

PROJECT ON ETHNIC RELATIONS

The **Project on Ethnic Relations (PER)** was founded in 1991 in anticipation of the serious interethnic conflicts that were to erupt following the collapse of Communism in Central and Eastern Europe and the former Soviet Union. PER conducts programs of high-level intervention and dialogue and serves as a neutral mediator in several major disputes in the region. PER also conducts programs of training, education, and research at international, national, and community levels.

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R e p o r t

JULY 2-3, 2005



LUCERNE, SWITZERLAND

**KOSOVO AND THE REGION
PREPARE FOR CHANGE:
RELATIONS, RESPONSIBLE
GOVERNANCE, AND
REGIONAL SECURITY**

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PREFACE

Achieving stability and prosperity in the Western Balkans will depend in large measure on whether the peoples of the region will find peaceful ways to accommodate their ethnic differences. Foremost among these differences are the tensions between Albanians and their neighbors. If the international community is to succeed in building interethnic accommodation in the region, communication between Albanians and their neighbors must be restored and developed. At the core of this communication is the dialogue among political and ethnic leaders in Macedonia and Montenegro, and, most importantly, among leaders in Kosovo and Serbia.

Since 2000 the Project on Ethnic Relations (PER) has convened a unique annual roundtable that brings together almost every significant ethnic Albanian political leader from the Balkans with their non-Albanian counterparts from Serbia, Montenegro, Macedonia, Bosnia and Herzegovina, and the international community. The series, titled “Albanians and Their Neighbors,” has held meetings in Budapest, Athens, Bucharest, and Lucerne. The fifth installment in the series, which also took place in Lucerne and was organized in cooperation with the Swiss Federal Department of Foreign Affairs (EDA), was dedicated to the issue of Kosovo, and was held under the name “Kosovo and the Region Prepare for Change: Relations, Responsible Governance, and Regional Security.”



From left to right: Miodrag Vlahovic, Nexhat Daci, Musa Xhaferri, and Larry Rossin.

PER's "Albanians and Their Neighbors" series is unusual in that it brings a regional perspective to problems of interethnic relations in the Balkans, and stresses that long-term solutions to these problems must involve all the countries of the region. Kosovo in particular is first and foremost a regional issue, and PER believes that the voice and opinions of the province's neighbors must be heard more often. PER is committed to the notion that any successful settlement for Kosovo must also be a regional settlement, and this roundtable was designed in part to allow the countries of the region to express their hopes and concerns in this respect.

The roundtable was not intended as a forum for negotiations on Kosovo's final status, which will be launched in the second part of 2005, but rather as a rare opportunity for the actors most directly affected by the Kosovo issue to engage in direct and substantive dialogue, and to share viewpoints, off the record, in an informal setting. The questions of decentralization in Kosovo, high-level Belgrade-Pristina dialogue, and Serb participation in Kosovo's institutions were several of the most important themes at Lucerne. The concerns of Kosovo's neighbors were also a central element of the roundtable.

Finding possibilities for compromise over Kosovo is exceedingly difficult, and the experience at Lucerne was no exception. With a formal process to resolve Kosovo's status set to begin later this year, Serbs and Albanians were perhaps less willing than ever to make concessions. An additional factor complicating the discussion was the view recently expressed by Swiss diplomats that a final settlement will necessarily involve some form of independence for Kosovo. Strongly rejected by Belgrade, this public support for Kosovo's independence appeared to be a departure from the tradition of Swiss neutrality, and contributed to an already very difficult atmosphere at the roundtable.

Regardless of the final settlement of Kosovo's status, bringing stability to Kosovo and the region will clearly require greater communication across ethnic lines. PER will continue to play an active role as a neutral facilitator of such dialogues, both on the regional level, as at Lucerne, and among national and local actors on their specific problems of daily interethnic coexistence.

We are deeply grateful to EDA for providing essential financial and logistical support in making the Lucerne roundtable possible. We would especially like to acknowledge Swiss Federal Councilor Micheline

Calmy-Rey, who heads EDA, along with Jean-Jacques de Dardel, Thomas Greminger, Yvana Enzler, Wilhelm Meier, Roland Salvisberg, and Oliver Bulaty, also of EDA. From the Project on Ethnic Relations, Alex N. Grigor'ev, Nenad Djurdjevic, and Leon Malazogu deserve special thanks as well for their work in planning and organizing the roundtable.

