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## Kosovo and Metohija: Serbia's Troublesome Province\*

**Abstract:** Kosovo and Metohija, the heartland of medieval Serbia, of her culture, politics and economy (1204–1455), experienced continuous waves of spiralling violence, forced migration and colonization under centuries-long Ottoman rule (1455–1912). A region which symbolizes the national and cultural identity of the Serbian nation as a whole now has an Albanian majority population, who consider it an ancient Albanian land, claiming continuity with ancient Illyrians. Kosovo was reincorporated into Serbia (1912) and Yugoslavia (1918) as a region lacking tradition of inter-ethnic and inter-religious tolerance and cooperation. The two rivalling Kosovo nations, Albanians and Serbs, remained distant, maintaining limited interethnic communication throughout the twentieth century. The mounting national and ideological conflicts, reinforced by the communist ideology, made coexistence almost impossible, even after the 1999 NATO bombing campaign and establishment of KFOR-secured UN administration. Kosovo's unilateral declaration of independence in February 2008 is a dangerous attempt to establish a second Albanian state extended into the heartland of Serbia, a failed state cleansed of both Serbs and other major non-Albanian communities.

**Keywords:** Serbia, Kosovo, ethnic strife, nationalism and communism, Kosovo crisis, NATO bombing, war against Yugoslavia, international protectorate

### *Imagining Kosovo: opposing historical views*

Even the word *Kosovo* (*kos* means “blackbird” in Serbian) has opposing significance to the rival ethnic communities. The Serbs see Kosovo (with Metohija) as the Serbian “Holy Land”, whose impressive cultural and economic rise in medieval times was brought to a halt by the Ottoman conquest. For the Serbs, the Battle of *Kosovo* — or more precisely *Kosovo Polje* (Blackbird Field) — fought between the Serb and Ottoman armies in 1389, and marked by the death of both rulers, Prince Lazar and Sultan Murad, came to symbolize their plight under foreign rule and their struggle for freedom.<sup>1</sup> During the centuries of Ottoman domination, the sacrifice sus-

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\* An earlier version of this paper was presented at the University of Ottawa, Canada, on 6 March 2008.

<sup>1</sup> S. Marjanović-Dušanić, “Patterns of Martyrial Sanctity in the Royal Ideology of Medieval Serbia. Continuity and Change”, *Balkanica* XXXVII (2006), Institute for Balkan Studies, Belgrade: Serbian Academy of Sciences and Arts, 2007; T. A. Emmert,

tained in the Battle of Kosovo and subsequent hardships acquired legendary proportions and were immortalized in Serbian epic poetry.<sup>2</sup> Seen as a sacred land, a medieval source of Serbian culture, art, spiritual and political traditions, Kosovo became a pillar of modern Serbian identity. Furthermore, Kosovo has been traditionally perceived as a holy land from which Serbs were repeatedly driven out in the past and from which they are being expelled by a rival ethnic group even today. This situation resulted, as evidenced by Serbian sources, from an organized and systematic action, perpetrated primarily by Muslim Albanians who had been settling in the region as legal and illegal immigrants, and for social, religious and political reasons, at various periods during the rule of the Ottomans, the Italian fascists and Tito's communists.<sup>3</sup>

The ethnic Albanians are fond of Kosovo as the stronghold of their main national movement, "Albanian League", founded in Prizren in 1878 on the eve of the Congress of Berlin. All Albanians, including the Kosovo Albanians, see Kosovo as symbolizing an "ancient Albanian land", Dardania, which directly, in ethnic terms, links the ancient Illyrians with the modern-day Albanian community in the province. This romantic historical notion, originally concocted in Austria-Hungary in the late nineteenth century for the political purpose of finding a common denominator uniting the divided Albanian tribes,<sup>4</sup> was additionally elaborated between the two world wars, and eventually the Illyrian theory was fully embraced by Albanian historians,

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"The Kosovo Legacy", in *Kosovo*, ed. W. Dorich (Alhambra, California: Kosovo Charity Found, Serbian Orthodox Diocese of Western America, 1992). For more, see R. Mihaljić, *The Battle of Kosovo in History and the Popular Tradition* (Belgrade: Beogradski grafičko-izdavački zavod, 1989).

<sup>2</sup> S. Koljević, *The Epic in the Making* (Oxford: Clarendon Press, 1978); N. Ćurčija-Prodanović, *Heroes of Serbia. Folk Ballads Retold* (Oxford: Oxford University Press, 1963); C. Stewart, *Serbian Legacy* (London: George Allen and Unwin, 1959).

<sup>3</sup> *Documents diplomatiques. Correspondance concernant les actes de violence et de brigandage des Albanais dans la Vieille Serbie (Vilayet de Kosovo) 1898-1899* (Belgrade: Ministère des Affaires Etrangères, 1899); Dj. Slijepčević, *Srpsko-arbanski odnosi kroz vekove s posebnim osvrtom na novije vreme* (Himelsthür: Eparhija zapadnoevropska, 1983); D. Bogdanović, *Knjiga o Kosovu* (Belgrade: Srpska akademija nauka i umetnosti, 1985); M. Rakić, *Konzulska pisma 1905-1911*, ed. A. Mitrović (Belgrade: Prosveta, 1985); A. Urošević, *Etnički procesi na Kosovu tokom turske vladavine* (Belgrade: Srpska akademija nauka i umetnosti, 1987); *Zadužbine Kosova. Spomenici i znamenja srpskog naroda* (Prizren-Belgrade: Eparhija raško-prizrenska, 1987); *Savremenici o Kosovu i Metohiji 1852-1912*, ed. D. T. Bataković (Belgrade: Srpska književna zadruka, 1988); *Le Kosovo-Metohija dans l'histoire serbe*, ed. R. Samardžić (Lausanne: L'Age d'Homme, 1990); D. T. Bataković, *The Kosovo Chronicles* (Belgrade: Plato, 1992).

