volcano. Transitions 4 (5)

Burg.S. (1983). Conflict and coherion in Socialist Yugoslavia princeton.N.J: Princeton University Press. P 48

Cohen,L. (1993). The Disintegration of Yugoslavia.. Boulder: West View Press.

Cordesman.A. (2001) Air and missile campaign in Kosovo London:Praeger.

Colic.I. (2002). Politics of identity in Serbia New York:New York University Press.

Cviic,C. (1991). Remarking the Balkans. New York: The Royal Institute of International Affairs, Council on Foreign relations Press.

Daalder.I.H & O'Hanlon.M.E .(2000). Winning Ugly:NATO's War to save Kosovo Washington, DC:Brookings Institute Press.

Deak, I. (1998). Out of the Past. New Republic. 218 (23)

Demsey.G. (1998). Kosovo Crossfire.Mediterranean Quarterly 9 (3)

Dinmore.G (1997, Decembar 14). Serbia: Turning point. The Economist

Gashi,A. (1992). The denial of human and national right of Albanians in Kosovo. New York: Illyria.

Gagnon.V.P. (1995) Ethnic Nationalism and International Conflict: The Case of Serbia International Security 19 (3)

Hyseini.H.&Shatri.B. (1998).Gjendja dhe pozita e arsimit shqip në Kosovë në periudhën 1990-95 dhe mundësit e zhvilitimit te mëtejme (Position of education in Albanian language in Kosovo in the period of 1990-95 and its development) Pristina: Instituti ekonomik.

Hosmer, S. (2001). Why Milosevic decided to settle when he did. Santa Monica, Calif: RAND.

The Independent International Commission on Kosovo (2000). Kosovo report Oxford: Oxford University Press.

Ismaili,H. (1992). Mbledhja e Dyte e AVNOJ-it dhe çeshtja e Kosoves (The second meeting of AVNOJ and Kosova issue) Prishtine: E drejta.

Jelavich,B. (1993). History of Balkans. Cambridge: Cambridge University Press.

Jelavich,B & Jelavich,C. (1965). The Balkans. New Jersey: Englewood.

Judah,T. (2000). Kosovo war and revenge. New Haven and London: Yale University Press.

Judah.T.(1997). The Serbs . New Haven and London: Yale University Press.

Juka.S. (1984). Kosova:The Albanians in Yugoslavia in Light of Historical Documents. New York: Waldon Press.

Kraja,M.(1995). Vitet e humbura (The lost years). Tirana: Encyclopedia

- Kostovicova,M. ( 1997). Parallel Worlds: Response of Kosovo Albanians to loss of authonomy in Serbia,1989-1996 Keele: Keele University.
- Koliqi,H.,(1997). The survival of the University of Pristina 1991-1996 Pristina: University of Pristina.
- Layne,C. (Eds.). (2001). NATO's empty Victory Washington D.C. Cato Institute
- Lindhold,H. (1994). Kosovo-Intifada Tomorrow Belgrade: Republika
- Malcolm, N. (1998). A Short History of Kosovo .London: Macmillan
- Mandelbaum,M. (1999) . A perfect failure. Foreign Affairs 78 (5)
- McCarthy,J.(2002) Population history of the middle east and the Balkans. Istanbul: Isis. Press.
- Mertus,J.(1999).How myths and truths started a war Berkley: University of California Press.
- Mihajlovic,K.&Kresic,V.(1995).Memorandum Belgrade:SANU.
- Mitchev.E,&Bünger,K .(2003). A sustained economic revival in Kosovo Berlin Center for European Integration Studies.
- Pettifer,J. (2002). Kosovo Economy & Society After 1945 Surrey: Defence Academy of The United Kingdom.
- Pettifer.J (2002) Kosovo Protection Corps in Transition Surrey: Defense Academy of the United Kingdom
- Polo,S & Puto,A. (1981) . The History of Albania. London, Boston: Routledge & Keagen Poul
- Poulton,H. (1991). The Balkans: Minorities and states in conflict. London: Minority Rights Publications
- Prifti,K.,Nasi,L.,Omari,L.,Xhufi,P.,Pulaha,S.,Polo,S. and Shtylla,Z. (Eds.). (1993). The truth on Kosova. Tirana: Encyclopedia Publishing House
- Prifti,P. (1999). Confrontation in Kosova : the Albanian-Serb struggle, 1969-1999 Boulder: East European Monographs
- Posen, B. (2000).The War for Kosovo. International Security 24

