

The Kosovo Solution Series

Broad framework, many roads

Aleksandar Mitic & Jan Oberg

TFF

The Transnational Foundation
Lund, Sweden 2005

The Kosovo Solution Series
Broad framework, many roads

Aleksandar Mitic & Jan Oberg

Lund, Sweden 2005

ISSN 1103 - 7482 ISRN TFF - R - 25 - SE

TFF

Transnational Foundation for Peace and Future Research

Vegagatan 25, 224 57 Lund

Phone + 46 - 46 - 14 59 09

Fax + 46 - 46 - 14 45 12

tff@transnational.org

<http://www.transnational.org>

Hard copy edition

265 Swedish kronor or 38 \$ US

Order from TFF

Internet edition at TFF's homepage

http://www.transnational.org/pressinf/2005/pi209_218_KosovoSolutSer.html

Relevant background links on the Internet

http://www.transnational.org/features/2005/Coll_Kosovo3-2005.html

© TFF and the authors 2005

Table of content

# 1 Why the solution in Kosovo matters to the world	5
<i>Executive summary</i>	5
# 2 The media – strategic considerations	11
# 3 The main preconditions for a sustainable solution of the Kosovo conflicts	15
# 4 The situation as seen from Serbia	19
# 5 The arguments for quick and total independence are not credible	23
# 6 What must be Belgrade's minimum conditions and its media strategy	27
# 7 Nations and states, sovereignty and self-determination	31
# 8 Positive scenarios: Turn to the future, look at the broader perspectives	37
# 9 Many models for Kosovo	43
# 10 Summary: From "Only one solution" towards democracy and peace	53
About the authors	57
Other editions of this pdf document	58

TFF Kosovo analyses 1991-2004 - All available on www.transnational.org

TFF PressInfo # 195, March 29, 2004 -The Continued Reverse Ethnic Cleansing in Kosovo: Too Embarrassing for the International Community.

TFF PressInfo # 197, April 29, 2004 - Peacemaking in Kosovo is Coming to an End - for Predictable Reasons

TFF PressInfo 105, 2000 - Intellectually the Kosovo Commission Report is a turkey and it won't fly

TFF PressInfo 75, 1999 - NATO's psychological projections

TFF PressInfo 73, 1999 - Some ethical perspectives on NATO's intervention in Kosovo

TFF PressInfo 72, 1999 - NATO in Kosovo - failed peacekeeping

TFF PressInfo 71, 1999 - Read UN Resolution 1244 and Watch NATO in Kosovo

TFF PressInfo 61 - Covering up NATO's Balkan Bombing Blunder

TFF PressInfo 58, 1999 - Read the Military Kosovo Agreement!

TFF PressInfo 57, 1999 - Read the Civilian Kosovo Agreement!

TFF PressInfo 56, 1999 - Rambouillet - A process analysis

TFF PressInfo 55, 1999 - Rambouillet - Imperialism in disguise

TFF PressInfo 54, 1999 - Why these 'peace' efforts can't bring peace to Kosovo

Jonathan Power 1999 - Bombing Kosovo is dangerously counterproductive

Jan Oberg, interviewed by Blerim Shala, Zëri, Kosovo 1998

TFF PressInfo 43, 1999 - Kosovo/a - Half Truths About Demography and Ethnic Cleansing

TFF PressInfo 35, 1998 - Kosovo - What can still be done

TFF PressInfo 24, 1997 - Help Serbs and Albanians settle their differences in Kosovo!

Jan Oberg, Kosovo on the Agenda

TFF Report - *UNTANS - Conflict-Mitigation for Kosovo. A UN Temporary Authority for a Negotiated Settlement* (1996)

TFF Report - *Preventing War in Kosovo* (1992)

1 Why the solution in Kosovo matters to the world

EXECUTIVE SUMMARY

Lund, March 2005 - As Kosovo these very days marks the anniversary of the massive anti-Serb violence of March 2004, the path towards talks on its final status appears set.

The mainly Albanian populated province of southern Serbia has extradited its Prime minister Ramush Haradinaj, indicted for war crimes during the Kosovo conflict, to the International War Crimes Tribunal in the Hague. Belgrade is doing the same with its own former generals indicted for war crimes during the conflict, thus paving the way for a positive stance by Brussels on its EU Feasibility Study. The roadblocks towards a true, negotiated and long-lasting agreement on Kosovo remain numerous, but should by no means prevent the international community and the main parties in conflict from finding a solution to the most unstable zone of the 21st century Europe.

Crafting a viable agreement means however rejecting solutions based on maximalist demands. An intensive PR campaign launched by the pro-Albanian lobby is trying to persuade the world that the independence of Kosovo - immediate or conditional after a year or two - is the only solution available for the stability in the region. This option however neglects completely the objections of the non-Albanian communities in the province, primarily the Serbs, and particularly of Serbia, of which Kosovo is a province under international law. Undermining the role Belgrade must play in finding a compromise on Kosovo would be a crucial mistake, a stance which could kill any hopes of a negotiated agreement. It would prolong indefinitely regional instability. As the entire region moves towards a "borderless Europe", creating new borders appears archaic, anti-European, simply passé and dangerous.

This series about Kosovo analyses the following issues:

- Why is Kosovo important not only for the people there and the region but for the world?
- The conflict in the media, in the 1990s, at the bombing in 1999 and now. Why were the Kosovo-Albanians so much better at winning the war in the media?
- The main preconditions for any settlement of the Kosovo conflict.

- The issues as seen from Serbs and Serbia - a perspective seldom offered in the mainstream media and thus not taken into account by Western decision-makers.
- A closer look at Belgrade's minimum conditions for a viable solution.
- Why the arguments for a quick and total independence are not credible but serves particular purposes that have nothing to do with finding the best solution for all.
- Outlining an international media strategy for Serbs and Serbia.
- Looking into the future, possibilities and positive scenarios for Kosovo and the region - mainly illustrating why there is never only one solution.

The authors of this and the following TFF PressInfos build on a longer experience with and in Kosovo and on more systemic, integrated approach to the Balkans in general and the Kosovo issue in particular. TFF published its first report, *Preventing War in Kosovo*, in 1992; the International Crisis Group's first report on Kosovo is from December 1999, i.e. after the bombing.

We allow ourselves to be of the belief that had anyone given comprehensive and impartial attention to finding a negotiated solution to the Kosovo conflict in the early 1990s, we would have seen neither the local war and the manipulated, non-negotiations in Rambouillet nor the bombing in 1999 which have only increased the psycho-political distance between the main parties where professional conflict-management seeks to reduce it.

The solution belongs to those who have the conflict

It is a basic professional principle underlying the work of TFF that it analyses and mitigates conflicts; it does not present its own solutions. *The philosophy is simple: since conflicts belong to those who fight them, solutions should also belong to them. All we can do as outsiders is to assist parties in finding solutions acceptable for all. So, whether the parties together can find ways to create a Kosovo that is independent, a Kosovo that is part of Serbia-Montenegro or something else is not our professional concern.*

What we do point out is that *a conflict is solved only when:*

- a) the parties themselves decide to live with a new order of things and feel as stakeholders in both the process and the solution,
- b) the parties do so voluntarily and not under someone's pressure or threats,
- c) it can be assumed that the same conflict will not come back later in the same shape or form, i.e. that it is sustainable in that it does not cause traumas, new hate or a wish for revenge by any party in the future.
- d) there is no risk that the solution in and of itself will spark off conflicts or violence elsewhere.

We see dangerous signs in Kosovo and in powerful circles in both EU countries and the United States that none of these criteria will be honoured.

Perhaps it is time to finally make good for past mistakes and look to the future together - also for the international so-called community that has been - and remains - more of a participant to than a mediator in the Balkan conflicts and wars?

The idea of conflict management and the international community's rôle

Politics and media tend to focus on one spot at a time. Issues surface and disappear, and principles used to solve one conflict at one place may well differ widely from those employed to solve the neighbouring conflict. Remembering events or seeing a pattern in developments over, say, 15, 5 or even 1 year is increasingly unusual in a our modern, overloaded and stressed "information" society - which is neither an "understanding" nor a "deliberation" society.

How come that the international community have put itself in the kind of political and intellectual cul-de-sac it still is in there 6 years after the bombing allegedly should have facilitated a solution? The reader may perceive this question as based on a counter-factual hypothesis and therefore worthless since it cannot be proved. However, to deny a priori that Kosovo could have been dealt with in better ways by the international community is to forego every opportunity to learn lessons and do better conflict-management in the future. It also stimulates a dangerous thought pattern along the lines that "since we did what we did, it was right and therefore we shall continue along the same road. If Kosovo manifestly does not move in the direction we predicted it would after the bombings we will keep silent about it and basically say that it is somebody else's fault."

The classical interpretations inside what could perhaps be called the Western MPM - military-politico-media - Complex is that all conflicts have basically two parties, one good and one bad - resembling the Christian view of the world with the good ones being ourselves and the evil ones being the others. Conflicts are located in actors, not in structures, situational factors or in the complexity of things coming together at certain spots in certain moments in human history. Someone is bad and acts badly, and conflict-resolution is about punishing that party and salvage the good victim. In a democratic setting with a planning perspective of maximum four years, solutions to conflicts that took decades or centuries to solidify and harden into violence should be fixed quickly.

So, the West's self-appointed - but professionally non-trained - conflict-managers make up a peace plan, require signatures and threaten punishment should some party hesitate or refuse. Add cultural arrogance to this scheme and remember that underlying it all is the assumption that people who quarrel or are otherwise not "with us" are less civilized than Western actors are. We therefore have a right to not only interpret their conflict but also to monopolise the truth about its essence, no active listening to all sides needed. We also know what the solution should be and have a higher-order right - sometimes even God's mandate - to impose our solution. We regret of course in case there are actors who do not see their own best in what we nobly try to do for them without or with violence.

This intellectual construction defies every textbook in peace and conflict research and negotiation as well as the complexities of any conflict in the real world. In addition, we treat countries and nations in ways we know don't work at the individual psychological level. The international community has only noble motives and good will and sees itself as impartial mediators.

The idea that its different actors may actually be participants in these conflicts - historically and today - and pursue their own interests which they promote through somebody else's conflict is equalled with swearing in the church and unworthy of serious debate. Even hinting that conflict-management could be a new type of post-Cold War power politics or gunboat diplomacy isomorphic with the post-modern, globalizing world order re-ordering is considered a conspiracy-like absurdity by governments who practise it.

Kosovo's future – important for the world

Why is tiny Kosovo whose population is but a fraction of London's of fundamental importance also way beyond Kosovo?

1. It was the test case par excellence of the idea of "humanitarian intervention." It was aimed to create peace by violent, not peaceful, means. Although different cases, this is the general philosophy that has also been tried in Somalia, Afghanistan and Iraq, but - does it work?
2. The 1999 bombing was done without UN Security Council mandate but led to the UN becoming the leading peace-builder in what was called a controversial mission together with NATO, the European Union and the OSCE.
3. Per capita it is the largest and probably most expensive peace-building mission ever with an unprecedented investment of prestige.
4. The solution to the Kosovo conflict will fundamentally influence integration processes into the European Union and NATO.
5. It is worth remembering that the militarization of the European Union, its military and civilian conflict management capacity was boosted immediately after NATO's US-led bombing of Yugoslavia. Europe felt humiliated. Kosovo is also about who was right and wrong then and who is to carry the economic and political burden it is, no matter the solution as such, to build peace and stability. And mind you, the international community is already over-extended by all the crises it has on its hands.
6. Everything being done in the Kosovo conflict and that mission has been done in support of a secessionist minority; other repressed minorities and units in former Yugoslavia (e.g. Croat Herceg-Bosna, Republika Srpska Krajina, Hungarians in Voivodina, Albanians in Macedonia) and *secessionist movements elsewhere* - such as, to mention just a fraction, the Basque Province, Chechenya, Tibet, Taiwan, Kurdistan,

Corsica, Scotland, Quebec, Tamil Eelam, Abkhazia, South Ossetia, Turkish Republic of Northern Cyprus, Palestine, Somalia (numerous), Kashmir (and numerous in India), Myanmar (numerous), Southern Thailand, etc. - have not been favoured with anything remotely resembling this attention and support. Other secessionist movement around the world will look to Kosovo as a precedent.