<sup>4</sup> S. Skendi, *Albanian National Awakening, 1878-1912* (Princeton: Princeton University Press, 1967).

becoming an official ideology under the communist dictator Enver Hoxha.<sup>5</sup> The Illyrian theory views Albanians as direct descendants of the pre-Roman Illyrian tribe and labels Serbs as “Slavic invaders” who did not begin to settle in this ancient Albanian land until the seventh century AD.<sup>6</sup>

The Serbian monasteries and churches in Kosovo and Metohija — including four UNESCO World Heritage Sites of Serbia in Kosovo<sup>7</sup> — built in unusually large numbers between the early thirteenth and late fifteenth centuries, were, according to Albanian propagandists, constructed on the foundations of earlier “Illyrian churches”. Some of them indeed were built on earlier foundations, but those were the remains of Byzantine-era churches, which is a phenomenon typical of the “Byzantine Commonwealth”.<sup>8</sup>

The Serbian position is supported by tangible evidence. Apart from written historical sources, foreign and domestic, attesting to Serbian presence in the area, there still are in Kosovo thirteen hundred Serb Orthodox Christian churches, monasteries, monuments, and archaeological sites.<sup>9</sup> The

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<sup>5</sup> Nathalie Clayer, *Religion et nation chez les Albanais aux XIXe-XXe siècles* (Istanbul: Les Éditions ISIS, 2002).

<sup>6</sup> *Albanians and Their Territories*, ed. A. Buda (Tirana: 8 Nëntori, 1985); *The Truth on Kosovo* (Tirana: Institute of History, Academy of Sciences of the Republic of Albania, Encyclopaedia Publishing House, 1993). For a recent analysis see *Albania and the Albanian identities*, ed. A. Zhelyazkova (Sofia: International Center for Minority Studies and Intercultural Relations, 2000); *Albanian Identities: Myth & History*, eds. S. Schwandner-Sievers and B. J. Fischer (London: Hurst & Co, 2002).

<sup>7</sup> The Monastery of Visoki Dečani was the first that was listed as a World Heritage site (2004), and the extension in 2006 included the Patriarchate of Peć, the Monastery of Gračanica, and the Church of the Holy Virgin of Ljeviša in Prizren (Serbia: Date of Inscription: 2004; Extension: 2006, Criteria: (ii)(iii)(iv); Property: 2.8802 ha; Buffer zone: 115.3879 ha Autonomous province of Kosovo; N42 39 40 E20 15 56; Ref: 724bis). UNESCO describes them as follows: “The four edifices of the site reflect the high points of the Byzantine-Romanesque ecclesiastical culture, with its distinct style of wall painting, which developed in the Balkans between the 13th and 17th centuries. The Dečani Monastery was built in the mid-14th century for the Serbian king Stefan Dečanski and is also his mausoleum. The Patriarchate of Peć Monastery is a group of four domed churches featuring series of wall paintings. The 13th-century frescoes of the Church of Holy Apostles are painted in a unique, monumental style. Early 14th-century frescoes in the church of the Holy Virgin of Ljevisa represent the appearance of the new so-called Palaiologian Renaissance style, combining the influences of the eastern Orthodox Byzantine and the Western Romanesque traditions. The style played a decisive role in subsequent Balkan art.” (<http://whc.unesco.org/en/list/724/>)

<sup>8</sup> For more see G. Subotić, *Art of Kosovo: The Sacred Land* (New York: Monacelli Press, 1998).

<sup>9</sup> Comprehensive documentation available in *Zadužbine Kosova. Spomenici i znamenja*, passim.

process of ethnic change unfolding from the seventeenth to the twentieth century, by which Albanians gradually replaced Serbs as Kosovo's majority population, is well documented as well. Among its causes, the primary one was foreign oppression, which often obtained Albanian support. On the other hand, there is no tangible scholarly evidence for ethnic or cultural continuity between ancient Illyrians and modern Albanians: the relevant historical sources of the sixth to eleventh centuries remained completely silent on this matter.<sup>10</sup> Plentiful place-names in Kosovo (including the name of the province) are of Slavic, i.e. Serbian origin. Nothing of this was enough to prevent the creation of a modern Albanian mythology based on the purported continuity with ancient Illyrians, a theory strongly supported by a number of foreign scholars in an often biased and bizarrely passionate way.<sup>11</sup>

What the Serbs in the case of Kosovo have almost entirely on their side is historical accuracy, while the current demographics are heavily on the Albanian side. It is no wonder then that the contemporary Albanian interpretation of Kosovo's past is not guided by the historical accuracy motive. Rather it is a case of historical revisionism that, by projecting the current demographic situation back into the past, seeks to provide its legitimacy and thus discredit any claim, past or present, Serbia might lay to Kosovo.<sup>12</sup> The

<sup>10</sup> *Illyriens et Albanais*, ed. M. Garašanin (Belgrade: Académie serbe des Sciences et des Arts, 1990); cf. G. Jandot, *L'Albanie d'Enver Hoxha 1944-1985* (Paris: L'Harmattan, 1994), 25-26, quoting Alex Buda, President of the Albanian Academy of Science, on discontinuity between Illyrians and Albanians.

<sup>11</sup> See N. Malcolm, *Kosovo. A Short History* (New York: New York University Press, 1998), and the review by A. Djilas, "Imagining Kosovo: A Biased New Account Fans Western Confusion", *Foreign Affairs* (September 1998). For a less biased but still incomplete history of Kosovo, see M. Vickers, *Between Serb and Albanian. A History of Kosovo* (London: Hurst & Co., 1988). In French-speaking countries, for an example of ardent support to the Albanian hard-line position, see M. Roux, *Les Albanais en Yougoslavie. Minorité nationale, territoire et développement* (Paris: Editions de la Maison des Sciences de l'Homme, 1992).