We would also like to thank Allen H. Kassof, PER's President Emeritus and Senior Advisor, for once again agreeing to chair the roundtable.

Finally, we express our great appreciation to the participants for their willingness to speak frankly and openly on contentious and often sensitive issues.

In order to encourage frank dialogue, it is PER's practice not to attribute remarks to specific individuals but to provide summaries of the discussions. PER Program Officer Alan Moseley is the author of this report, which has not been reviewed by the participants, and for which PER assumes full responsibility.

Livia B. Plaks, *President*

Princeton, New Jersey
September 2005



From left to right: Micheline Calmy-Rey and Roland Salvisberg.

NOTE ON TERMINOLOGY

In this report, the spelling of the name “Kosovo” is used (rather than “Kosova,” the spelling preferred by Albanians, or “Kosovo and Metohija” or “Kosmet” preferred by Serbs) because that is the spelling most commonly used in the English-speaking world. For the same reason, Serbian names of places are used, for example, Pristina and not Prishtina. However, the spelling “Kosova” is used in the names of Kosovo Albanian political parties and organizations. The term “Kosovo” is used as an adjective for Kosovo’s inhabitants, whether Albanians, Serbs, Roma, Turks, or others.

“Serb” is used as an ethnic term, whereas “Serbian” is employed when referring to Serbia.



From left to right: Livia Plaks and Jovan Manasijevski.



From left to right: Lutfi Haziri and Misa Djurkovic.

INTRODUCTION

Six years after Kosovo was placed under the interim administration of the United Nations, 2005 has been called a decisive year for the province. The first indication that this is indeed the case came in March, when the UN Secretary General appointed a Special Envoy to conduct a comprehensive review of the so-called democratic “standards” mandated for Kosovo. Following this review, and depending on its outcome, in the fall of 2005, a formal process for resolving Kosovo’s status will be launched by the UN.

In early 2005, while the international community appeared to be moving forward on the Kosovo issue, authorities in Belgrade and Pristina showed some signs of breaking their ongoing stalemate over official communication. Throughout the spring, reports of a potential meeting between Serbian President Boris Tadic and Kosovo President Ibrahim Rugova appeared in the media, but an actual encounter failed to materialize. With Kosovo Serbs continuing to boycott provisional institutions of self-government in Pristina, the positions of Serbs and Albanians over Kosovo appeared as entrenched as ever.

While realizing that the large question of Kosovo’s status will only be resolved through a process established by the United Nations, the Project on Ethnic Relations nonetheless judged that an informal and off-the-record dialogue among Albanians, Serbs, leaders of neighboring countries, and representatives of international organizations could be of value at this time. In July 2005, in cooperation with the Swiss Federal Department of Foreign Affairs, PER convened a roundtable discussion under the title “Kosovo and the Region Prepare for Change: Relations, Responsible Governance, and Regional Security.” The agenda for the discussion included three broad topics: the regional implications of Kosovo’s future status, possibilities for high-level dialogue between Belgrade and Pristina, and relations between Kosovo’s Albanian and Serb communities.

As more than one participant in the meeting pointed out, the approaching negotiations over Kosovo’s status have led Serbs and Albanians to harden their positions, and readiness to compromise over essential questions was not greatly in evidence at the roundtable. The Lucerne meeting did, however, represent a breakthrough in one small but crucial respect, as it was the first international discussion on Kosovo in four years in which

the leadership of the Serbs from Mitrovica and the northern part of the province was represented. While these leaders are known for their hard-line position, and their contributions at Lucerne were no exception, they do command significant support in the Serb-dominated north, and reaching a settlement with them will be a necessity for any government in Pristina that hopes to build a functional multiethnic Kosovo (of whatever final status). Implementing decentralization, a key “standard,” will especially require their cooperation. The Lucerne roundtable was a first step toward establishing some direct contact between these Serbs and Pristina, and PER will focus on deepening their nascent relations in the coming months.