7. Kosovo can not be seen as an isolated case. Careful assessment of the various options for Kosovo in terms of stability for the wider region is an absolute necessity. Any thinkable solution to the Kosovo problem is likely to have mixed positive and negative effects as seen from, e.g. Republika Srpska, Montenegro, Albania, Macedonia, Serbia, Sandjak and Voivodina.

8. Europe's largest refugee and IDP (internally displaced persons) problem is found in Serbia; they are Serbs and Roma and others who have been ethnically cleansed out of Croatia, Bosnia and Kosovo. A solution for Kosovo must offer the possibility for anyone driven out of Kosovo (200.000+ Serbs and Roma) who so wishes to return in safety and to a viable life in Kosovo, no matter its status.

9. The problem complex of the criminal economy, smuggling, trafficking, drug trade etc. is probably larger per square kilometre in Kosovo than anywhere else in Europe. Whatever Kosovo's future status will be, this problem is Europe's problem and must be solved - which will be more difficult to do if Kosovo becomes a completely independent state with a right to refuse foreign missions on its territory.

10. If Kosovo is declared independent it must fulfil not only the special standards set up by UNMIK but also the traditional criteria for independence and sovereignty. In addition, the international community will have, no matter the final status of Kosovo, to discuss how to compensate Serbia and Montenegro for the loss, by dictate, of its territory, for the post-1999 use of buildings and land by the international missions in Kosovo including the Bondsteel military base, for ten years of sanctions against Serbia that hit the people, not Milosevic and his leadership elites and, finally, for the destruction done by the bombing.

11. Kosovo will remain a test case of the Western international community's philosophical commitment and political will to practise what it preaches all over the world: human rights, minority protection, freedom of movement, equal opportunities, rights to return and gender equality. Given the history of Kosovo, these are particularly difficult issues in the province. In the 1960s around 1/3 of the inhabitants there were Serbs, today there are less than 5% left. If a future Kosovo becomes practically mono-ethnic, the credibility of Western human rights policies everywhere else will be undermined, not least in the perspective of this being the case par excellence, as stated above, of humanitarian intervention.

12. Ordinary Kosovo Albanians have suffered decades of repression; when the US, EU and NATO intervened the way they did, they were justified in perceiving that as an active siding with them and as an implicit promise to help them make their dreams about the independent Kosova finally come true. Their leaders, from Dr. Rugova in the late 1980s to Ramush Haradinaj of yesterday, have never been contradicted by

Western diplomats when they said that Independent Kosova was the only solution. Anything less, therefore, will be seen as unacceptable by the Albanians in Kosovo; it's a young population who have never heard anything else but promises about that dream coming true. The international community's very serious dilemma is that there exists no way it can deliver this dream without creating more conflicts in the Balkans and in the wider international community. And neither does it dare break what Kosovo-Albanians have all reasons to see as a promise.

Why is Kosovo important right now?

March 17, 2005 marked the first anniversary of the anti-Serb riots in Kosovo that also shocked the internationalists there. It was generally interpreted as a sign that the Kosovo-Albanian patience with the situation is running out. Observers are convinced that there has been no real disarmament of Albanian extremists and that Kosovo can be set on fire and the last non-Albanians and many of the international missions sent running, should an independent state not be declared sooner rather than later.

It may well be difficult for people who have never been to Kosovo to understand that a comparatively small minority is able to psycho-politically deter and scare the mighty international organisations there with close to 20.000 NATO troops and thousands of civilians who have done a lot to support the independence cause. But such is reality, and in addition the international community needs to turn to other, more urgent, matters such as Iraq.

Now former Prime Minister Ramush Haradinaj is in the Hague; understandably he is considered a hero and not a criminal by most Albanians. They see it as deeply unfair that he has been indicted, and international diplomats tell the world that he was the best politician Kosovo has ever seen. Six Serb generals have gone voluntarily to the Hague within the last two months, and Belgrade has extradited all those indicted for Kosovo (Lukic and Pavkovic to be transferred soon).

This summer - 2005 - will spark off the evaluation of the degree to which Kosovo lives up to international standards. The Special Representative of Kofi Annan and the highest authority of Kosovo, Søren Jessen-Petersen, takes for granted that Kosovo will pass this exam and that the process of deciding the final status of Kosovo will begin in September and last not years but months (according to his statement March 14, 2005). So, a quick fix is in the air, a settlement to be decided if not this year, then in 2006.

An international pro-independence campaign is conducted by the International Crisis Group and others. In short, the Kosovo drama is approaching its final stage. Anyone concerned and responsible must ask today: what is the chance it will be a happy end and, if small, what defines the least unhappy end?

2 The media – strategic considerations

The pro-Albanian lobby program in Brussels, Washington, New York and other Western capitals has been up and running for decades now. An advocacy campaign pushing for the independence of Kosovo as the only alternative to bloody conflict and instability has been the primary theme of this campaign, fought through well-established consultants, PR groups, think-tank lobbyists, contacts with key policymakers and the media.

The fight for the agenda-setting and the context of the Kosovo issue has been set by Albanian lobbyists during Tito's communist Yugoslavia - well before anyone ever heard of a man called Slobodan Milosevic. The quest for the independence of Kosovo has been a long and strategic policy of the Albanian community in Kosovo and abroad at a time when Serb politicians in Belgrade and in Pristina were still loyal to a "dream" of a multi-ethnic Yugoslavia and unable to formulate a sustainable PR counter-attack against Albanian nationalist/separatist demands.

This unbalance between Belgrade and the Kosovo Albanians (but also later Croats and Bosnian Muslims) in the means put into PR advocacy campaigns and lobbying efforts has led to a one-sided media war in the late 1980s and early 1990s. Unable and perhaps uninterested to seek allies and promotion in Western capitals, the official Belgrade lost the media war for the context of the future Yugoslav successor wars even before the first bullet was ever shot: the Serb demands were sidelined and they were portrayed from the outset in a negative context. Serb causes, views and victims became "unworthy" in the eyes of key Western political and media factors.

Serb frustration with Western analysts and media led to a PR self-isolation, even autism in certain periods of the 1990s, thus allowing a vicious circle to develop in which international media bias put more oil on the fire than contributed to a just and long-lasting solution to conflict. No matter how complex the conflict was, no matter the fact that crimes were committed on all sides and a fierce war was fought also by the Kosovo Liberation Army in which atrocities could hardly be avoided, the Kosovo Albanians were simply perceived as only "good guys", the Serbs as only "bad".

With the end of the NATO 1999 bombings and the retreat of the Yugoslav army from Kosovo, the Serb capacity to "cause damage" disappeared. The remaining, unarmed Kosovo Serb population became protected by NATO troops and a victim of an orchestrated campaign of ethnic cleansing: killings of Serb peasants in the fields, shootings of Serb children, kidnappings of Serb workers, bombings of Serb houses, terrorist attacks against Serb buses, forceful takeover of Serb apartments, destruction of Serb monasteries and graveyards.

Observers, analysts, some international staff and media promoted the view that this was of course bad but it was a) not as bad as the atrocities committed by the Serb side, b) the international community should coach the Albanian leaders who all came from the killing fields and build confidence with them, and c) turn a blind eye as it was an understandable, however quite deplorable, reaction to what had been done to them by Belgrade.

Still again, and despite a change of regime in Belgrade with the arrival of reformists in power in 2000, the substance of the Western media approach to the situation in Kosovo remained unchanged:

- 1) Stories about the violence against the remaining 100,000 Serbs and human interest stories about their fate in Kosovo remained rare. The same occurred with the situation of the more than 200,000 Serbs and other non-Albanians who were expelled towards central Serbia and could not return to their homes.
- 2) Rather, more place was given to bureaucratic, public relations-optimistic statements offered by UN administrators about the "constant progress" in the province.
- 3) Albanian violence was justified through the formulation called "revenge attacks".
- 4) Ethnic persecution became "inter-ethnic conflict".
- 5) The division of the northern town of Kosovska Mitrovica - the last remaining urban area where Serbs still live in Kosovo - was seen as the key obstacle to stability instead of the ever-lasting campaign of anti-Serb violence throughout the rest of the province.
- 6) The orchestrated campaign of "ethnic cleansing", as NATO Admiral Gregory Johnson called the three days of anti-Serb violence in March 2004, became ultimately seen as a result of "Albanian frustration with the lack of progress towards independence".
- 7) There was a clear failure to explain who was behind the anti-Serb attacks. If the international community accepts that there is an orchestrated campaign of violence implicating 52,000 perpetrators/participants, there must be organizers? Who are they, the Western media never asked.

8) There was a lack of explanation of problems in the Albanian society - from the question of organized crime, drug trafficking to the questions of ethnic intolerance. The capacity of the Kosovo Albanian political and paramilitary circles to export violence into neighbouring southern Serbia and Macedonia was rarely examined.

9) The failures of international administrators and peacekeepers in Kosovo were only scarcely analyzed by the academic community and mainstream media.

10) The drawing of the line and the eternal question: "Is this what we fought for?" became practically invisible in most of the Western media reports.

Most of these media spins on the reality of Kosovo were once again indications of a planned and effective advocacy PR campaign by pro-Albanian lobbyists. Western allies who had advocated bombings as the means to create a solution and had invested so much prestige and money in the international missions in Kosovo saw it in their interest that a) this general image was continued and b) that, by and large, the media attention to Kosovo reduced steadily over time. And other issues and hotspots, be it September 11, 2001, other bombings and the war on terror attracted the media's attention.

Still, the Albanian lobby suffered a blow with the outcome of the US presidential elections: Wesley Clark lost the Democratic nomination race, Richard Holbrooke's bid to become Secretary of State in the John Kerry administration failed, the hopes of George Soros and the "Albright group" to become the key ideologists of the reborn Clinton-era policy slant towards the Balkans also miserably vanished.

On the other side, the problem remained: Belgrade does not have an effective PR strategy to counteract this impressively well-organized, well-oiled and paid pro-Albanian lobby campaign, nor does it follow a pro-active media approach which could put its objective demands on the table.

Even Belgrade analysts do not agree on whether Serbia has a lobby in Washington and Brussels, let alone whether it is effective. Belgrade is thus left behind again in a disproportionate media battle. Failing to hear Belgrade's views in the media and among think-tanks and analysts could however lead to a solution that is likely to cause frustration, failure and long-term instability in the region.

It goes without saying that a central underlying problem is that Belgrade hitherto has lacked a unified concept of the future of Kosovo and seems to have little that indicates that it has a pro-active negotiation strategy on which to base such a media policy. Only a few days ago it was announced that such a unified strategy has now been developed; at the time of writing it is not known what its main elements are.