<sup>12</sup> D. T. Bataković, *Kosovo. La spirale de la haine* (Lausanne: L'Age d'Homme, 1998); two useful insights into the different and essentially irreconcilable Serbian and Albanian positions on Kosovo can be found in the proceedings of two conferences held under the auspices of European mediators: *Kosovo-Kosova. Confrontation or Coexistence*, eds. G. Duijzings, D. Janjić and S. Maliqi (Peace Research, University of Nijmegen, Political Cultural Centre 042, 1996), and *Kosovo. Avoiding Another Balkan War*, eds. Th. Veremis and E. Kofos (Athens: Eliamep, University of Athens, 1998). See also *Kosovo. Contending Voices on Balkan Interventions*, ed. W. J. Buckley (Grand Rapids, Michigan and Cambridge, UK: William B. Eerdmans Pub. Co., 2000). For a German pro-Albanian view, see *Kosovo/Kosova. Mythen, Daten, Fakten*, eds. W. Petritsch, K. Kaser and R. Pichler (Klagenfurt-Vienna: Wieser Verlag, 1999). More balanced is a standard Italian

final objective is to secure international recognition of the area of 10,887 square kilometres of this troublesome Serbian province as a new country of “Kosovars“, allegedly a new nation. In actual fact Kosovo is a second Albanian state ethnically cleansed of both Serbs and other non-Albanian communities, a second Albanian state extended into the medieval heartland of contemporary Serbia.

*From Ottoman dominance to a Serbian and Yugoslav realm*

Once a Roman and subsequently Byzantine possession, the region known as Kosovo and Metohija was the central part of medieval Serbia, and the homeland of two of her five medieval dynasties. It was the hub of her culture and her religious centre. From the late thirteenth century the see of the Serbian Orthodox Church was at Peć, in Metohija, a region known for the many church-owned Serbian royal endowments.<sup>13</sup> The Battle of Kosovo in 1389 marked a turn of the tide. The Ottoman Turks gradually conquered the area. Kosovo and Metohija, part of the Despotate of Serbia, was conquered in 1455, and the rest of the Serbian Despotate fell only several years later (1459).<sup>14</sup>

Frequent wars fought between the Ottoman and Habsburg empires led, on the one hand, to forced migrations of the Serbs from Kosovo, Metohija and adjacent areas — later subsumed under the name Old Serbia — the most massive being those of 1690 and 1739, and, on the other, to a mass inflow and settlement of Albanians from Albania proper.<sup>15</sup> The whole region, in which tribal and feudal anarchy reigned supreme, remained under Ottoman rule for almost a century longer than the areas of central and northern Serbia. The Old Serbia (*Vilayet* of Kosovo) was liberated in the First Balkan

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overview covering the contemporary period, M. Dogo, *Kosovo. Albanesi e Serbi: le radici del conflitto* (Lungro di Cosenza: Marco, 1992). Balanced and accurate among the latest works is J.-A. Dérens, *Kosovo. Année zéro*, preface M.-A. Nowicki (Paris: Paris-Méditerranée, 2004). See also a very useful book, A. Troude, *Géopolitique de la Serbie* (Paris: Elipses, 2006).

<sup>13</sup> C. Jireček, *La civilisation serbe au Moyen Âge*, transl. from German L. Eisenmann, preface E. Denis (Paris: Bossard, 1920); M. Lutovac, *La Metohija. Etude de géographie humaine* (Paris: Institut des Etudes Slaves, 1935); *Cultural Heritage of Kosovo and Metohija*, ed. M. Omčikus (Belgrade: Institute for the Protection of Cultural Monuments of the Republic of Serbia, 1999); Z. Rakić, *The Church of St. John the Baptist at Crkolez* (Belgrade: Institute for the Protection of Cultural Monuments of the Republic of Serbia, 2007); *Visoki Dečani Monastery*, ed. by the Dečani monks (Dečani: Visoki Dečani Monastery, 2007).

<sup>14</sup> S. M. Ćirković, *La Serbie au Moyen Age* (Paris: Zodiaque, 1992).

<sup>15</sup> O. Zirojević, *Srbija pod turskom vlašću (1459-1804)* (Novi Pazar: Damad, 1995).

War in late 1912. Kosovo was reincorporated into the Kingdom of Serbia, while the eastern part of Old Serbia, known as Metohija, went to another Serb state, the Kingdom of Montenegro. The two areas, Kosovo and Metohija, were reintegrated when Montenegro united with Serbia at the end of the First World War. Serbia was fully restored and additionally strengthened by her important military contribution to the final Allied victory.

In December 1918, Serbia responded to the demands of the Slovenes, Croats and Serbs of the defunct Austria-Hungary, and created a new entity, the Kingdom of Serbs, Croats and Slovenes, from 1929 known as the Kingdom of Yugoslavia. During the interwar period Kosovo and Metohija remained an integral part of Serbia, belonging to several of her administrative and political units (*oblasts* or *banovinas*). The implementation of extensive social and agrarian reforms led to the repopulation of the area by roughly 60,000 Serb colonists.<sup>16</sup>

The questionnaires used in two official interwar censuses (1921 and 1931) contained questions about religious affiliation and native language, rather than ethnic origin or national identity. Even so, present-day Kosovo and Metohija had a relative Albanian majority in demographic terms, a fact that strongly contradicts all propagandistic allegations, both inter-war and post-war, about a mass migration or mass expulsion of Kosovo Albanians (1919–1941). According to the 1921 Yugoslav census, Kosovo had a population of 436,929, with Albanians (i.e. Albanian-speaking inhabitants) accounting for 64.1 percent, while in 1931 Albanians accounted for 62.8 percent of a total of 552,064.<sup>17</sup>

Recently made estimates, which are based on the 1921 and 1931 censuses and take into account internal military documents created in 1939, show an increasing trend for the Serbs within the present-day boundaries of the province in both relative and absolute terms: according to the 1921 census, they accounted for 21.1 percent; in 1931 — 26.9 percent; and in 1939 — 33.1 percent or 213,746. The Albanian population also increased: from 288,900 in 1921 to 331,549 in 1931, and to 350,460 in 1939. The

<sup>16</sup> B. Krstić, *Kosovo. Facing the Court of History* (New York: Humanity Books 2004), 80–95.