As this report documents, many differences that emerged at the roundtable appear extremely hard to bridge. By the end of the discussion, one international participant expressed his view that “it is clear that a solution will have to be imposed from outside—no negotiations will happen.” Whether or not this is true will become clear in the coming months. Nonetheless, many of the challenges Kosovo is facing—decentralization, refugee returns, building inclusive democratic institutions, and establishing rule of law—will require some degree of interethnic cooperation, both between Albanians and Serbs in Kosovo and between Belgrade and Pristina. The Lucerne roundtable provided a rare chance for all sides to communicate directly about their priorities and concerns, and to judge where compromise may be possible, and where, for the time being, it may remain out of reach.



From left to right: Allen Kassof, Zoran Loncar, and Thomas Greminger.

KOSOVO'S NEIGHBORS AND REACHING FUTURE STATUS

To begin the discussions the chair of the meeting first addressed Kosovo's neighbors. Setting aside the question of Kosovo's final status, he said, what do the neighbors expect from the process of reaching a solution for Kosovo? What are their fears?

The first participant to take up these questions was a senior political leader from Macedonia. He declined to take a strong position on Kosovo's final status and the process of reaching a settlement for the province, emphasizing only that in his view it is very important that regional neighbors be involved in the discussion. There must be a medium for the neighbors to express their concerns during status negotiations, he said. This will help both the outcome and the perception of the process. He added that the practice of involving Kosovo's neighbors in discussions about Kosovo that started with a PER roundtable in Bucharest in November 2004 is to be congratulated. “I hope that [the UN Secretary General's representative Kai] Eide will pick up this practice as well, and especially when the talks on final status start,” he said. He reminded participants that Macedonia managed to overcome a very difficult internal conflict in 2001, and offered his country's assistance in resolving the Kosovo issue. In this connection, he stressed that greater regional cooperation is essential for integrating Kosovo and supporting the province's development, mentioning that there has recently been a significant increase in official contacts between Kosovo and Macedonia.

There must be a medium for the neighbors to express their concerns during status negotiations.

An ethnic Albanian participant from Macedonia also rejected the view that stability in Macedonia is threatened by developments in Kosovo. Of course, he said, “Albanians in Macedonia cannot be indifferent” to Kosovo's fate, and “we think that the advancement of independence for Kosovo will create greater peace and stability in the region.”

A senior official from Montenegro avoided expressing a preference for any particular form of settlement for Kosovo. He stated that Montenegro is dedicated to continuing its policy of “active neutrality.” We are ready to

talk, he said, but do not want to take sides; our involvement would only make a very difficult process even more difficult. However, he did express his conviction that the undetermined status of Kosovo has harmed Montenegro's interests in at least one way, since "we are asked to wait for a resolution of our problem [i.e., Montenegrin independence from the state union of Serbia and Montenegro] until this is solved."

A member of the government in Bosnia and Herzegovina also stated that Bosnia and Herzegovina has no official position on Kosovo's final status. He observed that the Dayton agreement and the ensuing political arrangement in his country could be a good model, or at least source of valuable experience, for Kosovo. Regarding the potential effect of the independence of Kosovo in Bosnia and Herzegovina, he said that it would likely not have a direct impact, but it could encourage extremists—and not only in the Republika Srpska. Applying different principles in different cases (i.e., granting Kosovo independence while preventing other minorities in the former Yugoslavia from establishing their own states) "could certainly lead to the reopening of other problems," he said. For example, Croats in Bosnia and Herzegovina, or Bosnjaks in Sandzak might also aspire to a change in their "status," he suggested.

Finally, he asserted that "Bosnia and Herzegovina will not benefit from any radical solutions." "Negotiation and dialogue are the key words," he concluded.

A second participant from Bosnia and Herzegovina supported this emphasis on negotiations, stating that only through negotiations can a sustainable solution be reached. However, negotiations must be conducted on "an equal basis," argued this participant.

A representative of the Albanian government was the only neighbor at the roundtable who unequivocally expressed a preference for Kosovo's independence. He offered several reasons for this: Albanians in Kosovo represent an identity that is totally different, historically and culturally, from that of Serbia, he said. In addition, granting independence to Kosovo would in fact help the entire region, he argued, and, in particular, it would help Belgrade. Kosovo's independence is a precondition for resolving other problems of the region—especially economic problems, according to this participant. He posed a rhetorical question: if we don't give independence to Kosovo, would this help or hurt economic development and European Union integration for the countries of the Western Balkans? The future, he concluded, is independence.