3 The main preconditions for a sustainable solution of the Kosovo conflicts

In Article # 1 we outlined four general criteria (a-d) for what it means to have solved a conflict. To arrive at a sustainable solution in the concrete case of Kosovo, a minimum of professional principles and considerations are necessary. This article offers the following:

1. *The solution has to be acceptable, optimally satisfactory, for all parties inside Kosovo and surrounding Kosovo.* The idea that anyone can get or should be given all it wants must be given up at the outset.
2. *No solution can be imposed, it must be negotiated by all relevant parties.* To solve a conflict means that the parties voluntarily accept to live with a new order of things. Thus, any talk about deciding the final status outside a comprehensive negotiation structure - something that will invariably take time - should be avoided. Also, the process toward a solution should neither be influenced by one side's pressure nor the other side's dragging its feet.
3. *The same principles must be applied to the parties.* If the international community respects the Albanian demand not to be ruled by Serbs/Belgrade, it must also respect that Kosovo-Serbs who do not wish to be ruled by Albanians/Pristina will not be exposed to such rule. Or, if it is accepted that Kosovo with its majority Albanian population can be partitioned from Serbia, a part of Kosovo with a majority Serb population can also be partitioned (this does not mean that it is an ideal solution, only that that solution cannot be a priori excluded, but must remain on the table). Or, if it is accepted that Kosovo is part of the historical Albanian state of Illyria and Albanian claims are valid because of that, it must also be accepted that it is the cradle of the Serb-Orthodox civilisation and that historical, religious and other important sites be protected and allowed to flourish. Finally, if Kosovo is assisted in achieving European or international standards, so must Serbia, and the international community itself must behave according to its own standards and not cut corners as it has done quote often in the past in this conflict.
4. *The solution must take special care of the weakest parties - i.e. the minorities in Kosovo as well as Serbia's and Montenegro's interests as the weakest part and as loser*

of the war. A solution to Kosovo that rewards the stronger side will be nothing but a recipe for future historical grievances and a wish for revenge.

5. *The solution must not imply collective punishment of civilians for what leaders have done.* No nationality and no individuals who have committed no crimes must be victims of a solution because that solution is based on historical grievances or a wish for revenge by one or more parties or on third party political or economic interests.

6. *The solution must indisputably be consistent with international law and with the relevant Security Council Resolutions, 1244 in particular.* A settlement for Kosovo should not be built on exceptionality and risk becoming a precedent for other, similar secessionist projects around the world.

7. *The solution must address and be compatible with psycho-social healing. No solution will work if people continue to hate each other.* Through the establishment, for instance, of a Truth and Reconciliation Commission, various confidence-building and reconciliation measures, as well as peace and tolerance education the solution should seek to guarantee the prevention of future violence and offer possibilities for day-to-day co-operation and thereby over time promote a civil society concept in which ethnic identities play a less and less significant rôle.

8. *A solution can not be based on - or forced through - with the argument that it is the only solution.* In the name of democracy and to secure sustainability, the parties must be given choice. Thus, independent and impartial experts from different cultures should be invited to form a commission the task of which is to provide, say, 5 generalised models for possible solutions. Their work should present and build on experiences and best practises from similar conflict-resolution cases around the world. The point is to increase the space for creative but realistic conflict-resolution and stimulate broad debate in Kosovo, Serbia-Montenegro, in the region and in international organisations about viable models. Any solution called the only one by any party will not be a solution simply because it is never true - and not compatible with an ethos of democracy - that there is only one way of solving a problem.

9. *Some kind of guarantor actor mechanism must be developed.* It will be necessary to secure that the chosen model cannot be derailed by any party at any point. One could of course imagine some kind of continued (but different) UN, EU and OSCE presence but also something like Serbia-Montenegro, Albania and the EU as guarantor states in co-operation with Kosovo, somewhat similar to the 1960 Agreements about Cyprus.

10. *A viable solution will have to rest on the principles that the final status of Kosovo is secondary to the essence or substance of the Kosovo society under development.* The main issue is what kind of actor Kosovo will be for its citizens and its neighbours. The time of self-delusive policies such as the one stating that independence - or just remaining under Belgrade - will solve all essential problems belongs to the past. Issues of substance and quality ought to come before status in any negotiated solution. In short, without solutions to matters of substance - such as security, economic development, crime reduction, the right to safe return, reform of

the educational system and the judiciary system, tolerant practising of identities for all, democratisation and human rights including gender rights and the right to work and express oneself freely and without fear - no legal status solution for Kosovo will be viable or happy for the people there or in the region.

11. Any solution will require *that the international community lives up to its own responsibilities, not least UNSC Res 1244*. It will have to be realistically prepared to remain seized of the matter in many and different ways in years, if not decades, to come.

4 The situation as seen from Serbia

Not even the hardest pro-Albanian lobbyists deny the importance that Kosovo plays in the hearts and minds of the Serbs. Kosovo holds the cultural, religious and national heritage of the Serbian people. It is home to 300,000 Serbs - currently in Kosovo or displaced since 1999 - not to mention the hundreds of thousands who left the province for economic or other reasons in the decades before. Some 1,300 monasteries, churches and other religious objects testify of the richness of Serb presence in the province.

There is, however, an attempt on the behalf of pro-Albanian lobbyists to present the issue as simply the "Kosovo myth" which the Serbs must get rid of if they want to get "closer to Europe". Near-governmental organizations such as the ICG and newly-born Balkan specialists tell the Serbs: leave Kosovo as the French left Algeria, leave Kosovo as the Russians left Ukraine, sell Kosovo or you will be in trouble.

They often offer the dangerously false dilemma: "Kosovo or Europe: Serbs, pick one because you cannot have both!".

In today's Serbia such arguments are getting a welcome from a miniscule part of the population, several Western-financed non-governmental organizations, as well as a few media outlets and political circles outside parliament. Not a single parliamentary party in Serbia - from those seen as "pro-Western reformers" to those seen as "conservative nationalists" - is ready to accept an "independence" of Kosovo as defined by the Kosovo Albanians and their lobbyists.

The burden of the wars in the 1990s is still very heavy for the Serbs: a majority of Krajina Serbs have been expelled from Croatia, the Republika Srpska is an international protectorate in which elected representatives are constantly being threatened of being dismissed by the omnipotent international governor in Sarajevo, near all of the wartime Serb leaders from the 1990s have been extradited to the Hague war crimes tribunal, the refugee toll does not get below half a million people even a decade after the end of the Bosnian/Croatian wars and six years after the bombing of Kosovo.

The national frustration is indeed very present. It's a wounded society. Many feel a collective punishment despite the constant rhetoric about the "individual" culpability being examined in the Hague. The Serb population also sees a devastated economy and social fabric, due to incompetent internal policies, but also to decade-long international sanctions and the bombings.

Furthermore, Serbs argue that they were the only ones in the former Yugoslavia to throw out their own "bad leader", while the other republics never tried that. The delivery of Milosevic to the Hague was never rewarded or praised.

Reforms and fulfilment of Western conditions

The results that they see since the arrival of reformists in power feel more like sticks than carrots. Although Serbia is firmly in favour of the European Union, is adopting European laws and standards, follows to the point the line the IMF/World Bank demands for the opening of her economy and the liberalization of its market - even facing the fact that its factories are being bought at the lowest prices by international factors - it faces what it perceives as a deliberate policy aimed to force it down on its knees.

Furthermore, Serbia has fulfilled all of the security conditions set by the West:

- 1) It has respected the 1999 withdrawal conditions and the Kumanovo accord to the full extent.
- 2) It has shown restraint and collaborated extensively with NATO in managing the 2000-2001 Albanian uprising in southern Serbia.
- 3) It has led a moderating role in March 2004, when it prevented a spill-over of the Kosovo violence to other parts of Serbia and Prime Minister Vojislav Kostunica headed a demonstration for non-violence in Belgrade.
- 4) It has been praised by Western diplomats for its management of inter-ethnic tensions in southern Serbia and in the northern province of Vojvodina in the fall of 2004.
- 5) It has reformed its defence and police structures in accordance with Partnership for Peace and OSCE standards.

In contrast, the international community has not kept its promises since 1999: there has been no real disarmament of the KLA/KPC, no return of refugees/IDPs, no real security for the minorities in Kosovo, no compensation for property taken over. All of the UN heads of administration, from Bernard Kouchner to Soren Jessen-Petersen have been perceived as strongly pro-Albanian.

Indeed, in Kosovo, the dramatic situation of the Serbs has only received greater attention when no one anymore could pretend to be blind - with the March 2004 violence. However, even since, there has been a pursuit of a policy putting Kosovo on the "independence agenda", rather than trying to find a compromising solution which could satisfy all sides and create stability and prosperity for the whole region.

Independence, perhaps - but where is the logics?

This "independence agenda" has been pushed more and more overtly by near-governmental organizations and some Western officials. Talks about the independence of Kosovo as the only solution possible is, however, a great paradox and an example of the lack of principled, consistent policies by the international community. Here are some of the reasons:

1) *Republika Srpska* - the Bosnian Serb entity under the 1995 Dayton accords - has nearly the same number of people as the province of Kosovo, between 1,5 and 2 million people. It is also a protectorate and has had the same kind of NATO force on its soil like Kosovo. It has a very similar structure of the population as Kosovo - some 90% belong to one ethnic community. Strategically, its Bosnian Serb population has the same aspirations as the Kosovo Albanians: to become independent.

Yet, in *Republika Srpska*, the international community is tearing down all symbols and structures of statehood: from laws to the mechanisms of police and army. The *Republika Srpska* is in fact in the process of getting - perhaps forcefully - closer to a more unified Bosnia. All this despite the wishes of its population, but for the sake of regional and European integrations, multiethnicity and stability.

In Kosovo, the very same international community is doing just the opposite: it is building a state from scratch, paving the way to a break-up of a country and treating Kosovo as an "independent state in-the-making". It has set up a state and government structure with ministers and a president. What a difference 100 kilometres can make (the distance from *Republika Srpska* to Kosovo)! A whole new world of principles, standards and guidelines with an obvious goal: make the Serbs lose both *Republika Srpska* and Kosovo. To put it crudely, it's 0-2 in the game, an easy take-away win against a Serbia on its knees and against the even more powerless minorities in Kosovo. Despite the fear in Belgrade to talk openly about the linkage of *Republika Srpska* and Kosovo (and before 1995 Croatian *Krajina*), such an outcome may well become an explosive device for the decades to come.

2) *Breaking up the most multi-ethnic society?* Just as the West rushed into the break-up of the former multiethnic Yugoslavia in the early 1990s, it could be rushing to break-up Serbia, the most multiethnic country of former Yugoslavia. What kind of examples does this kind of policy set for multiethnicity in the Balkans: for the Muslim-populated Sandzak area, for the Albanian-populated southern Serbia, for the Serb-populated eastern part of Montenegro, for the Albanian-populated western

Macedonia, for the Serb-populated eastern Slavonia, for the Hungarian-populated north of the Vojvodina province? In a larger perspective one may even ask: how come that wherever the international community has intervened in conflicts, there is less multi-ethnicity than before the war? How come that those who drive an overall globalising world where we are all becoming more mixed can keep on pursuing civilisationally regressive and nationalist models of one nation in one state?

3) *Why new borders on the road to EU integration?* If the entire south-eastern Europe is on its way to European integration, on its way to integrated Europe, where borders will "no longer matter", if this is a process that is under way and is to be completed in the decade to come, why create new borders around a new second Albanian state in Europe? Why are new borders at such a high cost necessary if they are going to be brought down in the matter of years? Where is the logic of European integration in the independence of Kosovo?