<sup>17</sup> Interwar censuses quoted by H. Isljami, “Demografska stvarnost Kosova”, in *Sukob ili dijalog. Srpsko-albanski odnosi i integracija Balkana* (Subotica: Otvoreni univerzitet, 1994), 39–41. Within the French-inspired *banovina* system introduced by King Aleksandar I Karadjordjević in 1931, the distribution of ethnic Albanians was as follows: 16 percent in Zetska *banovina* (most of Metohija and today’s Montenegro with Dubrovnik); 3.36 percent in Moravska *banovina* (central Serbia with northern Kosovo); and 19.24 percent in Vardarska *banovina* (eastern and southern Kosovo, Prizren and the Gora region, and Slavic Macedonia). As for ethnic Turks, they accounted for 7.91 percent of the population in Vardarska *banovina*, mostly in the Prizren area.

third largest ethnic group, Turks, decreased from 6.3 percent in 1921 to 3.8 percent in 1939.<sup>18</sup> The increase in the number of Serbs did not result only from the inflow of settlers. The figure also includes some 5,000 state-appointed officials and technical personnel.<sup>19</sup>

### *Regional rivalries and nationalist movements*

After 1918 Italy emerged as a new regional power and assumed the role of Albania's main protector and certified interpreter of Albanian interests. Rome continued its old policy of stirring Serb-Albanian strife, now rivalling the Kingdom of Serbs, Croats and Slovenes for supremacy in the Eastern Adriatic. For several years (1918–1924) Kosovo and Metohija remained a restless border area constantly threatened by Albanian outlaws (*kaçaks*) supported by the “Kosovo Committee”, an organization of Albanian emigrants from Kosovo whose struggle for a “Greater Albania” involved frequent terrorist incursions into the Yugoslav territory.<sup>20</sup>

In security terms, the whole area sustained frequent outlaw raids from Albania, which often targeted Serb colonists and Yugoslav state officials, in particular in the Drenica area.<sup>21</sup> The Serbian Orthodox Church, in the Ottoman period racketeered by local Albanian chieftains for armed protection against their fellow tribesmen, remained the preferred target of *kaçak* attacks, to the extent that in the 1920s both the Monastery of Dečani and the Patriarchate of Peć had to be placed under military protection. The royal Yugoslav authorities, struggling to build a long-term security, responded with severe and often brutal military and police measures against the local outlaws and the raiders from Albania, and occasionally retaliated against the local Albanian civilians as well.<sup>22</sup>

<sup>18</sup> M. Vučković and G. Nikolić, *Stanovništvo Kosova u razdoblju 1918–1991. godine* (Munich: Slavica Verlag, 1996), 80–82; J. A. Mertus, *Kosovo. How Myths and Truths Started a War* (Berkeley: University of California, 1999), 315–318.

<sup>19</sup> Dj. Borozan, “Kosovo i Metohija u granicama protektorata Velika Albanija”, in *Kosovo i Metohija u velikoalbanskim planovima 1878–2000* (Belgrade: Institut za savremenu istoriju, 2001), 125–126.

<sup>20</sup> For more see M. Dogo, *Kosovo. Albanesi e Serbi*, passim.

<sup>21</sup> In 1922 alone, Albanian outlaws (*kaçaks*), who were celebrated by the local Albanian population as national heroes, committed fifty-eight murders, eighteen attempted murders, thirteen assaults and seventy-one robberies. In Metohija alone there were at least 370 active *kaçaks*, led by Azem Bejta in the Drenica area. Cf. D. Maliković, *Kačaki pokret na Kosovu i Metohiji 1918–1924* (Leposavić–Kosovska Mitrovica: Institut za srpsku kulturu, 2005).

<sup>22</sup> Ample documentation available in Lj. Dimić and Dj. Borozan, *Jugoslovenska država i Albanci*, 2 vols. (Belgrade: Službeni list SRJ, 1998); for the Albanian, mostly romantic,



The “Kosovo Committee” was financed and armed by different Italian governments. The Albanians in the Kingdom of Yugoslavia, the same as in pre-war Serbia (1912–1915, 1918), were an ethnic minority who largely harboured a hostile attitude towards the new state ruled by their former Slavic serfs. Yet, the influential Albanian beys of Kosovo and neighbouring areas reached an agreement with Belgrade concerning the preservation of their own privileges, and found the guarantee of religious rights for their clansmen satisfactory enough. They showed no interest in improving their inadequate minority rights, in providing secular education and broader cultural activities in their native language.<sup>23</sup> As a predominantly conservative patriarchal community, Kosovo’s Muslim Albanians more often than not preferred religious to secular schooling, and Islamic to secular institutions.<sup>24</sup>

Muslim beys from Kosovo, Metohija and north-western Macedonia founded in 1919 a Muslim-oriented political party. The *Çemijet* entered into direct arrangements with Belgrade, offering political backing in exchange for a partial exemption from the agrarian reform. Supported by the local Muslim population (mostly Albanian, Turkish and Slavic), the *Çemijet* obtained twelve seats in the Yugoslav Parliament in the 1921 elections, and two more seats (14) two years later. Initially serving religious and social rather than political interests, the *Çemijet* gradually evolved into an organization that combined religious affiliation with distinctly national goals. As early as 1925, however, the party was banned by the royal Yugoslav authorities on the grounds of its clandestine ties with the remaining *kaçak* groups and the anti-Belgrade government in Tirana. For a certain period of time it continued to operate clandestinely and to recruit followers, mostly young men, for the Albanian national cause.

In the long-run, however, Belgrade proved unable to rival Mussolini’s growing influence in the region, Albania included. Under Ahmed Zogu, a former protégé of Belgrade and future king of Albania Zog I, Albania was drawn back into the political and economic orbit of fascist Italy.<sup>25</sup> The

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perspective on the *kaçak* movement, see L. Rushiti, *Lëvizja kaçakë në Kosovë (1918–1928)* (Pristinë: Instituti Albanologjik i Prishtinës, 1981).