Finally, he referred to the concept of "greater Albania," which calls for the unification of Albanian populations spread throughout Southeast Europe into one state. "Nobody in Albania thinks of this as an option," he said. He pointed out Albania's very constructive role in the region in recent years as evidence of this.

A participant from Romania argued that greater unity on the part of the international community is essential for resolving the Kosovo issue. "It is high time for the international community to speak with one voice on the question of Kosovo," he said. In addition, he argued that "the greatest change would be independence of Serbia from Kosovo," and that for this the international community must commence a very forceful and clear initiative, which would provide clear incentives for Serbia.

SERBS AND ALBANIANS IN KOSOVO: IS DECENTRALIZATION THE ANSWER?

A recurring theme of the roundtable was the decentralization effort in Kosovo. Albanian participants from Pristina generally painted a favorable picture of the decentralization process, while Kosovo Serbs and participants from Belgrade presented sharp criticism of the fundamental approach and application of decentralization policies.

On the Kosovo Albanian side, a minister in the government in Pristina described a two-track process that involves, first, reform of the legal infrastructure (the laws on local government, local finances, and local elections), and, second, a "testing phase," where pilot decentralization projects will be implemented in selected municipalities before being spread throughout Kosovo.

Returns are a crucial standard that must be met.

The second phase will help generate "lessons learned" that can be used to improve the decentralization process in the future, he said.

While emphasizing the progress that is being made with decentralization, this participant noted that "I do not pretend that decentralization will resolve all ethnic issues." He placed Kosovo's decentralization program in the context of the EU's principle of "subsidiarity," and stated that at present five of thirty municipalities in Kosovo are led by members of ethnic minorities.

He also cited the Ohrid Framework Agreement (OFA) that brought an end to a violent conflict in Macedonia between ethnic Albanians and Macedonians, arguing that this agreement, as an instrument of conflict resolution, was “political in nature,” whereas the approach being taken in Kosovo is a “product of consensus” that has “avoided the mistakes of Ohrid.” In contrast to Macedonia’s decentralization scheme, he asserted that the decentralization program in Kosovo will not involve changing

Consensus does not mean that we go to every Serb house and ask for agreement...We go to political representatives.

municipal boundaries. This, he said, “is not tolerable and cannot happen,” although some sub-municipal units will be established within existing municipalities.

A Serb leader from Kosovo strongly rejected the approach to decentralization being taken by the Kosovo government. The scheme described

by the Albanian participants, he said, is “too narrow.” In particular, he argued that the stipulation that municipal borders cannot be changed is unacceptable.

A participant from Belgrade agreed that changes to municipal borders must be on the table. He argued that decentralization in Kosovo “is not only about good governance, or invoking and implementing the subsidiarity principle,” but rather concerns, most importantly, “security for Serbs, freedom of movement, and especially returns.” Until decentralization brings Serb police, judges, etc., where Serbs live, he said, Serb refugees will be extremely reluctant to return to their homes in Kosovo. These returns are a crucial standard that must be met, he continued. “President Tadic has been very clear about what he means by decentralization,” he said, “and so far we’re not there yet.”

Finally, he added that the approach whereby decentralization is first tested in pilot projects for selected municipalities and only later implemented throughout the province is unacceptably slow. This approach is designed to put off real decentralization until after the resolution of Kosovo’s status, he asserted, and this is not acceptable.

Another participant from Belgrade raised the issue of the decentralization plan prepared by Belgrade in 2004. If the international community still thinks that the UNMIK decentralization plan should be

“enriched” with the document from Belgrade, then Belgrade authorities are prepared to take an active part, he said.

A third Belgrade political figure stated that he believes that if the Kosovo Albanians would be responsive to some of the concerns of Serbs, such as their demand that the decentralization plan include language on the protection of human and minority rights, this would lead Kosovo Serbs to take part in the decentralization working groups. (This participation, he cautioned, would be distinct from Serb participation in Kosovo’s central government institutions. Before this can resume, the problem of the “representativeness” of potential Serb representatives would need to be resolved, he argued.)