4) *Exceptionalism will undermine international law.* Recognizing the independence of Kosovo without the UN Security Council approval - where Russia and China are certain to block the outcome due to Chechnya, Taiwan and Tibet - as well as without Belgrade (as proposed by the ICG), is sure to deal another heavy blow to both international law and the world system, create serious negative precedents and aggravate international relations.

5) *Bombing for independence and mono-ethnicity.* Building on the experience since 1999, the independence of Kosovo is highly likely to, sooner or later, result in a mono-ethnic Albanian Kosovo. It will become the second Albanian national state in Europe. As such, it would undermine completely the arguments of those who supported the 1999 bombings in the name of "multiethnicity" in the province. The 1999 bombings will historically be seen as a bombing campaign for the independence of Kosovo, which is light years away from the proclaimed goals of a "humanitarian intervention".

6) *Helping some minorities to become independent.* The international community accepted independence for Croats and Croatia out of Yugoslavia but not independence for Serbs out of Croatia, thereby taking the side of the majority in Croatia. Thus, the Kosovo-Albanian argument that there has been too much historic and contemporary repression to live together is valid in Kosovo but not in Croatia where the historic repression of Serbs is much worse and 250.000 legitimate Croatian Serbs citizens were ethnically cleansed in 1995 and have, with few exceptions, not come back.

5 The arguments for quick and total independence are not credible

While the ICG, the International Crisis Group, and other pro-Albanian lobby groups argue that the independence of Kosovo is a means or necessity in order to avoid another "March 2004" and general chaos, the counterargument would be this: wouldn't the granting of full independence to Kosovo be a reward for years of policies of ethno-nationalism and ethnic cleansing led by Albanian extremists? Would it not mean rewarding violent struggle by the KLA and punishment of the largest non-violent movement in ex-Yugoslavia - that of the Kosovo-Albanians before KLA became the dominating force? Would it not mean rewarding the two aggressions that to a large extent was instigated by factors in Kosovo, namely that in Southern Serbia and that in the 8 months war in Macedonia?

When the Hague war crime indictee and Kosovo's now former Prime minister Ramush Haradinaj promises that "in an independent Kosovo the situation of the Serbs will be better", did he simply send a warning message: give us independence or the Serbs will continue to face violence, intimidation and life in ghettos? The Albanian political class should not be rewarded for a stance like that. All the mechanisms that the majority Albanian leadership needs to protect the minorities already exist today. The Kosovo Albanians do not need full independence to start respecting human dignity and human rights.

Would the independence of Kosovo be an implicit reward for its impoverished population or for the powerful crime groups which need political support to control the prostitution, arms, drugs and human trafficking? With UN estimates of an unemployment rate of 60-70%, even 90% in some regions, with an energy crisis, economic dependency and stagnation, with close to zero minority security if it were not for 17.000 NATO troops - what could one imagine would be the real top priorities of all Kosovo's population beyond the elite mantra that everything will be solved the day it becomes the independent state of Kosova?

Would an independence of Kosovo mean a true long-lasting and just solution, or just an exit strategy for the international community that seems to fear Albanian extremism and violence? Would it amount to little but a recipe for new violence in a generation or two ahead based on disillusion with the independence on the Albanian side and traumas and humiliation on the Serb (and other minorities') side? We are not saying that it will be the case, we are saying that immediate and complete independence is not half as unproblematic as some would have us believe. And we are saying that it cannot be a means to achieve all the qualities that should have been achieved after six years under protection and other uniquely positive circumstances.

If someone cannot imagine Albanians working in multi-ethnic public institutions with their colleagues from central Serbia and Montenegro, how can these same Albanians work together with the Serbs in a multiethnic Kosovo? How can these Albanians work one day in the future with other European colleagues? Let us take a look in Bosnia-Herzegovina, where Serbs, Muslims and Croats work together in police, customs and embassies abroad. It is possible that they do not like it, but the international community made them work together, and there is no reason why it should not do the same with the Kosovo Albanians in Serbia-Montenegro.

If Kosovo Albanians are not ready to talk about a compromise - but only insist on full independence ("conditional" or not) now - where is the negotiation process? What will Belgrade and Pristina be negotiating about? What kinds of sentiments, tolerance and promises would that hold for the future of the region?

Are the Kosovo Albanians ready for a dialogue on substantial, human-interest issues or just status and borders? And what leverage is the UN and other international actors able and prepared to exercise should the Kosovo-Albanian leaders announce that full independence now is the "only solution"? At the moment of writing, there is not one Albanian politician in Kosovo who can say that models containing less than full independence deserve to be discussed.

If the Kosovo Albanian elites are not ready to share sovereignty with Belgrade, how will they be able to share sovereignty one day in the European Union? Why do they need full sovereignty if they will need to share it in a matter of years? Are they ready for shared sovereignty and multilateralism or are their stated wish to join the EU merely convenient rhetoric?

Many media and the pro-Albanian lobbyists usually convey the image of Belgrade leaders being stubborn and inflexible or purposely dragging their feet on the issue. Fact is, however, that various leaders in Belgrade have clearly recognised in public that they know Kosovo will not come back to the pre-1999 situation and that there should be a solution between high autonomy and full independence. In late March 2005, deputy prime minister, Miroljub Labus, advocated a division of Kosovo into two entities and added that "in such a case Serbia could have full communication with the Serb entity." For years former president and author Dobrica Cosic - often designated patriot or nationalist by Westerners - have advocated partition.

In short, the Albanians - the winners of the war - have monotonously argued the same thing for decades while the Serbs side - losers of the war - have moved positions and views in accordance with changes on the ground.

Pro-Albanian lobbyists like Richard Holbrooke and other, primarily American, policymakers and lobbyists are often using the argument of Serbia as "a traditional Russian ally" to argue that the West must put itself on the side of the Serb opponents. This "metaphor of Russia " must be rejected. Serbia indeed respects Russia due to historical, religious and Slavic ties, but Serbia is far from Russia and punishing Serbia does not mean punishing Russia.

Finally, attempts to give independence to Muslim-dominated Kosovo in order to balance the aggressive policy towards the Islamic world in the Middle East should be rejected no matter how convenient they appear to geo-strategic analysts in Washington.

6 What must be Belgrade's minimum conditions and its media strategy

Belgrade has stated clearly that "full independence", including the "hidden independence" in the form of "conditional independence" is out of question. The "conditional independence" does not change the negative outcome from the point of view of Belgrade: Kosovo is to be independent once it fulfils certain criteria. Belgrade and the Serb community consider "conditional independence" rhetoric -- very popular among near-governmental organizations, policymakers and pro-Albanian lobbyists -a "bluff".

Belgrade has, on the other hand, accepted the recent approach by the European Union which argues that there can be no return to the pre-1999 situation. A new solution, between autonomy as it was and complete independence must therefore be found.

Atypical solutions are indeed not a novelty in the post-war former Yugoslavia. Such solutions have been found by the international community and the different sides with the creation of two semi-independent entities in Bosnia - the Republika Srpska and the Muslim-Croat federation - in Dayton (1995), the Ohrid accord (2001) between Macedonians and Albanians in Macedonia, as well as the Belgrade agreement (2003) between Belgrade and Podgorica on the state of Serbia and Montenegro.

No serious Serbian politician nor policymaker is as gullible as to believe that Kosovo can be managed from Belgrade, that Serb police and soldiers are to be re-deployed from central Serbia to secure Kosovo, or that Kosovo should not have its own budget, police force and representation abroad. They know it very well. But no serious Serbian politician nor policymaker is ready to accept "full" or "conditional" independence - two sides of the same coin.

In seeking a final solution, it would be wise of the international community to give special attention to issues such as:

- 1) Demilitarization of the area, with some international presence and a strong OSCE-trained local police.

- 2) Guarantees against later secession or joining of neighbouring countries, in particular Albania and the regions of western Macedonia.
- 3) There can be no "border" nor "border crossings" between Serbia and Kosovo.
- 4) A "positive discrimination" of all minorities in Kosovo, in parliament and in public institutions.
- 5) Serb cultural heritage, such as the monasteries, must receive special extra-territorial status and the property of the Serbian Orthodox Church must be fully protected and restored.
- 6) There has to be huge compensation for lost property to Serb citizens and to Belgrade for state property.
- 7) There must be an international judiciary system set up in Kosovo.
- 8) Serbia-Montenegro's road to EU integrations must be smoothed and the first results must be visible before the talks on the final status begin.
- 9) Return of all those displaced Serbs and other minorities who so wish must be assured. Freedom of movement must be guaranteed, security and human rights for the Serbs and other minorities must become one of the main priorities for the special region of Kosovo
- 10) Economic viability of Kosovo has to be fully analyzed and trade barriers must be brought down.
- 11) There must remain an international presence until it can be safely assumed that all the above provisions pertaining to human rights and other minority issues will be working well without such an international presence. It has to be welcomed - but isn't sufficient - that there is a low tension and a "knowing how to behave well" with 17.000 NATO troops and thousands of other internationals in Kosovo; it must also work well after they have left.

For all involved - and for the EU - the economic development dimensions of independence must be given a new status in the future discussions. No independent European state can live on a combination of non-productive investments, 70% unemployment and a largely black economy combined with organised crime and be said to satisfy European standards.

We know from the break-up of old Yugoslavia that the ethnic dimension of the conflicts was driven mainly by structural economic crisis. A new Kosovo with a non-viable economy is likely to be consumed in inter-ethnic violence or Albanian-Albanian violence whereas independence with a reasonable, legal-based economic development may serve to prevent future ethnic violence. In other words, learn one of the most important lessons from former Yugoslavia when you deal with Kosovo's future!

A media strategy for Serbia

Since Belgrade is a partner without which a just and long-lasting agreement on Kosovo is impossible, Serbian authorities must come up with a comprehensive pro-active policy and communication strategy. The old mantras of "we are right and need not prove it", "we are good and need not prove it", "truth is on our side and we need not prove it" must be abandoned immediately.

In order to play a dynamic pro-active rôle, Belgrade must:

- 1) Form a creative media team, made up of consultants, media and PR experts ready to present and argue the arguments mentioned above with the main message being: "an independent Kosovo is impossible and unacceptable but there are several other just solutions still possible".
- 2) Express as soon as possible the common vision of all state and political structures about the future of Kosovo, a flexible and compromising solution -- "between standard autonomy and full independence" - which will offer a true European perspective for all actors in the region instead of an option which contains in itself the seed of destruction and irredentism.
- 3) Lead a diplomatic offensive through the diplomatic network at the bilateral and multilateral level.
- 4) Devise a pro-active media strategy, involving teams set up in key Western capitals (Brussels, Paris, London, Berlin, Washington, New York, Rome, Madrid, etc) which would be in charge of:
 - Media relations and contacts with key actors in the industry.
 - Policy promotion and briefings of the media, analysts and think-tanks.
 - Fast reaction to inaccuracies, unreasonable and extremist views.
 - Fast and reliable answer to all inquiries about the issue.
 - Alarming states, think-tanks, NGOs and the media about the dangers of the independence of Kosovo.
 - Networking with all those seeking to find a viable solution in Kosovo.
 - Getting the views of the alternative media in the mainstream.
 - Devising a strong and up-to-date internet-based awareness campaign.
 - Distributing promotional material.

- Pointing out to alternative news sources.
- Fighting for the "media context" of the Kosovo issue.
- Setting up a "bank of ideas" on the Kosovo issue, primarily focused on human interest stories.
- Setting up well-organised archives (audio, TV, internet, text, graphics, statistics).