<sup>23</sup> Under the Treaty of Saint-Germain (1919), minorities in Serbia within the borders of 1913 (including Kosovo-Metohija) were excluded from international protection; cf. R. Rajović, *Autonomija Kosova. Pravno-politička studija* (Belgrade: Ekonomika, 1987), 100–105.

<sup>24</sup> Roughly five percent of Kosovo Albanians, concentrated mostly in the Prizren area, and an insignificant number scattered elsewhere, are Roman Catholics while the rest are Muslims by faith, originating from the Albanian tribes of northern and central Albania.

<sup>25</sup> Ž. Avramovski, “Albanija izmedju Jugoslavije i Italije”, *Vojnoistorijski glasnik* 3 (1984), 153–180; R. Morrozzo della Rocca, *Nazione e religione in Albania (1920–1944)* (Bologna: Il Mulino, 1990), 151–166.

conflict with Mussolini's Italy and the Rome-controlled Albanian national movement were given fresh impetus as the Second World War drew near. Under Mussolini's patronage, Albanian emigrants from Kosovo and Metohija, the pro-Bulgarian IMRO movement in Yugoslav Macedonia, and the Croatian fascist forces (*Ustasha*), coordinated their guerrilla actions against the multinational and politically vulnerable Yugoslav kingdom.<sup>26</sup> Belgrade's ambitious plan to remove the growing threat to the stability of its southwestern border by means of arranging with Turkey (1938) a mass resettlement of the Albanian and Turkish populations from both Kosovo and Slavic Macedonia (*Vardarska banovina*) was never implemented due to the death of Kemal Atatürk, the fall of Milan Stojadinović's cabinet (1939), unsettled financial terms with Ankara and the outbreak of the Second World War.<sup>27</sup> The growing discontent of the Kosovo Albanians, expecting to receive decisive support from the fascist camp after Italy's occupation of Albania in 1939, remained a latent threat to Yugoslavia's security.<sup>28</sup>

*The Second World War: persecution, forced migrations, Albanization*

After the Yugoslav kingdom was dismembered by the Axis powers in April 1941, the Serbs, perceived as the main culprits for anti-Nazi resistance in the western Balkans, were severely punished by Hitler, in contrast to the Albanians, who were fully recompensed. By the decree of King Victor Emanuel III of 12 August 1941, most of Kosovo-Metohija was annexed to a fascist-sponsored "Greater Albania", a possession of the Italian crown. The new fascist rulers granted the Kosovo Albanians the right to fly their own flag and to use Albanian as a medium of instruction in schools. The newly-acquired national symbols received an enthusiastic response from the mostly tribal and rural Albanian population of Kosovo. Nevertheless, the Kosovo Albanians were not willing to restrict their activities to the cultural and political domains. There ensued a full-scale revenge against the Serbs,

<sup>26</sup> Cf. G. Zamboni, *Mussolinis Expansionspolitik auf dem Balkan. Italiens Albanienpolitik vom 1. bis z. 2. Tiranapakt im Rahmen d. italien.-jugoslaw. Interessenkonflikts u. d. italien. imperialen Bestrebungen in Südosteuropa* (Hamburg: Burke, 1970), 301–338.

<sup>27</sup> Individual proposals concerning mass resettlement or even expulsion of ethnic Albanians from the Kingdom of Yugoslavia, such as the infamous one proposed by the historian Vasa Čubrilović in 1937, were neither discussed nor accepted by the Yugoslav government which remained focused exclusively on the bilateral agreement with Ankara. Contrary to what is often strongly suggested by most Albanian and some Western scholars, there is no evidence in either the Serbian or Yugoslav military and civilian archives for any connection between Čubrilović's proposal and Yugoslavia's official policy.

<sup>28</sup> B. Gligorijević, "Fatalna jednostranost. Povodom knjige B. Horvata *Kosovsko pitanje*", *Istorija XX veka* 1–2 (Belgrade: Institut za savremenu istoriju, 1988), 185–192.

perceived as oppressors under the Kingdom of Yugoslavia.<sup>29</sup> At least 10,000 perished and roughly 100,000 were expelled.

Moreover, as early as 1941 a project was launched to settle Albanians from northern and central Albania on the abandoned farms of both native Kosovo Serbs and Serb colonists: “The Italian occupation force encouraged an extensive settlement program involving up to 72,000 Albanians.”<sup>30</sup> At various points during the Second World War, Kosovo was a real bloodbath, involving conquering armies and Albanian extremists. Large-scale destruction of Serb colonist villages was a major component of a strategic plan: to demonstrate to any potential post-war international commission responsible for drawing new borders that Serbs had never lived in Kosovo. A prominent Kosovo Albanian leader, Ferat-beg Draga, solemnly announced in 1943 that the “time has come to exterminate the Serbs [...] there will be no Serbs under the Kosovo sun.”<sup>31</sup>

In September 1943, after Mussolini was defeated and Italy capitulated, Kosovo came under the direct control of Nazi Germany. Albanian nationalism was spurred on by the creation of the “Second Albanian League”, while the infamous Albanian-staffed SS *Waffen* “Scanderbeg” division launched a new campaign of violence against the remaining Serbian civilians.<sup>32</sup> According to the first, although incomplete, post-war Yugoslav estimations, there were in Kosovo and Metohija 5,493 killed or missing persons and 28,412 imprisoned or disabled persons, most of them Serbs.<sup>33</sup>

The Yugoslav communists were instrumental in bringing the Albanian communists to power. In the membership of the newly-established Communist Party of Albania (formed and organized under the supervision of Yugoslav instructors Miladin Popović and Dušan Mugoša), there were numerous advocates of the Greater Albanian idea. Its leader, Enver Hoxha, had taken the first step towards an agreement concerning the creation of a post-war Greater Albania. Albanian communists joined forces with the

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<sup>29</sup>The Italian government supplied the Kosovo area with an Albanian volunteer militia, initially 5000-strong — *Vulnetari* — to help the Italian forces maintain order as well as to independently perform surprise attacks on the largely unarmed Serb population.