Several Serb participants, from Kosovo as well as from Belgrade, rejected the notion that the current decentralization plan was based on a meaningful consensus with all residents of Kosovo. Certainly, one of these participants pointed out, a consensus has been achieved with the Albanian majority in Kosovo, and with international organizations, but not with Serbs.

Participants from Pristina strongly disagreed with this characterization of their decentralization program. A minister in the provisional government argued that he and his colleagues do meet with Kosovo Serbs, and said “we do not get the impression that [they] are dissatisfied with the process of decentralization.” “Consensus does not mean that we go to every Serb house and ask for agreement,” he went on. “We go to political representatives. The government made a decision, and it was discussed in parliament. It is true that the Serbian National Council did not take part, but if some political groups don’t take part it doesn’t mean that Serbs are not represented.”

He asserted that, in fact, “decentralization provides a lot of favors to minorities, and protects their rights.” From the point of view of economic development, he said, “perhaps it was not wise to give so much authority to local communities, but we wanted to do this.” Referring to the argument that municipal boundaries should be changed to reflect the ethnic composition of communities, he said that the European Union’s guidelines on decentralization do not recognize the “ethnic principle,” and, following this, the Kosovo provisional government has taken a “multiethnic approach.”

Finally, this participant questioned the consistency of Belgrade’s position: “you cannot ask for more rights for Serbs in Kosovo than they have in

Serbia.” Further, while much is heard about the lack of freedom of movement for Kosovo Serbs, he said, in fact there is also no freedom of movement for Albanians in the north of Kosovo. So, “you ask for freedom of movement but don’t allow it yourself.” Addressing the representatives from Belgrade and their offer to discuss decentralization, he asserted that “now you say you want a new document but in truth you want Kostunica’s plan to be the only document in Kosovo.”

WILL SERBS PARTICIPATE?

In the weeks before the roundtable, the question of Serb participation in Kosovo’s Provisional Institutions of Self Government (PISGs) had once again become current, with the leader of the Serbian List for Kosovo and Metohija publicly suggesting that he intended to end the coalition’s boycott and take the eight seats that it won in the October parliamentary elections. Despite these statements, however, coalition members still had not taken their seats by the time of the Lucerne roundtable, as it appeared that the government in Belgrade was still against this step.

The chair of the meeting directly asked a senior representative of the Serbian List for Kosovo and Metohija whether he will enter Kosovo’s institutions.

The participant answered in the affirmative, adding that “our legitimacy was won, we don’t want anyone to deny it.” “We want to protect the vital interests of the Serbs who live in Kosovo,” he went on. He argued that the non-participation of Serbs will not affect the work of Kosovo’s institutions, which are moving ahead with changes regardless of the Serb boycott. “Criticism at press conferences will not resolve problems,” he stated, “and I’m afraid that this is sometimes the only way we participate.”

A senior representative of the European Union endorsed this view, asserting that in Brussels the Serb boycott continues to be viewed as a bad mistake. He urged Serbs to end the boycott of the PISGs, and added that if Serbs rejoin Kosovo’s institutions “we will not see it as an endorsement of standards, but as protection of their interests.”

A number of other Serbs from Kosovo strongly rejected the possibility of participation. By way of explanation, a political leader who boycotted the October elections argued that “the problem does not lie in the willingness of Serbs to take part in institutions, but rather in the character

of the institutions—the good will of the other side.” He observed that UN Resolution 1244 guarantees the territorial integrity of Yugoslavia. In fact, however, Kosovo has gradually acquired all the prerogatives of a state, with new boundaries, passports, and a transformed but not disbanded Kosovo Liberation Army, which maintains arms, ranks, barracks, and so on. All of this took place over the objections of Serbs who were then full participants in the PISGs, he said.

He also recalled the proposal on decentralization that was offered by Belgrade last year but rejected by Pristina. This development seriously damaged Serbs’ hopes for fruitful participation in the Kosovo government, he said. Finally, he asserted that after the anti-Serb violence of March 2004, Serbs in Kosovo lost all confidence in the Kosovo institutions. “Our involvement in the PISGs was motivated by the desire to protect the rights of minority communities, but our inability to do this was one of the reasons we declined to participate last year,” he said.

Criticism at press conferences will not resolve problems.