- Qosja, R. (1998). Ceshtja Shqiptare: Historia dhe politika (Albanian Question:History and politics). Tirana: Toena.
- Raduski.N. (1998). Demografiska slika Kosova (Demographic picture of Kosovo) Belgrade: Institut drustvenih nauka.
- Ramet.S, (1997). Whose Democracy?: Nationalism, Religion, and the Doctrine of Collective Rights in Post-1989 Eastern Europe Lanham: Rowman & Littlefield
- Rizaj,S. (1993). Kosovo Albanians and Turks yesterday, today and tomorrow. Prishtine-İstanbul-Tirana :Marifet
- Repishti,S. & Pipa,A. (Eds.). (1984).Studies on Kosova. New York: Columbia University Press.
- Rexhepi,F. (1998). Kosova gjate historiese. Kosova during history Prishtine: Kosova.
- Roberts. A. (1999) .NATO's 'Humanitarian War over Kosovo. Survival 41(3)
- Schmid.F. (1993). Kosovo: The time bomb that has not gone off. RFR/RL research report 2 (39)
- Skendi.S. (1958). The Balkans since 1453 New York, Chicago, Toronto,London, San Francisco:Holt Rinehart Winston.
- Skendi,S. (1967). The Albanian national awakening 1878- 1912. Princeton: Princeton University Press.
- Solana,J. (1999). NATO's success in K.osovo.Foreign affairs 78 (5)
- Tanjug November 24, 2000
- TRT1 23.08.04
- United States Institute of Peace. (2002). Special Report (91) Kosovo Final Status.
- Vickers,M. (1998). Between Serb and Albanian: A history of Kosovo. New York: Columbia University Press.
- Waller, M. , Drezov,K. & Gökay,B. (Eds.). (2001). Kosovo: The politics of delusion. London: Frank Cass.
- Weller,M. (1999). The Rambouillet Conference on Kosovo. International Affairs 75 (2)

William G.O'Neill .(2002). Kosovo An Unfinished Peace London:Lynne Reinner Publishers.

### **Internet resources**

<http://www.ess.uwe.ac.uk/genocide.htm>

<http://zagreb.hic.hr/books/greatserbia/sanu.htm>

<http://www.reliefweb.int/library/documents/thekosovoreport.htm>

<http://www.osce.org/kosovo>

[www.civipol.org/unmik/statistics.htm](http://www.civipol.org/unmik/statistics.htm)

[http://www.usip.org/library/pa/Kosovo/adddoc/Kosovo\\_unsc1244.html,](http://www.usip.org/library/pa/Kosovo/adddoc/Kosovo_unsc1244.html)

<http://www.usip.org/pubs/specialreports/sr91.html>

<http://www.parliament.thestationeryoffice.co.uk/pa/cm199900/cms/elect/cmfa/28/2802.htm>

<http://www.mod.uk/news/kosovo/account>

## APPENDIX 1



**United  
Nations**

---

S/RES/1160 (1998)

31 March 1998

---

### **RESOLUTION 1160 (1998)**

Adopted by the Security Council at its 3868th meeting,  
on 31 March 1998

The Security Council,

Noting with appreciation the statements of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998 (S/1998/223 and S/1998/272), including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

Welcoming the decision of the Special Session of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 11 March 1998 (S/1998/246),

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Noting the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija (S/1998/250),

Noting also the clear commitment of senior representatives of the Kosovar Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998, but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls upon the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;
2. Calls also upon the Kosovar Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovar Albanian community should pursue their goals by peaceful means only;
3. Underlines that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovar Albanian community a genuine political process;
4. Calls upon the authorities in Belgrade and the leadership of the Kosovar Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;
5. Agrees, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia and should be in accordance with OSCE standards, including those set out in the Helsinki Final Act of the Conference on Security and Cooperation in Europe of 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovar Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful

self-administration;