<sup>30</sup>M. Vickers, *Between Serb and Albanian*, 123.

<sup>31</sup>H. Bajrami, “Izveštaj Konstantina Plavšića Tasi Diniću, ministru unutrašnjih poslova u Nedićevoj vladi oktobra 1943, o kosovsko-mitrovačkom srežu”, *Godišnjak Arhiva Kosova XIV–XV (1978–1979)*, 313; cf. also J. Pejin, *Stradanje Srba u Metohiji 1941–1944* (Belgrade: Arhivski pregled, 1994).

<sup>32</sup>D. T. Bataković, *Kosovo Chronicles*, 13–17; for a detailed account see L. Latruwe and G. Kostic, *La Division Skanderbeg. Histoire des Waffen SS albanais des origines idéologiques aux débuts de la Guerre Froide* (Paris: Godefroy de Bouillon, 2004).

<sup>33</sup>Arhiv Jugoslavije [Archives of Yugoslavia], Belgrade, vol. 54-20-47.

*Balli Kombëtar*, an active nationalist organization, but the agreement between the two movements reached in 1943 turned out to be a short-lived one.<sup>34</sup>

Furthermore, the Bujan Declaration of the Kosovo Albanian communist representatives (including numerous representatives of Albania), issued on 2 January 1944, called for union of Kosovo and Metohija with Albania after the victory of the communist guerrilla.<sup>35</sup> This idea was promptly dismissed by the Yugoslav communist leadership under the Moscow-appointed Secretary-General Josip Broz Tito. Tito considered the Bujan Declaration as premature and damaging to the common communist goals in the decisive phase of the Second World War.

A large-scale Albanian rebellion against communist Yugoslavia in late 1944 highlighted the necessity of maintaining Kosovo and Metohija within Serbia even under the new Soviet-type federal system. In November 1944, this area of Serbia was liberated from Nazi occupation by Tito's communist forces, the partisans. The *Balli Kombëtar* supporters and other Albanian units, rearmed and recently recruited into partisan formations, organized a large-scale uprising, attacking Tito's partisan forces. The Albanian revolt, which managed to mobilize roughly 40,000 nationalists in January 1945, as well as an undetermined number of those Albanians who had been settled in Kosovo from Albania proper during the wartime years, was brutally crushed only when additional Yugoslav troops were brought in and military rule was set up in Kosovo and Metohija between February and May 1945. Furthermore, after a series of bloody clashes and significant losses on both sides, the Albanian revolt in certain areas, such as Drenica, assumed the proportions of a small-scale civil war over Kosovo.<sup>36</sup>

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<sup>34</sup> *Balli Kombëtar* (National Front) was an Albanian nationalist military organization led by Midhat Frasheri and Ali Klissura. Its main political objective was not only integration of Kosovo-Metohija into an Italian-sponsored "Greater Albania", but ethnic cleansing of the region of all, or at least of the majority, of its Christian Orthodox Serb population in order to secure the safe development of this region as exclusively Albanian in the future. The short-lived agreement with the CPA and the *Balli Kombëtar* of 1942 became irrelevant after the full collaboration of Ballists with the Nazis following the capitulation of Italy in September 1943.

<sup>35</sup> *Konferenca e Bujanit* (Tirana: Akademia e Shkencave e Republikës së Shqipërisë, Instituti i Historisë, 1999).

<sup>36</sup> The official communist version, including some original documents, is available in the memoirs of the commander of Titoist troops involved in suppressing the Albanian revolt: S. Djaković, *Sukobi na Kosovu*, 2nd ed. (Belgrade: Narodna knjiga, 1986), 225–236; according to confidential military reports quoted in the same book (pp. 236–237), between 10 February and 15 April 1945 casualties on the side of Albanian rebels were

*Communist Yugoslavia: failed reconciliation*

After the war and the communist takeover, Yugoslavia was restored as a Soviet-style communist federation, with a constitutional system inspired by the 1937 Soviet Constitution. Serbia became one of six Yugoslav federal units, and the only one internally federalized: with one province (Vojvodina) and a region (Kosovo and Metohija) within her borders. Moreover, a major privilege was granted to communist Albania, still dominated by Yugoslav communists: a decree of 6 March 1945 issued by Yugoslav communist authorities banned the return of Serbian inter-war colonists to Kosovo and Metohija, a decision that made most of 60,000 Kosovo Serb civilians, waiting to be resettled elsewhere, temporarily homeless or internally displaced persons.<sup>37</sup> In contrast, most of roughly 75,000 ethnic Albanians from Albania colonized during the Italian Fascist and Nazi Germany occupation remained living within Serbia after 1945, settled in vacant Serbian possessions in fertile plains of both Metohija and Kosovo. In most cases, the old and new settlers from Albania in Kosovo, whose number has never been accurately established, were granted the citizenship of Serbia within the Yugoslav federation.<sup>38</sup>

Kosovo and Metohija was given the status of a region (*oblast*) in 1946, and was elevated to an autonomous province (*pokrajina*) in 1963, a status granted to Vojvodina in 1946 within federalized Serbia. J. B. Tito, the lifetime dictator of the second, communist and federal, Yugoslavia, had been raised in the Habsburg atmosphere of constant fear of the alleged "Greater Serbian danger". Furthermore, Tito was politically structured under the ideological pattern of Lenin's doctrine that the nationalism of larger nations is more dangerous than the nationalism of smaller ones. Thus, from

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393 killed and 490 wounded, and on the side of Tito's partisans, 82 killed and 117 wounded.