7 Nations and states, sovereignty and self-determination

May we recommend that you get hold of a copy of the UNDP's, *Human Development Report of 2004 with the title, Cultural Liberty in Today's Diverse World?* It's a rich source on the problems we seek to deal with here. It informs us that the world's nearly 200 countries include some 5,000 ethnic groups. Two-thirds of all countries have more than one ethnic or religious minority group that make up at least 10 per cent of the people. Thus, one way or another every country is a multicultural society. No less than 44 per cent of the people living in Toronto, Canada was born outside Canada. There are some 300 million indigenous people in 70 countries representing 4,000 of the world's 6,000 languages.

The *Minorities at Risk project* at the University of Maryland estimates that 129 groups, or 518 million people, with a distinct identity face cultural (or living mode) discrimination and disadvantage. Further, 191 groups, or 832 million people, with a distinct identity can be judged to suffer political discrimination, and finally 189 distinct groups, or 750 million people, are faced with economic discrimination and marginalisation. Using this set of data, unique as they are, *509 groups or slightly more than 2 billion people feel excluded in our world.* (It goes without saying that many are hit by more than one type of exclusion and, thus, the total number of repressed people is smaller than 2 billion).

But one may convincingly argue that the solution to this can not be to create 509 new independent countries. The solution is to learn to live differently, in tolerance, and making the world safer for difference. To argue that Kosovo as an independent country is the only solution is, thus viewed, to make a mockery of hundreds of millions of people's similar suffering. No responsible decision-maker would ever argue that all other suffering groups and minorities (of which many have suffered considerably more than the Kosovo-Albanians) have an indisputable right to be granted a status of independent state. For, after all, who would argue that a world of about 700+ countries - with borders, national military defence, ethnic exclusion, etc. - would be a more manageable and peaceful place?

Renowned peace researcher and *TFF Associate, Johan Galtung*, says in his book *Searching for Peace*, that

"The general point of departure is a simple assumption: the higher the number of alternatives to *the awesome dichotomy status quo in a unitary state vs. secession-independence*, the lower, *ceteris paribus*, the probability of violence...In no way should this imply that self-determination as a human right is given up but *that the right to self-determination is linked to a duty to conflict transformation.*"

Serbia has given up on the first. Will the Albanians and the international community be able to give up on the second and reduce the general risk of renewed violence in the future? Will the right to self-determination in Kosovo be linked intimately to prior conflict-resolution and reconciliation? Or, differently put, will self-determination be made conditional upon a will to settle the basic conflicts first so self-determination will not release new violence? And will it be emphasised that self-determination does not mean automatic secession and independence because one group, no matter how big (the Albanians), can not have a right to ignore the right to self-determination of other groups (the Kosovo Serbs and other minorities)?

Says Galtung,

"The right to self-determination is an extremely important human right but it should not be interpreted as an automatic right to secession, independence and recognition by the inter-state community as a state...The right to self-determination is the right of a people to determine their status within a state, and by implication in the world, including the option of independence and the option of status quo. But, regardless the decision, a right to autonomy at a low or high level is not a right to be autistic, disregarding others completely, just like the right to free speech does not imply the right to disregard the consequences of exercising that right. *There is an overriding principle of responsibility.*" (Italics added).

UNSC Resolution 1244 and the Standards for Kosovo

And by that we come to the problems of the two basic legal documents of the Kosovo conflict resolution process, UN Security Council Resolution 1244 of June 10, 1999 and the Standards for Kosovo of 2003 that outlines the target goals for the province. The degree of achievement of these goals shall be evaluated this summer 2005. Depending on that evaluation, talks about the future status of Kosovo shall begin.

What is the main content of UNSC Res. 1244? First, it "bears in mind" that the aim is to maintain international peace and security. This must be interpreted to mean that the solution for Kosovo has a wider framework than just Serbia, Montenegro and Kosovo; it must produce *international* peace. The resolution aims to provide for the safe and free return of all refugees and displaced persons to their home. That can not mean only the Albanians and others who had fled at the time; the principle must apply also to the people who have been driven out by the Albanian leadership since then.

Of basic importance for a resolution is the paragraph "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" followed directly by "Reaffirming the call in previous resolutions for substantial autonomy and meaningful self-administration for Kosovo." The resolution goes on to determine the nature of the international presence and its responsibilities - and here, regrettably, it must be concluded that during the past 6 years, a number of these responsibilities have not been met.

Thus, the international presence has far from managed to deter renewed hostilities (neither inside Kosovo nor in Southern Serbia and in Macedonia both of which have clear-cut connections with Kosovo-Albanian hardliners, March 2004 ethnic violence); it is highly doubtful that the Kosovo Liberation Army and other armed groups were really disarmed and that there remains no weapons in today's Kosovo. Furthermore, the international presence has not been able to establish a secure environment in which refugees and displaced persons can return in safety.

Resolution 1244 stipulates that the international civil presence shall "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." Elsewhere the words "substantial autonomy" and "self-government" is reiterated.

In Resolution 1244 "self-governing" is mentioned 3 times, "self-government" 4 times, "self-administration" 1 time, "substantial autonomy" 3 times whereas neither "self-determination" nor "independence" is mentioned in the document. The "sovereignty" of Yugoslavia is mentioned 3 times.

Given the substance of this Security Council Resolution - what it states and does not state - *it is remarkable that the international presence, the UN in particular, has never publicly emphasised that full independence is not stated (and not made possible) within the framework and words of UNSC Res 1244.* By not stating this clearly, the international community has psychologically endorsed, indeed, promoted the self-determination-secession-independence policy in the minds of the Albanian leaders and, thereby, the Albanian citizens of Kosovo. They have very understandable reasons to believe that what they are moving towards is independence. This is what their leaders have told them were the only solution for more than 15 years (and remember the average age of the population in Kosovo is 25).

The political body language of the international community as well as of its pro-Albanian lobbyists - anti-Serb and anti-Belgrade interpretations throughout the conflict, bombings and intimate co-operation in Kosovo with leaders whose only policy goal was independence with or without weapons - have sent one unmistakable signal: that independence is a real possibility. According to the highest authority, the UN Security Council, it is not.

The most recent example of such creation of false expectations came on March 29, 2005 when Express carried an interview with outgoing OSCE Head of Mission in Pristina Pascal Fieschi. Commenting on Kosovo's future status and asked about the possibility of an independent country, Fieschi was quoted as saying, "Why not? It all depends on you, it depends from the citizens of Kosovo, how they behave, their policies and the standards. Nothing is automatic and nothing comes from the skies. Why not, even independence. No one rules out this possibility."

If the international community cannot deliver on that later, there is all reason to believe that the Kosovo-Albanians will show their anger and disappointment. Please see TFF PressInfo 71 from June 18, 1999 for a further critique of this Resolution.

The *Kosovo Standards Implementation Plan* can be downloaded on UNMIK's website. It describes the Standards in this manner:

"The Standards for Kosovo describe a Kosovo where public institutions are representative and democratic, where the rule of law is effective, respected and accessible to all, where those IDPs who wish to be free and able to return to Kosovo without hindrance, threat or intimidation, where all individuals, regardless of ethnic background can travel and work safely, and use their language (and where that use is respected) anywhere and in any institution in Kosovo, where the framework for a functioning market economy is in place and where the Kosovo Protection Corps operates strictly within its mandate; furthermore, the standards describe a Kosovo where Pristina is participating in successful dialogue with Belgrade and where Kosovo is in a stable and peaceful relationship with its regional neighbours. In short, a truly multi-ethnic, stable and democratic Kosovo which is approaching European standards..."

This is what Kosovo shall look like. When it does, negotiations about its status will follow. Although there has been considerable progress, it should be pretty easy to see that there is still a long way to go on almost all points - most importantly perhaps concerning the return of IDPs and a safe environment. The failure of the international community to disarm KLA and prevent the Albanian reverse ethnic cleansing of about 200.000 Serbs and other minority citizens out of Kosovo in the first several months of the international presence (at the time over 40,000 NATO troops) and the fact that virtually no one has come back are major reasons why it should be extremely difficult for the international community to determine that the Standards for Kosovo have all been met by summer 2005.

Indeed, one wonders what political game is being played when high-level international members, including the SRSG Søren Jessen-Petersen, hold out the prospect of status talks in September 2005? That requires prior knowledge that the Standards will be satisfied in full in the course of just a couple of months ahead from the time it was stated. *However, if things have not moved in the right direction during 5 years, it is a bit difficult to envision them do so and achieve great results in 5 months from now.*

Finally, one may observe that the Standards document was evidently written by people who had no professional understanding or feel for the human dimension of conflicts and their resolution. One wonders how all the mentioned Standards shall be achieved without a massive investment in peace education of decision-makers and citizens alike in a broad sense: conflict-understanding, negotiation, reconciliation and forgiveness, empowerment of youth and women, trust-building, media to promote values of co-existence and tolerance and new ways of dealing with the military-macho culture and criminality in various communities in the province.

Without any of that, the Standards will hardly ever produce anything but shallow peace. Deep peace, the introduction of a peace culture and an honest recognition on all sides that the past must be dealt with constructively for all to move forward was effectively ignored by this Standards document. But that may also not have been its true purpose. It rather serves, it seems, to legitimate a kind of secession and integration of Kosovo into the EU. In reality it would probably take at least another decade for Kosovo to qualify for EU membership.

Recommended literature

Johan Galtung and Carl G. Jacobsen, *Searching for Peace. The Road to Transcend.* Pluto Press, London 2000.

Hurst Hannum, *Autonomy, Sovereignty, and Self-Determination. The Accommodation of Conflicting Rights,* University of Pennsylvania Press, Philadelphia, 1990.

Hugh Miall, *The Peacemakers. Peaceful Settlement of Disputes since 1945,* Macmillan, London 1992.

United Nations Development Program, *UNDP, Human Development Report 2004. Cultural Liberty in Today's Diverse World,* UNDP 2000, New York 2004.

Alan Zelim Skurbaty, *As If Peoples Mattered. Critical Appraisal of "Peoples" and "Minorities" from the International Human Rights Perspective and Beyond,* PhD, Lund University 1998.

8 Positive scenarios: Turn to the future, look at the broader perspectives

Imagine...

Imagine we are in the year 2025. If all goes well - which admittedly it doesn't always - by that time Serbs and Albanians as well as other EU member citizens will have a hard time understanding why so much hurt and harm took place long ago, why there was a war and so much hate in Kosovo. Well, of course, the dissolution of old Yugoslavia was a much more difficult process than the Americans and the Europeans thought at the time. After all, throughout the 20th century, there had been only three cases of federations splitting *without bloodshed*, namely Norway from Sweden in 1905, Singapore from Malaysia in 1965 and the Slovak from the Czech Republic in 1993.

As we know, former enemies have learnt to live and work together. For example Americans and Russians after the Cold War, earlier the French and Germans, the Germans and the Danes, the British and the Indians, etc. Time - and some efforts too - heal. Anyone who has visited Vietnam have experienced how the people there hate neither the French nor the Americans. Japanese and Americans work together in a multitude of ways in spite of how the Japanese once upon a time were treated in the US and in spite of Pearl Harbour, Tennozsan (Okinawa) and the nuclear bombing of Hiroshima and Nagasaki. Today, the Hutus and Tutsis of Burundi have agreed on a new power-sharing constitution after a genocide that devastated the country and killed about 300.000 Burundians. Reconciliation, peace, trust and co-operation after war, hurt and harm exist. And what exists must be possible!