6. Welcomes the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable and expresses its readiness to consider measures if either party blocks implementation;

7. Expresses its support for the efforts of the OSCE for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the OSCE long-term missions;

8. Decides that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by this resolution;

(b) to consider any information brought to its attention by any State concerning violations of the prohibitions imposed by this resolution and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by this resolution;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by this resolution;

(e) to examine the reports submitted pursuant to paragraph 12 below;

10. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by this resolution, and stresses in this context the importance of continuing implementation of the Agreement on Subregional Arms Control signed in Florence on 14 June 1996;

11. Requests the Secretary-General to provide all necessary assistance to the committee established by paragraph 9 above and to make the necessary arrangements in the Secretariat for this purpose;

12. Requests States to report to the committee established by paragraph 9 above within 30 days of adoption of this resolution on the steps they have taken to give effect to the prohibitions imposed by this resolution;

13. Invites the OSCE to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. Requests the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of this resolution no later than 30 days following the adoption of this resolution and every 30 days thereafter;

15. Further requests that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by this resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;

16. Decides to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, inter alia, the Contact Group, the OSCE and the European Union, and decides

also to reconsider the prohibitions imposed by this resolution, including action to terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, have:

(a) begun a substantive dialogue in accordance with paragraph 4 above, including the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;

(b) withdrawn the special police units and ceased action by the security forces affecting the civilian population;

(c) allowed access to Kosovo by humanitarian organizations as well as representatives of Contact Group and other embassies;

(d) accepted a mission by the Personal Representative of the OSCE Chairman-in-Office for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the OSCE long-term missions;

(e) facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;

17. Urges the Office of the Prosecutor of the International Tribunal established pursuant to resolution 827 (1993) of 25 May 1993 to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the Tribunal substantiated relevant information in their possession;

18. Affirms that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;

19. Emphasizes that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of

additional measures;

20. Decides to remain seized of the matter.

-----

## APPENDIX 2



**United  
Nations**

---

S/RES/1199 (1998)

23 September 1998

---

### **RESOLUTION 1199 (1998)**

Adopted by the Security Council at its 3930th meeting on 23 September 1998

The Security Council,

Recalling its resolution 1160 (1998) of 31 March 1998,

Having considered the reports of the Secretary-General pursuant to that resolution, and in particular his report of 4 September 1998 (S/1998/834 and Add.1),

Noting with appreciation the statement of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 12 June 1998 at the conclusion of the Contact Group's meeting with the Foreign Ministers of Canada and Japan (S/1998/567, annex), and the further statement of the Contact Group made in Bonn on 8 July 1998 (S/1998/657),

Noting also with appreciation the joint statement by the Presidents of the Russian Federation and the Federal Republic of Yugoslavia of 16 June 1998 (S/1998/526),

Noting further the communication by the Prosecutor of the International Tribunal for the Former Yugoslavia to the Contact Group on 7 July 1998, expressing the view that the situation in Kosovo represents an armed conflict within the terms of the mandate of the Tribunal,

Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes,

Deeply concerned by the flow of refugees into northern Albania, Bosnia and Herzegovina and other European countries as a result of the use of force in Kosovo, as well as by the increasing numbers of displaced persons within Kosovo, and other parts of the Federal Republic of Yugoslavia, up to 50,000 of whom the United Nations High Commissioner for Refugees has estimated are without shelter and other basic necessities,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety, and underlining the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned by the rapid deterioration in the humanitarian situation throughout Kosovo, alarmed at the impending humanitarian catastrophe as described in the report of the Secretary-General, and emphasizing the need to prevent this from happening,

Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law, and emphasizing the need to ensure that the rights of all inhabitants of Kosovo are respected,

Reaffirming the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that all parties, groups and individuals immediately cease hostilities and maintain a ceasefire in Kosovo, Federal Republic of Yugoslavia, which would enhance the prospects for a meaningful dialogue between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership and reduce the risks of a humanitarian catastrophe;

2. Demands also that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership take immediate steps to improve the humanitarian situation and to avert the impending humanitarian catastrophe;

3. Calls upon the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo, and welcomes the current efforts aimed at facilitating such a dialogue;