<sup>37</sup> "Privremena zabrana vraćanja kolonista u njihova ranija mesta življenja", No 153, *Službeni list DFJ* 13 of 16 March 1945; "Zakon o reviziji dodjeljivanja zemlje kolonistima i agrarnim interesentima u Makedoniji i u Kosovsko-metohijskoj oblasti", *Službeni list DFJ* 56 of 5 August 1945; cf. also *Službeni list FNRJ* 89, 1946.

<sup>38</sup> According to the 1948 census, the total number of Albanians, despite the heavy war losses reported by Albanians themselves, had augmented by 75,417 within nine years; cf. P. Živančević, *Emigranti. Naseljavanje Kosova i Metohije iz Albanije* (Belgrade: Eksprespress, 1989), 78. The latest research, based on official although incomplete documentation, scales down the number of political immigrants from Albania in the 1950s, given that they used Yugoslavia mostly as a transit country towards Western Europe, cf. B. Hrabak, "Albanski emigranti u Jugoslaviji", *Tokovi istorije* 1-2 (1994), 77-104. However, the movements of peasants from Albania crossing the border and settling in border villages in Metohija or in Kosovo, do not seem to have been accurately tracked, at least after 1968.

the communist takeover in 1945 until the end of his lifetime dictatorship in 1980, J. B. Tito remained consistent in rooting out any visible, symbolic or real, manifestation of "Serbian hegemony". Most of the Serbian pre-war elites had been destroyed during the communist "red terror" (1944–1947), and post-war Serbia was placed under the rule of Tito's confidants from the ranks of Serbian communists. From 1945 the alleged Serbian hegemony, an obsession of the Yugoslav communists (most senior Serbian party members included), was perceived as the embodiment of the Serbian-led regime of the Kingdom of Yugoslavia as well as a permanent ideological threat to communism.<sup>39</sup>

Although Tito described inter-republican boundaries established in 1945 merely as lines on a granite column bonding nations and minorities into communist "brotherhood and unity", it was obviously an ideological *langue de bois*. In an interview to the Paris daily *Le Monde* in 1971 the prominent Yugoslav dissident Milovan Djilas did, however, confess that the post-Second World War partitioning of the Serb-inhabited lands in Yugoslavia into five out of the six constituent republics had been aimed at reducing the "centralism and hegemonism of the Serbs" seen as the main "obstacle" to the establishment of communism.<sup>40</sup>

Royal Yugoslavia (1918–1941) had been a French-inspired nation-state marked by the Serbian, Jacobin and centralist, vision of Yugoslavism, whereas communist Yugoslavia (1945–1992) was based on an opposite model: federal, Croat vision of Yugoslav unity. Within such a context, the Albanian minority of Kosovo and Metohija was to play an important political role. National integration of Albanians lagged a whole century behind the other Balkan nations. The Albanians remained in communist Yugoslavia against their will, but they shared with other nationalists in the communist ranks some strong anti-Serb interests, highly compatible with the main ideological goals of the ruling Communist Party.<sup>41</sup>

During the period of centralism in Yugoslavia (1945–1966) in reaction to Tito's split with Stalin in 1948, Albania was part, until 1961, of the Soviet bloc which was hostile towards Yugoslavia. Tito entrusted control over Kosovo, and the rest of Yugoslavia, mostly to communist Serb cadres, as they represented the ironclad guarantee of Yugoslavia's integrity. On the other

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<sup>39</sup> D. T. Bataković, "Twentieth-Century Kosovo-Metohija: Migrations, Nationalism and Communism", *Serbian Studies* 13:2 (1999), 1–23; D. T. Bataković, "Kosovo à l'époque titiste: entre nationalisme et communisme", *Les Annales de l'autre Islam* 7 (2000), 205–224.

<sup>40</sup> *Le Monde*, Paris, 30 December 1971.

<sup>41</sup> D. T. Bataković, "Frustrated Nationalism in Yugoslavia: from Liberal to Communist Solution", *Serbian Studies* 11:2 (1997), 67–85.

hand, after the reconciliation with Moscow (1955), and as part of the efforts towards reconciliation with Albania (1968–1971), Tito tended to favour the Kosovo Albanians in spite of recurrent upsurges of their nationalism.

Also, between 1966 and 1974 a process of decentralization was unfolding, for the most part based on the plans of Tito's main ideological advisor, Edvard Kardelj. The Constitution of 1974 marked a significant transfer of power to the federal units. The whole process, which institutionalized *national-communism*, eventually led to a renewal of interethnic tensions in the intricate mosaic of nations and confessions of Yugoslavia. Through the model of national-communism shaped by E. Kardelj, the power of federal jurisdiction came to reside in the ruling oligarchies of the republics. Thus the Party *nomenklatura*, becoming sovereign in their respective republics, came to represent the majority nationality. As the only federal republic with two autonomous provinces, Serbia was an exception, since, under the 1974 Constitution, the provinces could use their veto power against the rest of Serbia.<sup>42</sup>

National-communism introduced majority rule for the majority nation in each of the six republic and two provinces of the federation. As a result, discrimination against small-in-numbers nations or national minorities within the boundaries of each republic or province continued, to a greater or lesser extent. That was the context in which the status of the Autonomous Province of Kosovo and Metohija was significantly upgraded by the constitutional amendments of 1968 and 1972, and finally defined by the 1974 Constitution: it gave Kosovo Albanians the main say in political life.<sup>43</sup> The policy of entrusting rule over Kosovo to Albanians was endorsed by Tito, anxious to placate the growing Albanian nationalism in Kosovo. Being a renowned leader of the non-aligned movement and a high-ranking statesman on the international scene, Tito could ill afford to have in his neighbourhood a small Stalinist Albania continuing her violent ideological attacks on Yugoslavia, thereby challenging both her ideology and her state unity. Only several years after the 1968 Albanian demonstrations praising Albania's leader Enver Hoxha in Priština and two other towns of Kosovo, did Tito allow closer cooperation between Priština and Tirana in the vain hope that this rapprochement would appease the national discontent of the Yugoslav Albanian community.<sup>44</sup>

<sup>42</sup> D. T. Bataković, "Nationalism and Communism: The Yugoslav Case", *Serbian Studies* 9:1–2 (1995), 25–41.