Are we - really - to believe that Serbs and Albanians will never be able to do likewise and that they must live in separate states that will have nothing to do with each other? Those who think so belong to a world of the past, not to the modern world, not to the European cultural space. What a paradox that we hear Westerners arguing for separatism and exclusivity - but no peace - with some people and otherwise believe in Europeanisation, globalisation and the world coming together!

Well, let's use more imagination: By 2025 people virtually everywhere had come to realise that borders, exclusivity, nationalism as well as violent repression and weapons-based national territorial security were things belonging to the past. The 2025 world order was immensely more culturally mixed, full of multiethnic co-operation, citizens-oriented and many felt that the country of their own was less important than the world of everybody.

The concept of identity did not relate only to "me being special and different from you", i.e. on contrast, but on a common us, a recognition of unity as one humanity in diversity. Fear as the main attitude to meeting the stranger had declined, curiosity and celebration of the rich possibilities within the world community had increased tremendously, not least thanks to a much more fair distribution of the world's socio-economic growth. In fact, by 2025 the *UN Millennium Development Goals* (MDG) had been met. Likewise, human and ecological security coupled with the UN norm of creating "peace by peaceful means" had been introduced in the majority of states and international organisations and, thus, all weapons of mass destruction and most of the other offensive military capabilities had been abolished.

In short, people had found out that they had so much to gain from being together in peace compared with being isolated in fear. Civilisation was, in other words, moving forward...

Dreaming? Futile, "unrealistic" wishful thinking? Perhaps, but there are at least four advantages in trying to imagine a better future for all:

- a) It helps recognising *how counterproductive it is for conflict-resolution to focus only on the past* (which we can't change) and thereby forget about the potentials waiting to be realised in the future. After all, no one can drive a car safely by looking only into the rear mirror.
- b) It tells that each actor, each single individual has a wider responsibility to the world, a duty to contribute with *local solutions that are compatible with and promote a better world for all*;
- c) It illustrates how positive, larger visions can help us achieve reconciliation and forgiveness. *When we see the possibility of a better future we "need" hate and revenge much less, if at all.* We can then work for something rather than against somebody.
- d) It emphasizes that *what people can't imagine, they are not likely to work for.* The more positive attitudes we can build into our image of the future, the better the chance of real conflict-resolution and, successively, true peace.

Being an analytical, mitigating and facilitation think tank, TFF never suggests what the solution should be. We believe that only the conflicting parties themselves can find the viable solution, but sometimes need a little help. They must be the stakeholders and they must feel ownership in order to implement the solution on the ground. Neither the conflict analysis nor the solution must be "stolen" and imposed by

some third party, least of all the international community. The conflicting parties are to live with the solution when the internationals have left the region. (See more about this philosophy in Article 1 - PressInfo 209).

Thus, should the parties - all of them - be able to voluntarily agree on Kosovo becoming an independent state, fine with us. However, it does deserve a more or less philosophical consideration: Will the world be a better place for all if the 50-100 more or less secessionist movements are granted their own states? If Kosovo is, why not most of the rest where similar, sometimes much worse, repression and war has gone on for decades? Is it wise to promote particularistic solutions to humanity's problems or should we at least try to meet the general challenge of human civilisation with a somewhat larger and more generous vision than one based on exclusivity and nationalism, on ethnically cleaner rather than mixed societies?

We would argue, philosophically, that it is a defeat for humanism and for a global civilisation whenever some people slam the door and say that they can only live with similarity and want not to deal with difference.

An independent Kosovo looks to us as such a defeat for both the Serbs (yesterday), the Albanians (today and tomorrow) and for the international community. Or to put it otherwise, there have been enough special splitting done in the former Yugoslav space. The agenda of today and tomorrow is integration into Europe and the global, diverse community; the agenda of yesterday was nationalism and parochialism with a veneer of human rights endorsed by Europe.

Of utmost importance in any conflict-resolution process is *the change of vision*. One of the most respected and experienced peacemakers, Adam Curle, wrote in 1986 that:

"In the slow move towards negotiation, settlement and the eventual restoration of fully peaceful relations, the significant stages are the changes of vision rather than the signing of agreements that result from them, the gradual erosion of fear, antipathy and suspicion, and the slow shift of public opinion."

When at negotiations representatives of the different parties change from being just that to becoming human beings in the eyes of each other, new possibilities emerge. The turning point at the Camp David talks is said to have happened when Anwar Sadat of Egypt and Menachim Begin of Israel exchanged photos of their grandchildren. Furthermore, it is well-known throughout the history of conflict-resolution that new visions and possibilities open up to the parties when they focus - together - on issues and not on each other - that is, when they get "soft" on people and "hard" on solving the problems that stand between them.

Finally, Buddhists tend to see suffering and violence as fundamentally rooted in compartmentalisation of reality. Liberation from the war-mentality becomes possible when we see each other and our problems as part of a much larger, common whole. Thus, the famous Buddhist monk, Nhat Hanh, is convinced that "the two sides in a conflict are not really opposing, but two aspects of the same reality."

In summary, the parties in the Kosovo conflict and the international community would do wise to reflect a little less on themselves and a little more on their common conflict as well as on the common European reality and larger world of which they are a part. With a movement away from the present history-based "only-one-solution" thinking by all sides - from which all will lose something - towards a future-based "many-possibilities" philosophy, everyone can win something.

Difference is not a threat. It's a strength.

Reduce fear and provide a future with socio-economic development

Most secessionist movements work for an independent state because they have a history filled with repression and humiliation; in many cases they have experienced economic deprivation too. It's humanly very understandable to want protection from that - "we are fearful and the only protection we see is a homeland where we are protected by borders, walls and weapons so we shall never again have to fear." So too the Kosovo Albanians up to 1999 and the Serbs, Roma and other minorities in Kosovo since 1999.

Thus, the question is: how do we reduce fear and increase mutual trust and reconciliation? The answers are: by changing structures that lead to fear and, equally important, help rebuild the soul, the mind and the human communities and promote peace education and non-violence for present and future generations - all to enable a new peace culture to take root.

Thus, status talks are necessary but by no means sufficient. No status decision for any place will work if, for any side, fear continues to dominate everyday life - and fear never comes alone, it thrives together with its partners: hate, wish for revenge, images of the neighbour as enemy and stockpiling of violent means for protection.

We believe that most people living in Kosovo and the wider region are trapped in the old thinking because of what they have experienced for decades. Undoubtedly, they would benefit - and peace be given a chance - by a positive vision that effectively combats fear. Unfortunately, the international community has very few professionally educated and trained conflict-managers and no organisations fully devoted to handling conflicts with professionalism and impartiality. Be this as it may, it must provide opportunities, models, meeting places and facilitation for a broad-based societal dialogue about possible futures for Kosovo and the region that increase hope and diminishes fear.

The economics of peace-making

As mentioned in PressInfo 214/Article 6, it is very unlikely that any status decision will be a solution if the pervasive economic misery of both Kosovo and Serbia proper continues. It would be a gesture of quite some importance if the same international community that punished the ordinary citizens and rewarded the mafia with ten years of sanctions and then did a 78-day bombing that also hit the people but strengthened the Serb and Albanian extremist leaderships, decided to implement *a kind of Marshall Plan for the region* and thereby secured welfare and social security for all. It should encompass the neighbours such as Macedonia that had its identity and economy shaken from these thoughtless policies.

This would be important in and of itself, but it would also be *psycho-politically important for the citizens of Serbia, Montenegro and Kosovo*. They need recognition of the fact that they suffered from the consequences of international politics and the power games between their own leaders and the very same international community. If something like this was done, people would likely put their grievances with each other and with the international community behind them. Will the international community that is now cutting down various types of assistance to the region change its policies and show a bit of generosity?

And there is one more fundamentally important aspect to be taken into account: a status decision for Kosovo must aim to - also - make it possible for the international community to withdraw, or heavily reduce, the presence of the UN, NATO, OSCE and the EU; many NGOs are likely to leave too. For six years the Kosovo province has benefited from thousands of foreigners with high salaries renting, spending, employing and consuming. Prices have skyrocketed, young locals gave up their education to be employed by international organisations, the social structure has changed and many depend on the internationals for their living. On the untold effects and local viability of this presence, see *PressInfo 162* from 2002.

The problems facing Kosovo the day the international community departs should not be underestimated. It could well plunge the province into even deeper economic misery.

In summary, we are convinced that everything will depend on fear reduction and genuinely positive socio-economic prospects. Ignoring these two main aspects will doom any final settlement of this conflict.

The parties may, for understandable reasons, not be up to it yet. Is the international community?

9 Many models for a future Kosovo

Four ways of making peace

By way of starting, some words of caution. What's the egg and what's the hen in the question about the future status of Kosovo? What is form and what content, the means and the goals? People who strongly want independence tend to see that as both a means and the goal: "if only we become an independent state, everything will be fine." There have been enough post-independence and post-colonial conflicts and wars in the world for anyone to see that this is not necessarily so.

With the decision-making on the future status - form - moving to the top of the international agenda, it is likely to tilt the general attention away from issues of substance, i.e. *what kind of Kosovo - internally and as a unit in the region - will be granted a certain status?*

In substantive terms, the general, basic issues are still: language, education, access to government civil services (including police and security), social services, land, ownership, control over natural resources, forms of representations in local and regional power structures, prospects of economic development, high-level respect for human and minority rights, and a political culture of democratic tolerance: respect for majorities and more respect for minorities because they could be run over by a majoritarian culture.

And the specific post-war, basic issues are still: reconciliation, trust-building, good neighbourly relations, peaceful community, practical ways to remember what happened but seeking no revenge (e.g. memorials, war/peace museums, churchyards, decent teaching of history, and general cultural therapy such as theatre, poetry, music and art to deal constructively with the past). It is peace education in the entire school system, teachings of non-violence as an option in human affairs, teaching negotiations and dialogue, it is the empowerment of citizens (women and youth in particular) to participate effectively on all levels and without a grain of fear.

To put it pointedly, the future status of Kosovo and the region around it is about democracy, peace and human civilisation in one. It won't be achieved by any number of delegations making decisions with each other and with the international community alone. True, it will require some top-down elite, high-level negotiations, but sooner or later they will turn out to be null and void without citizens' participation.

So there is *the shallow formal peace of status, legal issues and treaties being signed.* And there is the *deep sustainable peace* of citizens going for reconciliation, building a new peace culture through their *hearts being changed.* Combine this with elite peacemaking and broader social peacemaking and we get four roads to peace for Kosovo and the region:

1. *Shallow peace made by elites from the top* - the most typical in former Yugoslavia, often coupled with threats and bombings, i.e. forced, not voluntary peace agreements.
2. *Shallow peace made by citizens from below* - having been seduced to believe that independent Kosovo would be the solution to everything and that peace (including EU and NATO membership) is handed down to them by elites.
3. *Deep peace made by elites* - quite unusual but many individuals in UN and other missions around the world see this need every day on the ground and support it on the fringe of their official mandates. Ignored in diplomatic academies and media.
4. *Deep peace made by citizens* - there has been "peace pockets" and "peace lords" in several places in former Yugoslavia. See more examples in the section Peoples' peace-making below. Likewise largely ignored by diplomats and media.

Precedents and models - high level and legally based

Every conflict has some unique features and shares some features with about every other conflict. Kosovo is special but no more so than there exist precedents and models around the world and in the literature that could inspire the work towards a final settlement. Let's mention some, at random to illustrate the diversity of existing models.