4. Demands further that the Federal Republic of Yugoslavia, in addition to the measures called for under resolution 1160 (1998), implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo as contained in the Contact Group statement of 12 June 1998:

(a) cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression;

(b) enable effective and continuous international monitoring in Kosovo by the European Community Monitoring Mission and diplomatic missions accredited to the Federal Republic of Yugoslavia, including access and complete freedom of movement of such monitors to, from and within Kosovo unimpeded by government authorities, and expeditious issuance of appropriate travel documents to international personnel contributing to the

monitoring;

(c) facilitate, in agreement with the UNHCR and the International Committee of the Red Cross (ICRC), the safe return of refugees and displaced persons to their homes and allow free and unimpeded access for humanitarian organizations and supplies to Kosovo;

(d) make rapid progress to a clear timetable, in the dialogue referred to in paragraph 3 with the Kosovo Albanian community called for in resolution 1160 (1998), with the aim of agreeing confidence-building measures and finding a political solution to the problems of Kosovo;

5. Notes, in this connection, the commitments of the President of the Federal Republic of Yugoslavia, in his joint statement with the President of the Russian Federation of 16 June 1998:

(a) to resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo;

(b) not to carry out any repressive actions against the peaceful population;

(c) to provide full freedom of movement for and ensure that there will be no restrictions on representatives of foreign States and international institutions accredited to the Federal Republic of Yugoslavia monitoring the situation in Kosovo;

(d) to ensure full and unimpeded access for humanitarian organizations, the ICRC and the UNHCR, and delivery of humanitarian supplies;

(e) to facilitate the unimpeded return of refugees and displaced persons under programmes agreed with the UNHCR and the ICRC, providing State aid for the reconstruction of destroyed homes,

and calls for the full implementation of these commitments;

6. Insists that the Kosovo Albanian leadership condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

7. Recalls the obligations of all States to implement fully the prohibitions imposed by resolution 1160 (1998);
8. Endorses the steps taken to establish effective international monitoring of the situation in Kosovo, and in this connection welcomes the establishment of the Kosovo Diplomatic Observer Mission;
9. Urges States and international organizations represented in the Federal Republic of Yugoslavia to make available personnel to fulfil the responsibility of carrying out effective and continuous international monitoring in Kosovo until the objectives of this resolution and those of resolution 1160 (1998) are achieved;
10. Reminds the Federal Republic of Yugoslavia that it has the primary responsibility for the security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia and calls upon the authorities of the Federal Republic of Yugoslavia and all others concerned in the Federal Republic of Yugoslavia to take all appropriate steps to ensure that monitoring personnel performing functions under this resolution are not subject to the threat or use of force or interference of any kind;
11. Requests States to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene resolution 1160 (1998);
12. Calls upon Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;
13. Calls upon the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor of the International Tribunal for the Former Yugoslavia in the investigation of possible violations within the jurisdiction of the Tribunal;
14. Underlines also the need for the authorities of the Federal Republic of Yugoslavia to bring to justice those members of the security forces who have been involved in the mistreatment of civilians and the deliberate destruction

of property;

15. Requests the Secretary-General to provide regular reports to the Council as necessary on his assessment of compliance with this resolution by the authorities of the Federal Republic of Yugoslavia and all elements in the Kosovo Albanian community, including through his regular reports on compliance with resolution 1160 (1998);

16. Decides, should the concrete measures demanded in this resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region;

17. Decides to remain seized of the matter.

## APPENDIX 3

### United Nations Security Council Resolution 1244 (1999)

Adopted by the Security Council at its 4011th meeting,  
on 10 June 1999

The Security Council,

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998 and 1239 (1999) of 14 May 1999,

Regretting that there has not been full compliance with the requirements of these resolutions,

Determined to resolve the grave humanitarian situation in Kosovo, Federal Republic of Yugoslavia, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Condemning all acts of violence against the Kosovo population as well as all terrorist acts by any party,

Recalling the statement made by the Secretary-General on 9 April 1999, expressing concern at the humanitarian tragedy taking place in Kosovo,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety,

Recalling the jurisdiction and the mandate of the International Tribunal for the Former Yugoslavia,

