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Essays in Honour of Wolfgang Petritsch



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## Kosovo is Independent from Serbia, but the Conflict is Not Resolved

The international community is about to confirm Kosovo's independence from Serbia. This is, of course, a step towards resolving the long-standing conflict between Albanians and Serbs in Kosovo. But it is not a solution in the true sense of the word, not even a real compromise. Independence and staying simultaneously under a protectorate is a *contradictio in eo ipso*. Since the Serbian side does not accept the UN decision, a continuation or a rekindling of the conflict is pre-programmed.

It seems that earlier decisions of the CSCE/OSCE concerning the problems of changing borders have been forgotten at the international political level. Clearly expressed by agreements in Copenhagen and confirmed in Paris later was the following prohibition: no change of borders whatsoever except with mutual agreement.

Also, while a compromise might not have been satisfying for both sides, it might provide a pragmatic political basis for a future development. Cooperation in daily life in the form of agreements about trade, customs, transport and even international contacts and so on would be of equal importance for Serbia and for Kosovo, and are therefore unavoidable. Under the given circumstances, however, every small movement will be met with distrust on both sides and include the danger of a permanent and open bilateral conflict.

Some questions remain open, and some possible answers should be considered. Firstly, why was it not possible for international representatives, during the long discussions on Kosovo's independence, to achieve a better result? The official answer from the Finnish politician Ahtisaari and the Austrian diplomat Albert Rohan was that the Serbian side obviously had decided simply to repeat 'no independence for Kosovo' just as the Albanian side was exclusively focused on 'independence for Kosovo'. No discussion, no move was possible on this basis. Finally, the Albanian side, as they say, was more 'flexible' and supported the first version of the Ahtisaari paper as the precondition for the proposal he finally delivered to the UN Security Council.

Secondly, the Serbian and the Albanian delegations consisted more or less of the same persons as in previous meetings concerning the same issues. Everybody knew from the very beginning that no progress could be expected from either side. Why did the international representatives not ask for a revised slate of delegates? No, came the answer, we are obliged to only con-

sider leading politicians who were 'democratically elected'. Does this mean that they consider all elections during the last 10-15 years in Serbia and Kosovo as 'democratic' in terms of our highly-developed 'Western' tradition of democracy? Did they not realise the important differences of political mentality and tradition, especially in Serbia, during and after Slobodan Milošević? Have they forgotten that today's leading Albanian politicians in Kosovo are the former 'warlords'? It was their task to fight the dirty war of 1998-99 on the ground in accordance with NATO, which so to say fought in the air. Did nobody in Western political circles realise that the Albanians' 'democratic' elections after 1999 twice supported Ibrahim Rugova, who was the icon of a peaceful life in Kosovo? It took some time for the Albanians to finally understand that they had no other choice than those 'warlords' who were supported from abroad, from the U.S., at the top of the Kosovo government. Is that our understanding of 'democratic elections' and a 'democratic' political leadership?

Thirdly, the Serbian-Albanian conflict is a matter of life and death for both sides — and furthermore for the whole region, as Bosnia, Macedonia, Montenegro and Albania are all concerned. This conflict has to be solved — and not only formally. That means a solution that can be accepted by both sides, Serbia and Kosovo. Such a solution must be found. Nothing else can contribute to the stabilisation of South East Europe in the future of our common EU.

Finally, a new attempt to achieve this goal must be found. Let us learn from the experience after the Dayton agreement. We know that it stopped an awful war in Bosnia and Herzegovina, but we also know that it was not able to establish and consolidate democracy. One of the many reasons for that failure is to be found in the fact that the concept of the delegations in Dayton was wrong. Slobodan Milošević did not have to be the leading political factor — in spite of being the 'democratic', elected President of his country. Nor should even the other Presidents, Franjo Tuđman and Alija Izetbegović, who were involved in the war, have played important roles during the negotiations: rather, above all, the voices of the victims on all sides of the war should have been heard.

Several times since 1995, proposals for a new international conference concerning Bosnia have been put forth — some of them even took place. But not one of them reached the ears of international politicians or directly influenced developments in Bosnia until today. Nevertheless, the official Serbian position against any kind of independence of Kosovo from Serbia is not in conformity with public opinion. Already at the time of the Milošević regime, intellectuals and so-called ordinary people realized that 'Kosovo is a burden for Serbia... Let the Albanians go...'. The NATO bombing of 1999 was a real shock for the population and, consequently, a source of disappointment and anger about Western and European behaviour towards Serbia. There was no understanding for the motivation of this war, people were neither informed

about the reality of Kosovo, nor about the behaviour of Serbian paramilitary forces and the JNA.

In the meantime, a number of public discussions and debates have caused a small change in the atmosphere. It is not in any way a necessary catharsis, but it is an important step forward. It cannot be assumed that the voices of this so-called 'Other Serbia' are able to change the official position of the Serbian elites, but they nevertheless represent another and quite normal stance on the Kosovo issue. Listening to these voices representing another side could be an opportunity to discuss issues about Kosovo from a new position, allowing for compromise that does not follow the usual ethno-nationalistic arguments still often used by Serbian political elites. It would also open a space for the young generation in Serbia to come forward and be taken seriously as a partner of the international community. The international community should take these forces seriously and provide them with a space to influence politics in a positive and forward-looking way. Last but not least, they could in the near future be able to contribute to the development of normal relations between Serbia and Kosovo, between two future neighbours who need each other and are connected politically, socially and economically. If the international community misses the opportunity to take responsibility and include young voices in the process of the status solution, one of the consequences could be a further deepening of the widespread desire among the young to leave these countries for Western Europe, looking for better opportunities.

A new international conference concerning Kosovo and Serbia should be organised in the nearest possible future by the EU, which is also responsible for guiding Kosovo into de facto independence. Delegations should be constituted not only of the ruling political elites but also by representatives of different groups in the respective population such as: agriculture, industry, universities, law, culture, science, health, and so on. EU delegates should not be responsible for the programme of the discussions, nor should they act as equals to Serbs and Kosovo-Albanians — the delegates from EU countries should exclusively act as mediators obliged to lead the conference to a final compromise solution accepted by both sides.<sup>1</sup>

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<sup>1</sup> Christine von Kohl is reporter on the Balkan region, editor of the *Balkan anders* (Vienna).