A second Serb leader from Kosovo also identified the March 2004 violence as a turning point in Serbs’ attitudes toward the PISGs. He warned both Kosovo Albanian participants and members of the international community against “making the same mistake as Milosevic” by selecting “only the loyal Serbs” for political inclusion.

Finally, a participant from Belgrade also addressed the question of Serb participation in Kosovo’s institutions. In the view of the government in Belgrade, he said, “the experience of the past three years [of Serb participation in the PISGs] was such that it did not advance the legitimate and vital interests of the Serbs.” He denied that Belgrade had urged a Serb boycott of the parliamentary elections, but said that Belgrade’s position was that “there was no reason to invite them to participate.” At the same time, he noted that Belgrade was divided on this question, and that President Tadic did invite Serbs and Internally Displaced Persons (IDPs) to participate in the October elections, but virtually all chose not to. This was their decision, he implied, and it must be respected.

BELGRADE-PRISTINA DIALOGUE REMAINS OUT OF REACH

While virtually all participants expressed a commitment to dialogue between Serbs and Albanians over Kosovo, agreement as to how an official high-level Belgrade-Pristina discussion might be activated remained out of reach. A participant from Belgrade asserted that he believes there should be direct talks between Presidents Tadic and Rugova, and between Prime Ministers Kostunica and Kosumi: “We cannot move toward an acceptable solution without talking to each other,” he said. Such a meeting, however, he insisted, must take place on the territory of Serbia and Montenegro (including Kosovo). He suggested that extremists would only be encouraged by the failure of Presidents Tadic and Rugova to meet inside the country.

A member of the Kosovo government responded that he and his colleagues are ready for dialogue “at all levels,” but that there is a consensus that “there will be no dialogue with our northern neighbors on the final status of Kosovo.” Independence for Kosovo, he suggested,

Such a serious issue as a meeting between political leaders in a war torn region should not be used for small, daily political maneuvers.

is not negotiable, and the process for recognizing the province’s independence will be determined through an “international forum.”

A leader of an opposition party in Kosovo pointed out that he has long stressed the need for dialogue with all of Kosovo’s neighbors, and reminded the participants that Pristina has good relations not only

with Tirana, but also with Skopje and Podgorica. As regards Belgrade, he said that meetings have begun on the level of experts, and there are “positive signs.” We are breaking the taboo of non-communication, he said, and we also support discussions between Kosumi and Kostunica. “Pristina is not impeding a dialogue,” he concluded.

A third Albanian participant from Pristina accused Belgrade of playing an “unserious game” over the question of potential meetings between the presidents and prime ministers of Kosovo and Serbia. He pointed out that Serbian President Tadic twice visited Kosovo but on both occasions rejected then Prime Minister Ramush Haradinaj’s offer to meet. He

also referred to recent discussions over a possible meeting of Tadic and Rugova in Geneva organized by a Swiss NGO, asserting that all the arrangements had been made but Tadic again declined the opportunity. He concluded by stating that “such a serious issue as a meeting between political leaders in a war-torn region should not be used for small, daily political maneuvers.”

A participant from Belgrade responded, stating that President Tadic has a “principled position” that he will not meet with “suspected or indicted war criminals of whatever nationality.” *[In November 2004 Ramush Haradinaj, Kosovo’s then prime minister, was indicted by the International Criminal Tribunal for the Former Yugoslavia in the Hague. After a brief detention in the Hague, he is currently in Pristina awaiting trial.]* He added that Belgrade’s formal and informal offer had to do with holding a meeting in Belgrade or Pristina. He insisted that such a meeting must take place “in our country,” as a sign that Serbs and Albanians are prepared to “take control of our own destiny.”

The solution has to begin where the problems arose.

As for the possible meeting in Geneva, he asserted that Belgrade was not involved or consulted, and that “as far as we know this was a private initiative by a few individuals.”

The chair of the meeting pressed both sides over this apparent stalemate, but neither would give ground. Kosovo Albanians insisted that a Rugova-Tadic meeting can only be held in an international setting (i.e., outside of Serbia and Montenegro). Otherwise, they charged, Belgrade authorities will use the opportunity to claim to their home audience that “we got Kosovo back.” The Kosovo Albanians were also adamant that the final status of Kosovo could not be a subject of discussion between Belgrade and Pristina.