Welcoming the general principles on a political solution to the Kosovo crisis adopted on 6 May 1999 (S/1999/516, annex 1 to this resolution) and welcoming also the acceptance by the Federal Republic of Yugoslavia of the principles set forth in points 1 to 9 of the paper presented in Belgrade on 2 June 1999 (S/1999/649, annex 2 to this resolution), and the Federal Republic of Yugoslavia's agreement to that paper,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other States of the region, as set out in the Helsinki Final Act and annex 2,

Reaffirming the call in previous resolutions for substantial autonomy and meaningful self-administration for Kosovo,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to ensure the safety and security of international personnel and the implementation by all concerned of their responsibilities under the present resolution, and acting for these purposes under Chapter VII of the Charter of the United Nations,

1. Decides that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other required elements in annex2;

2. Welcomes the acceptance by the Federal Republic of Yugoslavia of the principles and other required elements referred to in paragraph 1 above, and demands the full cooperation of the Federal Republic of Yugoslavia in their rapid implementation;

3. Demands in particular that the Federal Republic of Yugoslavia put an immediate and verifiable end to violence and repression in Kosovo, and begin and complete verifiable phased withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable, with which the deployment of the international security presence in Kosovo will be synchronized;

4. Confirms that after the withdrawal an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo to perform the functions in accordance with annex2;

5. Decides on the deployment in Kosovo, under United Nations auspices, of international civil and security presences, with appropriate equipment and personnel as required, and welcomes the agreement of the Federal Republic of Yugoslavia to such presences;

6. Requests the Secretary-General to appoint, in consultation with the Security Council, a Special Representative to control the implementation of the international civil presence, and further requests the Secretary-General to instruct his Special Representative to coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner;

7. Authorizes Member States and relevant international organizations to establish the international security presence in Kosovo as set out in point4 of annex2 with all necessary means to fulfil its responsibilities under paragraph9 below;

8. Affirms the need for the rapid early deployment of effective international civil and security presences to Kosovo, and demands that the parties cooperate fully in their deployment;
9. Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:
- (a) Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces, except as provided in point 6 of annex 2;
  - (b) Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups as required in paragraph 15 below;
  - (c) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered;
  - (d) Ensuring public safety and order until the international civil presence can take responsibility for this task;
  - (e) Supervising demining until the international civil presence can, as appropriate, take over responsibility for this task;
  - (f) Supporting, as appropriate, and coordinating closely with the work of the international civil presence;
  - (g) Conducting border monitoring duties as required;
  - (h) Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations;
10. Authorizes the Secretary-General, with the assistance of relevant international organizations, 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;
11. Decides that the main responsibilities of the international civil presence will include:

(a) Promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annex 2 and of the Rambouillet accords (S/1999/648);

(b) Performing basic civilian administrative functions where and as long as required;

(c) Organizing and overseeing the development of provisional institutions for democratic and autonomous self-government pending a political settlement, including the holding of elections;

(d) Transferring, as these institutions are established, its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peace-building activities;

(e) Facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648);

(f) In a final stage, overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;

(g) Supporting the reconstruction of key infrastructure and other economic reconstruction;

(h) Supporting, in coordination with international humanitarian organizations, humanitarian and disaster relief aid;

(i) Maintaining civil law and order, including establishing local police forces and meanwhile through the deployment of international police personnel to serve in Kosovo;

(j) Protecting and promoting human rights;

(k) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo;

12. Emphasizes the need for coordinated humanitarian relief operations, and for the Federal Republic of Yugoslavia to allow unimpeded access to Kosovo by humanitarian aid organizations and to cooperate with such organizations so as to ensure the fast and effective delivery of international aid;

13. Encourages all Member States and international organizations to contribute to economic and social reconstruction as well as to the safe return of refugees and displaced persons, and emphasizes in this context the importance of convening an international donors'

conference, particularly for the purposes set out in paragraph 11 (g) above, at the earliest possible date;

14. Demands full cooperation by all concerned, including the international security presence, with the International Tribunal for the Former Yugoslavia;

15. Demands that the KLA and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the Secretary-General;

16. Decides that the prohibitions imposed by paragraph 8 of resolution 1160(1998) shall not apply to arms and related matériel for the use of the international civil and security presences;