As mentioned above, there are the (only) three mentioned cases of peaceful secession, Norway, Singapore and Slovakia. There are catchwords for solutions to minority and related problems such as the Åland Islands between Sweden and Finland (1917-51), Trieste (1945-54), South Tyrol (Bolzano)-Trento (1960-71), Schleswig-Holstein (Germany and Denmark); there is Denmark/Greenland and Denmark/the Faeroe Islands. There are the Saami (Lapp) people of Norway, Sweden and Finland. Hong-Kong (although not an ethnic-based conflict) is a secessionist conflict that has been

solved by the formula of one-country-two-systems. There are the Azores and Madeira as (very) autonomous provinces of Portugal.

Or, somewhat differently, take Burundi and its present peace process. The Hutu majority and Tutsi minority in Burundi are itching their way into power-sharing, a new constitution, demobilisation and disarmament, re-socialisation of child soldiers and the establishment of a truth and reconciliation commission; they do so on the background of several decades of violence having killed at least 300.000. And Burundi is one of the world's five poorest countries. In passing it's worth observing that Burundi, given this extremely difficult background and very little international attention and assistance, has moved much more impressively in the direction of peace during the last 2 years than Kosovo has during the last 6 years. You find no one who argues for splitting the country in a Tutsi and Hutu part; what you find is a genuine war fatigue and a new remarkable will to peace among the far majority.

Below follow some thinkable models at random, no priorities made. They do not exhaust the possibilities - many more are found in the recommended literature at the end. They serve to stimulate the debate and bring inspiration for those who are not stuck in the rigid thinking of "only one solution: ours" (whether Serbs/Albanians/international community) and thus seek to find the optimal, the creative, the viable and the right balance between general historical experiences and the specificity of this conflict.

Thinkable status models for Kosovo in the larger region

- *Confederation of states* (Serbia, Montenegro and Kosovo).
- *Confederation of autonomies* - or of ethnic minorities - in the wider region, the latter two with no right to secession but to influence governments in the whole region.
- *Self-government* - making all decisions pertaining to internal Kosovo affairs, close to a Serbia-Kosovo confederation, depending on modalities. Close to:
- *Substantial autonomy within Serbia.*
- *Substantial autonomy within Serbia + various kinds of double affirmative action* such as higher proportion of seats and ministerial posts for minorities in Serbia's Parliament than their proportion of population and the same for Serbs in Kosovo.
- *Complete independence* with special provisions such as de-militarisation, high minority protection, non-alignment, open borders, no unification with others, protection of Serb Orthodox churches, etc.
- *Independence as a process in phases* - with clearly stipulated obligations of Serbia, Kosovo, Albania, Macedonia and the international community.

- *Division/Partition* - with double substantial autonomy and high minority protection for both Serbs in Northern Kosovo and for Albanians in Southern Serbia.
- "*Guarantor states*" arrangement - whatever high-level autonomy or even independence Kosovo's development is overseen by a number of states with the right to mediate and arbitrate. Used in Cyprus 1960 and in the Rio Protocol for Peru and Equador. (1)
- *Condominium* - the idea that Albania and Serbia, perhaps Montenegro and Macedonia too, share the responsibility for Kosovo with its people and build solid co-operative structures.
- *Kosovo as a European region* - Kosovo and possibly other units in the region together granted a special status associated with the EU.
- *A Balkan Council* - modelled upon the Nordic Council in Scandinavia with representatives from all regional governments but also from NGOs and minorities.
- *An OSCE-like process* - Kosovo as a unit in a broader Balkan co-operative structure, ranging from a formal con-federation to close trade relations and economic co-development, something that could be arranged as part of an OSCE-process over some years along the lines of the old one for all of Europe.
- *Trusteeship* - Kosovo as a trusteeship area of the UN or of the EU, or both.
- *The Hong Kong model* - one state-two systems.
- *Observer status internationally* - multi-ethnic teams representing Kosovo are granted observer status in relevant international organisations.
- *Combinations of one or more of these alternatives...*

Thinkable models for Kosovo itself

- *A citizens' Kosovo* where the *democratic political culture* is based first and foremost on the concept of citizens and not on ethnic identities, a truly democratic and tolerant political culture.
- *Affirmative action inside* - higher proportional seats and ministerial posts for minorities in Parliament than their proportion of population, the same for government employees, police, teacher and media people.
- *Rotational collective presidency/leadership* allowing for all ethnic groups to be leaders from time to time.

- *Open but internationally protected areas for minorities' culture, history and religion.*

- *Consociation or consociational democracy* - a system of power-sharing that seeks to resolve differences through techniques of consensus rather than majority rule; meaning a civic equilibrium that guarantees a share of governmental power to the political elites of all major parties, incorporating the mass of their popular support into a system of proportional representation and coalition governments (2+3).

- *Cantonisation* - each with more municipalities in it and with its own constitution, legislature, government and courts.

- *Serb-dominated cantons could be co-operating directly with Belgrade* if they so wish about civil affairs; Belgrade having no influence in Kosovo outside these (depending on status decided for the province of course).

- *Division/Partition* - the north becoming an autonomous province of Serbia, the rest being independent. Border drawn after referendum.

- *Combinations of one or more of these alternatives...*

Then there can be various combinations of internal and external models and principles. Simply put, there are so many possibilities - and many more than these - between going back to pre-1999 and making Kosovo an completely independent state.

To argue that there is only one solution is perhaps psycho-politically understandable but intellectually it does leave a lot to be desired.

How do we get to the final status, then? Through dialogues, fair listening, consultations, research inputs, gathering ideas and models from around the world, exploration. Then talks and then negotiations.

On the latter, some inspiration on how to set up a professional negotiation mechanism can be found in TFF original 1996 proposal for just such a mechanism, Memorandum for Understanding between the UN and the Federal Republic of Yugoslavia concerning a *UN Temporary Authority for a Negotiated Settlement (UNTANS) in Kosovo*.

If their mandate would be changed and re-directed towards a negotiated solution, UNMIK and other international presence - and supplemented with NGOs - could form a solid negotiation facility needed to arrive at a sustainable and for all satisfactory status for the province.

By this we are coming back to the fundamental point raised throughout this series: no settlement will work well if the will to reconciliation, tolerance and peace has not taken root throughout the citizenry. Structures and status that just hold hate and

revenge at bay - making everybody look good, say and do the right things until the day after a status agreement is signed - won't qualify as a solution.

More often than not, governments and their non-professional conflict-managers usually simply don't think in these terms. They are neither educated nor trained to see such broader options. They act as if they believed that legal approaches coupled with money and some carrots or sticks will make people peaceful in their hearts and minds. Truth is, as seen elsewhere, such an approach prove, sooner or later, to be a recipe for future violence.

So the qualities of the society and the will to peace of the people are much more important than formal status and legal structures. It all hinges upon a new orientation by the citizens of Kosovo and surroundings, a will to acknowledge on all sides what happened and move on towards a better, more rewarding future for all.

It takes time and the international community must be principled

What will that require? First of all, it takes patience on all sides and time. To heal societies and souls in a deep sense after war takes a lot of time. It's one of the main rules of thumbs in the trade. Negotiations too may well take years. It clashes with the wish of politicians to force through solutions while they are in charge; four-year terms are not exactly conducive to peace-making in complex conflicts. Thus, the many quick-fix settlements here and there, Bosnia for instance: shallow peace meaning no war but also no real, sustainable peace. Quite a few diplomats in the international community must be assumed to know this very well but some still try to circumvent the substantial dilemma that faces them in Kosovo.

Quite remarkably, the Danish foreign minister *Per Stig Møller* wrote in the Danish Politiken on April 2, 2005:

"It cannot be expected that all the standards will be met before late summer. That is the reason why the international community should pay attention to the will to meet these requirements rather than to whether they have been fulfilled."
(Our italics and translation from Danish).

This is pure slippery slope and contravenes the logical meaning of "standards before status" as well as formulations like these in UNMIK's Kosovo Standards Implementation Plan (KSIP) of March 2004:

"The 'Standards for Kosovo' remains the target for Kosovo. Progress against this target will be the basis for any review in mid-2005 to begin consideration of Kosovo's final status." And, a little later with reference to safe returns and freedom of movement of people driven away from Kosovo: "to ensure that planned actions can effectively fulfil these essential standards."

This document is clearly about actual progress and fulfilment and not about the mere will to fulfil them.

SRSG Søren Jessen-Petersen has stated that status talks will start in a few months - so he seems to know already that the review will be positive. He also maintains that they won't take years, only months. One is inevitably reminded that those who drew up the Dayton Peace Plan for Bosnia-Herzegovina in 1995 thought that it would be implemented on the ground in about a years' time.

People's peacemaking - basic and informal

Let's mention at random some of the things that will be needed for any status and structures to function well and solidify peace in the region:

- Offer people a *positive vision*. Carrots work much better than sticks.
- A *truth and reconciliation commission*.
- Encourage *forgiveness* by talking about it, not forcing it.
- Invest in *education, including internationalised education*. Include that and *peace and conflict education* throughout the school system and higher education.
- *Peace and non-violence training* in the rest of society - as important as courses on human rights and on how to start up small business. Use NGOs, churches and media.
- *Give the young chances* so that they come back if they have gone abroad.
- Use the *media for public education*, including telling good stories and stories of how people have created peace elsewhere.
- *Open up the mental horizons that have been smashed by militarism and nationalism*, undo the macho-militarist mentality that exist in certain circles. Offer trauma healing and other socio-psychological support to those who were in the war (often young low-educated boys) and to the victims (women, children and youth).
- *Trust-building* and tolerance education for all.
- *Expand "democracy" to mean not only some kind of elections* but an entire political culture of tolerance and respect for all kinds of minorities.
- Active use of the elements of *peace culture* - sports, theatre, poetry, music, arts etc - for peaceful development rather than to worship the culture of killing.
- Help develop *institutions and mechanisms for future violence prevention* and crisis management, build indigenous capacities.

- *Memorials for all*, all the names in one marble wall, not separate walls; common places of worship and remembrance - not "their" and "our" memorial park. After all Albanians and Serbs share the sorrow, the mourning and their fundamental humanity. They share the pain of having lost their lost loved ones.
- *Peace museums* - giving people a sense of their own struggles as part of a worldwide history of peace. Learning from others and not feeling that one is alone increases the energy.
- Create *local peace zones*, from village halls to clusters of municipalities.
- Offer *stimuli for multiethnic co-operation into development aid* - you get more assistance, loans and credits from abroad if you employ all ethnic categories in your project.
- Institute *peace and reconciliation awards to local citizens* who have taken constructive initiatives, built bridges for peaceful co-existence, locally, in the province and between Serbia and Kosovo.
- Invite *citizens to use the Internet, e-mails etc to participate in country-wide brainstorming* on how to solve problems and move forward towards a good Serbia and a good Kosovo. Give people an opportunity to share their experiences, help good ideas to spread fast throughout society.
- Encourage *positive visions and new ideas in general*. Every human being has the capacity, but nationalism, militarism and other fundamentalism have taught them that they were traitors if they expressed them.
- Encourage *thinking beyond your own little place and your own lifetime* (space and time).

In the book *War Prevention Works*, Dylan Mathews lists the following ten lessons to be learnt from 50 cases of people making peace:

1. To meet and talk about peace, when others can see only violence as a solution, is no wimpish activity.
2. The support of outsiders is often critical to ensure the survival of peace workers.
3. Nearly half of all interventions for peace were done with some spiritual basis.
4. Slow trust-building among people is often necessary before formal talks.
5. Business has a powerful role to play.