Serbs from Belgrade were just as insistent that a potential presidential or prime ministerial meeting can only take place on the territory of Serbia and Montenegro. “The solution has to begin where the problems arose,” they argued, “it is an issue of dealing with our own problems.” “We propose such a meeting without any conditions,” they claimed.

IRRECONCILABLE DIFFERENCES

The roundtable discussions revealed a number of clashing assumptions and principles that appeared extremely difficult to bridge. While Albanian participants insisted that self-determination “is the right of all people throughout history,” and that indeed “Kosovo has been

No outcome is preordained, and none is excluded.

independent since June 1999,” Serbs repeatedly cited international law to support their position that an independent Kosovo is out of the question. “Independence is not acceptable to my government,” said one participant from Belgrade, “as it would not be to any government.” A member of the Serbian government said that Belgrade will participate in negotiations, “but only to the extent that [they] are in accordance with the generally accepted principles of international law and the United Nations since 1945.” Another Serb participant from Belgrade, referring to the implementation of “standards,” in Kosovo, said that “rule of law is a key standard, and international law applies as well.” Others referred to UN Resolution 1244, which, they claimed, “is very clear that Kosovo lies under Serbian sovereignty,” and which mentions “broader autonomy, but not any form of independence.” We cannot accept a revision of this, they asserted.

A Kosovo Serb political leader also argued that “a solution must be based on international law,” and accused the international community of applying a double standard for Serbia: in Bosnia a unitary principle is employed, he said, while for Kosovo the approach is one of separation.

Another Serb participant from Belgrade took up this theme. Granting the independence of Kosovo means the partition of Serbia, he said, and this sets a dangerous precedent for other groups such as Kurds in Iraq, the Abkhazians and South Ossetians in Georgia, and between the Taiwanese and China. There are much stronger arguments for independence in these cases, he argued, and yet nobody calls for partition. Continuing this line of thought, a member of the government in Belgrade pointed out that the principle applied by the international community in the 1990s was that of “inviolable borders,” and that abandoning this principle now will jeopardize regional stability.

Finally, a Belgrade participant asserted that the goal of the international intervention over Kosovo in 1999 was not to win independence for the

province, but “to prevent violation of human rights.” “If we now say that independence is the only solution,” he went on, “then I have to remind members of the international community that military intervention was aggression against a sovereign state.”

A senior member of the UN mission in Kosovo offered two responses to these arguments. First, regarding UN Resolution 1244, he said that one of the responsibilities of the Special Representative of the Secretary General is to facilitate a process that will resolve Kosovo’s status, taking into account the Rambouillet accords. This last part is very important, he said, since according to Rambouillet “no outcome is preordained, and none is excluded.” Since international law is made by the international community, “any outcome that the international community devises will be consistent with international law by definition.”

Second, referring to the statement that the 1999 military intervention was humanitarian in nature, he said this was “part, but not the immediate catalyst.” The immediate catalyst for the campaign, he said, was Milosevic’s refusal to sign the Rambouillet agreement.

On a related subject, a member of a European government offered a clarification of her government’s earlier expression of support for an independent Kosovo. “Formal independence can take many forms,” she said, and she emphasized that “the Serb minority in Kosovo must be protected.”

Another subject that generated clashing views was the current situation in Kosovo, and the future prospects for minorities in the province. Albanians generally described progress in Kosovo, while Serbs repeatedly cited widespread criminality, calling the province the center of organized crime in the region. Albanians disputed this, and asserted that crime statistics in Kosovo are comparable to those in Sweden.

An Albanian participant from the government in Pristina described his vision for Kosovo’s future. “What we want to build,” he said, “is a democratic Kosovo, that believes in human rights, protection of minorities, and the rule of law. We want all cultural and religious heritage protected.” “This is the vision,” he stated, “but it is not easy, and we need support in this last part of the journey.” He rejected the argument that an independent Kosovo would be a Kosovo without Serbs. “We heard this in Croatia as

We don’t intend to build Kosovo only for Albanians.

well, he said, but there are still Serbs there, and also in the Croatian government.” Another Kosovo Albanian participant asserted that President Rugova represents not just the Kosovo Albanians, but all the citizens of Kosovo, and that “as far as we are concerned [Kosovo Serbs] are full and integral citizens of Kosovo.”