17. Welcomes the work in hand in the European Union and other international organizations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation;

18. Demands that all States in the region cooperate fully in the implementation of all aspects of this resolution;

19. Decides that the international civil and security presences are established for an initial period of 12 months, to continue thereafter unless the Security Council decides otherwise;

20. Requests the Secretary-General to report to the Council at regular intervals on the implementation of this resolution, including reports from the leaderships of the international civil and security presences, the first reports to be submitted within 30 days of the adoption of this resolution;

21. Decides to remain actively seized of the matter.

#### Annex 1

### **Statement by the Chairman on the conclusion of the meeting of the G-8 Foreign Ministers held at the Petersberg Centre on 6 May 1999**

The G-8 Foreign Ministers adopted the following general principles on the political solution to the Kosovo crisis:

Immediate and verifiable end of violence and repression in Kosovo;  
Withdrawal from Kosovo of military, police and paramilitary forces;  
Deployment in Kosovo of effective international civil and security presences, endorsed and adopted by the United Nations, capable of guaranteeing the achievement of the common objectives;  
Establishment of an interim administration for Kosovo to be decided by the Security Council of the United Nations to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo;  
The safe and free return of all refugees and displaced persons and unimpeded access to Kosovo by humanitarian aid organizations;  
A political process towards the establishment of an interim political framework agreement providing for a substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the KLA;  
Comprehensive approach to the economic development and stabilization of the crisis region.

## Annex 2

Agreement should be reached on the following principles to move towards a resolution of the Kosovo crisis:

1. An immediate and verifiable end of violence and repression in Kosovo.
2. Verifiable withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable.
3. Deployment in Kosovo under United Nations auspices of effective international civil and security presences, acting as may be decided under Chapter VII of the Charter, capable of guaranteeing the achievement of common objectives.
4. The international security presence with substantial North Atlantic Treaty Organization participation must be deployed under unified command and control and authorized to establish a safe environment for all people in Kosovo and to facilitate the safe return to their homes of all displaced persons and refugees.
5. Establishment of an interim administration for Kosovo as a part of the international civil presence under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, to be decided by the Security Council of the United Nations. The interim administration to 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 in Kosovo.

6. After withdrawal, an agreed number of Yugoslav and Serbian personnel will be permitted to return to perform the following functions:

- Liaison with the international civil mission and the international security presence;
- Marking/clearing minefields;
- Maintaining a presence at Serb patrimonial sites;
- Maintaining a presence at key border crossings.

7. Safe and free return of all refugees and displaced persons under the supervision of the Office of the United Nations High Commissioner for Refugees and unimpeded access to Kosovo by humanitarian aid organizations.

8. A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of UCK. Negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions.

9. A comprehensive approach to the economic development and stabilization of the crisis region. This will include the implementation of a stability pact for South-Eastern Europe with broad international participation in order to further promotion of democracy, economic prosperity, stability and regional cooperation.

10. Suspension of military activity will require acceptance of the principles set forth above in addition to agreement to other, previously identified, required elements, which are specified in the footnote below.<sup>1</sup> A military-technical agreement will then be rapidly concluded that would, among other things, specify additional modalities, including the roles and functions of Yugoslav/Serb personnel in Kosovo:

#### Withdrawal

Procedures for withdrawals, including the phased, detailed schedule and delineation of a buffer area in Serbia beyond which forces will be withdrawn;

#### Returning personnel

- Equipment associated with returning personnel;
- Terms of reference for their functional responsibilities;
- Timetable for their return;
- Delineation of their geographical areas of operation;
- Rules governing their relationship to the international security presence and the international civil mission.

### Notes

#### <sup>1</sup> Other required elements:

- A rapid and precise timetable for withdrawals, meaning, e.g., seven days to complete withdrawal and air defence weapons withdrawn outside a 25kilometre mutual safety zone within 48hours;
- Return of personnel for the four functions specified above will be under the supervision of the international security presence and will be limited to a small agreed number (hundreds, not thousands);
- Suspension of military activity will occur after the beginning of verifiable withdrawals;
- The discussion and achievement of a military-technical agreement shall not extend the previously determined time for completion of withdrawals.