6. Traditional processes of mediation and conflict-resolution can be key.
7. Women frequently offer key ingredients, including the expression of feelings, for peacemaking.
8. Far more evaluation of experiences ought to be done.
9. NGOs have become more effective but cannot replace government activities.
10. Peaceful intervention can be extraordinarily cost-effective compared with military intervention. But, sadly, many peace initiatives have failed for lack of funds or resources when they could have made a difference.

These are lessons that will have to be learnt by international government and near-government conflict-managers. It would be wise to recognise a few of them in the future work for peace and stability in Kosovo and the Balkan region.

The conflict about Kosovo is a "hard" conflict, but it requires creative soft means to solve it. If it is solved in a good way - means and goals being one - it would inspire and serve as a model case, for many other conflicts around the world. It would offer hope to a wider world in which so many long for peace, justice, welfare, development and security.

Millions of people who have suffered from war know better what peace means than a few leaders who have benefited from war. They have more honest incentives to want peace! And the peace they choose will take longer time but be deeper and democratic and thus much more sustainable.

Notes

1. The Rio Protocol represents a special method of third-party dispute settlement. The treaty's provisions were overseen by four "Guarantor" states (Argentina, Brazil, Chile, and the United States - four of the most powerful countries in the region). The Guarantors are legally obligated to mediate - and possibly arbitrate, which they eventually did for two major remaining impasses - all aspects of the Ecuador-Peru border dispute. As such, the Rio Protocol exemplifies not only the variety of international dispute-settlement mechanisms, but the power of international law through the observance of treaty obligations.

2) Kat Gilbreath has defined *consociation* in this manner in *The Yale Political Quarterly* "Consociation is based on the premise that deeply divided societies can be brought into manageable civic equilibrium by guaranteeing a share of governmental power to the political elites of all major parties, and then incorporating the mass of their popular support into a system of proportional representation and coalition

governments. The primary distinguishing feature of consociation is cooperation among such elites."

3) Kenneth D. McRae in his *Theories of Power-Sharing and Conflict Management* in Joseph Montville's anthology (see recommended literature) sees the Netherlands, Belgium, Switzerland and Austria as the four classical European cases of consociational democracies. The distinguishing feature is "the ability of the leaders of the contending subcultures to avoid the dangers of intergroup conflict through cooperation." Consociation is about accommodating competing, different constituencies into a system of consensus-making at the elite level; he also uses the metaphor of "a delicately but securely balanced scale."

Recommended literature

Gabriel Partos, BBC, *Europe's autonomy solutions*

Peter Harry and Ben Reilly (eds.), *Democracy and Deep-Rooted Conflict. Options for Negotiators*, IDEA Handbook, Stockholm 2003.

Joseph V. Montville, editor, *Conflict and Peacemaking in Multiethnic Societies*, Lexington Books 1991.

Johan Galtung and Carl G. Jacobsen, *Searching for Peace. The Road to Transcend*, Pluto Press, London 2000.

Hurst Hannum, *Autonomy, Sovereignty, and Self-Determination. The Accommodation of Conflicting Rights*, University of Pennsylvania Press, Philadelphia 1990.

TFF, *Preventing War in Kosovo*, Lund, Sweden 1992

TFF, UNTANS. *Conflict Mitigation for Kosovo*, Lund, Sweden 1996.

Hugh Miall, *The Peacemakers. Peaceful Settlement of disputes since 1945*. Macmillan and Oxford Research Group, 1992.

Dylan Mathews, *War Prevention Works. 50 stories of people resolving conflict*, Oxford Research Group, Oxford 2002.

European Centre for Conflict Prevention, *People Building Peace. 35 inspiring stories from around the world*, Utrecht 1999.

Paul van Tongeren, Hans van de Veen, Juliette Verhoeven (eds), *Searching for Peace in Europe and Eurasia. An overview of conflict prevention and peacebuilding activities*, Lynne Rienner, Boulder, 2000.

10 Summary: From "Only one solution" towards democracy and peace

Kosovo is moving up again on the international agenda. The time to think about the framework, the alternatives and the consequences of the talks on the future status of Kosovo is now. Despite the highly unlikely possibility that Kosovo will be able to achieve in the next few months the key standards necessary to initiate the final status talks, it would be gullible to believe that these criteria will not be once again downsized, shrunk to fit the path to the status talks.

Pro-Albanian lobbyists such as the International Crisis Group, Richard Holbrooke and various US members of Congress argue that "independence is the only option." However, this option can also be seen as unjust, dangerous, archaic and anti-European. The option of an "independent Kosova" implies that one of the sides (the Kosovo Albanians) would achieve its maximalist goal and that the other side (Belgrade and the Kosovo Serbs) would leave a negotiation table with a complete defeat, ashamed, and unready to accept the imposed agreement. Full independence cannot be negotiated. It can only be imposed.

Conflict-analysis and -mitigation is about helping people in conflict findings a sustainable solution with as little violence as possible. The authors are not against independence if all the parties to the conflict will voluntarily accept such a solution and agree on its concrete modalities. We just don't believe that there is only one solution to a complex problem, and we believe that the only-one-solution argument is indicative of the fact that the international community is in trouble.

The political body language of the international community in the 1990s, with the side-taking bombings and with its missions ever since has given the Albanian side all reason to believe that an independent state was possible and would be handed down to them if they behaved well ("standards"). Therefore, if the international community

cannot deliver on that implicit promise soon, we are likely to see new serious turmoil in the Balkans. If so, the Albanians would certainly not be the only ones to blame.

An "independent Kosova" would set a dangerous precedent for the region, not least in Bosnia and Macedonia, for the international law, for European integration, for the still feeble peace processes in the post-war Yugoslavia. If Kosovo, why not Taiwan, Tibet, Chechnya, Tamil Eelam, Kashmir, etc? The world has about 200 states and 5,000 ethnic groups. The future is not about each having their own state, the future is about living together globally!

Independence would breach the legal framework of UN Security Council Resolution 1244 of 1999 that cannot even be even liberally interpreted to endorse independence. It would reward those who have been behind the ethnic cleansing campaign against the non-Albanian communities ever since, encourage those who had exported violence from Kosovo to the neighbouring southern Serbia and western Macedonia.

It is time to stop hiding behind the masks: no, Kosovo cannot return to its pre-1999 status; no, the UN mission and NATO have not created a multi-ethnic, free and tolerant society they have promised; no, there has been no return of more than 200,000 Serb and tens of thousands of other non-Albanian IDPs; no, the Albanian leadership in Kosovo does not inspire any credibility to the Serbs and other non-Albanian communities; no, Kosovo cannot and should not be an exception in the region, in Europe, in the world.

The key objective should be to give the Kosovo Albanians a maximum of opportunities and real means to manage their future without feeling threatened, but also without threatening the interests of other groups, the security and the shaky stability of the region.

A sustainable and just solution is one that lies between the standard autonomy for Kosovo unacceptable to the Albanian aspirations - and the full, "conditional" or "immediate" independence - unacceptable for the Serbs and the Serbian state.

Between these two, there is a myriad of thinkable options - for Kosovo in the region and internally inside Kosovo - e.g a citizens Kosovo where ethnic background is irrelevant, cantonisation, consociation, confederation, condominium, double autonomy for minorities there and in Southern Serbia, partition, trusteeship, independence without an army and with other special modalities as well as various combinations of some if these. Arguing for independence as the only option may be psycho-politically understandable but it is simply intellectually poor; it's a non-starter for the forthcoming talks. True conflict-resolution - in which very few diplomats have any professional training - is about opening possibilities to the future and finding a new structure that the parties voluntarily accept to live with.

But most importantly, the international community should work hard with the actors on the key fundamentals of conflict resolution, such as reducing fear and working towards economic recovery of the region. No status will work, also not independence, if people keep on hating each other and see no development opportunities. The

international community should learn that if we don't try to rebuild the souls and the human communities and offer people a chance of welfare, they are likely to take to violence again. Indeed, that's a major lesson of the Balkan complex of conflicts the last decades.

About the authors

Aleksandar Mitic

Born 1974, is a regular lecturer of the course "News Reporting in Crisis Situations" at the Faculty of Political Science of the University of Belgrade.

As an Agence France-Presse (AFP) correspondent from 1999-2005, he was the only journalist working for foreign media who covered the entire 1999 NATO bombings from within Kosovo. He has covered all the crises in the region since and contributes regularly to the International Security Network (Zurich), Transitions Online (Prague) and NIN (Belgrade).

As an analyst, he is a regular guest of political shows in Serbia and has appeared on various international media, from BBC World to Al Jazeera.

He has a Bachelor of Journalism/Political Science and a Masters in International Affairs/Conflict Analysis from Carleton University, with an MA thesis on "*The Impact of the Media on Preventive Diplomacy*". He is currently working on his PhD thesis -- "Journalistic Responsibility in Crisis Situations" -- at the University of Belgrade.

Mitic became a TFF Associate in March 2005.

Awards

- Agence France-Presse award (1999) for excellent reporting from Kosovo during the NATO bombings.
- Halstead Scholarship (1997) to study the European integration process.
- Norman Paterson School of International Affairs Entrance Scholarship (1996)
- Blain Fraser Memorial Award (1996) for best international political reporting.
- Lester B. Pearson Scholarship (1996) for academic excellence.

Jan Oberg

Born 1951, Danish, PhD in sociology, peace and future researcher. Former director of the Lund University Peace Research Institute (LUPRI); former secretary-general of the Danish Peace Foundation; former member of the Danish government's Committee on security and disarmament. Visiting professor at ICU and Chuo Universities in Japan and visiting professor for three months at Nagoya University in 2004.

Oberg is a member of the Scientific Committee of International University for Peoples' Initiatives for Peace, IUPIP, in Italy. Co-initiator of the Danish Highschool for Peace and the Danish Centre for Conflict Resolution. Member of the advisory board of the Toda Institute, Hawaii, and of the Tibetan Centre for Conflict Resolution in Dharamsala, India. Editorial advisor to Peace Review. A Journal of Social Justice.

Likewise he is a member of the advisory boards of the Nuclear Age Peace Foundation, the President of which is David Krieger, and of the Center for Global Nonviolence in Hawaii. Oberg is listed in Marquis Who's Who?

His main books are "*Myth About Our Security*", "*To Develop Security and Secure Development*", "*Winning Peace*" (co-author), and in 2004, he published "*Predictable Fiasco. The Conflict with Iraq and Denmark as an Occupying Power.*"

Some 3600 pages of published in academic works, including ten books written, co-authored or edited and publishes about 300 pages per year, much of it on this site. Honorary doctoral degree from the Buddhist Soka University, Tokyo. Columnist in Nordic newspapers and regular contributor to the cultural page of Helsingborg Dagblad in Sweden.

Co-founder with his wife, Dr. Christina Spännar of TFF. Chairman of the board 1997-2003, director of the TFF and head of its Conflict-Mitigation teams to ex-Yugoslavia, Georgia, Burundi and Iraq.

Awards

In 2003, TFF and he was awarded the Peace Prize of the Castel Nuovo municipality in Italy that is given with reference to Dante Alighieri and rewards peace-making efforts. In 2004, he received the North-South Cultural Communication Prize from the Research Fund for the Study of the Future of North-South Cultural Communication in Rabat, Morocco. In 2005 he received the 2005 "Small Peace prize" by the Swedish peace Council.

Other editions of this pdf document

Hard copy edition

265 Swedish kronor or 38 \$ US

Order from TFF

Internet edition at TFF's homepage

http://www.transnational.org/pressinf/2005/pi209_218_KosovoSolutSer.html

Relevant background links on the Internet

http://www.transnational.org/features/2005/Coll_Kosovo3-2005.html

© TFF and the authors 2005