A leader of the opposition in Pristina continued this theme. He announced that he has been involved in working on a new constitution for Kosovo,

All sides are struggling to establish the best starting positions.

that the constitution will be “modern,” and that “we don’t intend to build Kosovo only for Albanians.” He listed a number of principles that will be included in the constitution, among them: civic democracy, the rule of law, the return of IDPs,

dual citizenship, the right of education of all citizens, a market economy, and the right of Belgrade to be involved “in all legitimate ways.” Kosovo will have its own security mechanism and police, he said, and will be a member of the EU and an active member of the war on terrorism. A large standing army, however, is not part of the vision, he said.

Serbs took issue with these optimistic descriptions of Kosovo’s progress and future prospects. One participant from Belgrade reminded the roundtable that no perpetrators of the March 17 violence had yet been punished. Thirty-five Serb churches and many houses were burned, he said, and of 16,000 applications filed by Serbs for property damages, only 80 have received hearings. “So much for the rule of law when Serbs are concerned,” he concluded.

Other Serbs from Kosovo sharply disputed the positive descriptions of life for minorities in Kosovo. Conditions in the Serb enclaves, said one, are “inhumane.” They expressed strong doubts about the future of Serbs in an independent Kosovo. If a solution is imposed that does not take the interests of both sides into account, they said, the result may be “an additional—and maybe final—ethnic cleansing.”

CONCLUSIONS: AN END TO DIALOGUE?

A number of participants in the discussion suggested the possibility that dialogue may no longer be a realistic way to resolve differences between Serbs and Albanians over Kosovo. One pointed out that, with formal status negotiations just over the horizon, all sides are “struggling to establish the best starting positions.” He cautioned against this situation, however, arguing that “when there is no progress in discussions, there is room for violence, and violence creates new realities.” “Wasting time will only help extremists,” he said, and he suggested that in his view, the best approach now is to see if there is any way Serbs can rejoin Kosovo’s institutions, whether through new elections or some other arrangement.

Several international participants were less optimistic about the potential for constructive dialogue under the current circumstances. One offered the view that discussions such as the present one raise expectations, which are then disappointed, and suggested that “perhaps it is better to avoid dialogue if it cannot be fruitful.” He reminded the Serbs and Albanians at the table that the international community also has its own legitimate interests of stability and security, and stated that perhaps the time has come to convey the message that “if you cannot talk to each other about issues of daily security, then we have to defend our own interests and impose a decision on you.”

A senior representative of the European Union struck a similar note, stating that “dialogue is important, but not absolutely critical.” The UN Secretary General will appoint an envoy for Kosovo depending on the results of Special Envoy Kai Eide’s review of standards, and a process for resolving Kosovo’s status will move forward. He emphasized, however, that no solution has been preordained.

Finally, contemplating future scenarios for Kosovo and the region, Serb and Albanian participants offered contrasting assessments. A Kosovo Serb framed his view of the future in terms of two options: first, a “win-win” compromise solution, where the interests of both sides are taken into account. The alternative to this, he said, is an imposed solution in which “the strong win everything and the weaker get nothing,” and all the consequences that would follow from this.

Perhaps it is better to avoid dialogue if it cannot be fruitful.

An Albanian participant from Pristina also spoke of two options, placing the issue in the context of European integration: “Belgrade has two choices,” he said, “Europe or Kosovo.” “If it chooses Kosovo it will lose both,” he concluded.

A U.S. participant offered some concluding observations, advising the Serbs and Albanians at the table to take advantage of the attention Kosovo is currently receiving to find some sustainable solutions to their differences. The continuing deadlock only harms the entire region, she said, as foreign investors are reluctant to become involved in a region that is still seen as unstable. “Perhaps direct dialogue is not necessary,” she said, “but you still must find some way to live together.” “Bring some hope to your populations,” she urged the participants, “look to the future.”



Ferhat Dinoshaj



Stefan Lehne



Ardian Gjini



From left to right: Larry Rossin, Allen Kassof, and Micheline Calmy-Rey.



From left to right: Yvana Enzler and Jasmina Pasalic.

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From left to right: Roman Plevak and Oliver Ivanovic.



From left to right: Hashim Thaci and Adrian Severin.



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