<sup>43</sup> Cf. legal documentation in a bilingual Serbian-English edition *Kosovo: Law and Politics. Kosovo in Normative Acts before and after 1974* (Belgrade: Helsinki Committee for Human Rights in Serbia, 1998).

<sup>44</sup> The most prominent Kosovo scholar, the orientalist Hasan Kaleshi, was among the first to condemn in the 1970s the propagation of ethnic hatred in textbooks and re-

The Kosovo Albanians interpreted the new party policy launched in 1968 not as an additional opportunity for furthering their national and cultural development but rather as a long-awaited occasion for an ultimate historical revenge against the Serbs, still considered as archenemies keeping Albanian Kosovo under occupation.<sup>45</sup> Furthermore, from 1968 the ideological and national model embraced by the Albanians of Kosovo and Metohija became Enver Hoxha's Stalinist-type of rigid ethno-nationalism, promoted by imported textbooks and visiting professors from Tirana at Priština University, and above all by numerous Sigurimi agents from Albania. They all professed a simplified nationalistic ideology imbued both with a Stalinist hatred towards enemies and with old Albanian fanaticism, directed mainly against the Serbs. An Albanian-dominated assembly of Kosovo removed the term "Metohija" from the province's official name as early as 1968, for it sounded too Serbian and too Christian. It was a classical case of historical revisionism used as a tool to advance a political agenda in the present. The process involved repeated cases of discrimination against the Kosovo Serbs throughout the 1970s and early 1980s, and eventually escalated into large-scale Albanian demonstrations. The Kosovo Serb communist *nomenklatura*, with few exceptions, accepted this policy of institutionalized discrimination, and was rewarded with higher positions in republican or federal institutions.

The enhanced status of Kosovo and Metohija within Serbia was the last but fatal legacy of the declining Titoist system. In spite of the disagreement openly expressed by some Serb cadres and the well-founded prediction by some members of the academic community<sup>46</sup> that the new constitutional arrangements would lead to the inevitable disintegration of Yugoslavia, the final result of the centrifugal process was the adoption of the Constitution of 1974. Thus a constitution that left no room for a non-

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lated historical writings in Albanian. He died a few years later under dubious circumstances. Cf. H. Kaleshi, "O seobama Srba sa Kosova krajem XVII i početkom XVIII veka, etničkim promenama i nekim drugim pitanjima iz istorije Kosova", *Obeležja* VI:4 (1976); see also M. Mišović, "Ko je tražio republiku Kosovo", *Književne novine*, 1987.

<sup>45</sup> The defiant Kosovo officials, both Serbs and ethnic Turks (e.g. Kadri Reufi), who dared denounce ethnic discrimination, were punished and expelled from the Communist Party. On the other hand, some Serbian officials who cooperated with the Albanian leadership on their new policy of replacing Serbs by Albanians in all important offices in Kosovo's provincial institutions were rewarded with high posts in federal or diplomatic bodies, and thus left Kosovo forever; cf. D. T. Bataković, *Kosovo Chronicles*, 70.

<sup>46</sup> Most prominently by Prof. Mihailo Djurić and a group of law professors and researchers from the Law School of Belgrade University.



violent dissolution of post-Titoist Yugoslavia remained the country's legal framework after Tito's death in 1980.<sup>47</sup>

What ensued in Kosovo as its direct consequence was a series of administrative pressures, including judicial discrimination, police harassments and occasional physical attacks against the Serbs by the Albanians. Once the new party policy was tacitly endorsed within the federal leadership, the discrimination and harassment of the Kosovo Serbs intensified, leading to their forced migration from Kosovo to inner Serbia. The process unfolded silently, and although many high political and army officials were fully aware of it, few ever dared speak publicly. The result of this silent process of ethnic cleansing — not just tolerated, but even encouraged by the federal communist leadership — the Serb population in Kosovo and Metohija, despite a relatively high birth rate, was dramatically reduced by nearly a half: from 23.6 percent according to the 1948 census to 13.2 percent according to the 1981 census. The Montenegrin population in Kosovo was also decreasing: from 3.9 percent in 1948 to 1.7 percent in 1981.<sup>48</sup>

*The population of Kosovo and Metohija*

<i>Nationality</i>	1948	1953	1961	1971	1981
Albanian	498,242	524,559	646,168	916,168	1,226,736
Serb	171,911	189,869	227,016	228,264	209,497
Montenegrin	28,050	31,343	37,588	31,555	27,028
Turk	1315	34,343	25,764	12,244	12,513
Muslim	9679	6241	8026	26,357	58,562
Gypsy	11,230	11,904	3202	14,593	34,126
Others	7393	9,642	15,787	14,512	15,978
<i>Total</i>	727,820	807,901	963,551	1,243,693	1,584,440

This ethnically motivated persecution also targeted the Serbian Orthodox Church, perceived as the pillar of Serbian identity in the Province: bishops, priests, monks and nuns were attacked, graveyards desecrated and agrarian landed property usurped. Numerous instances of continuous persecution by both Albanian nationalists and Albanian provincial bureaucrats were reported to the Serbian Orthodox Church by the Bishopric of

<sup>47</sup> For Yugoslavia, more in S. K. Pavlowitch, *The Improbable Survivor. Yugoslavia and its Problems 1918–1988* (London: Hurst & Co, 1988); D. T. Bataković, *Yugoslavie. Nations, religions, idéologies* (Lausanne: L'Age d'Homme, 1994).

<sup>48</sup> R. Petrović and M. Blagojević, *The Migration of Serbs and Montenegrins from Kosovo and Metohija. Results of the Survey Conducted in 1985–1986* (Belgrade: Serbian Academy of Sciences and Arts, 1992).

Raška-Prizren (covering the whole of Kosovo and Metohija) in May 1969. The Serbian Patriarch German was compelled to request urgent protection from Tito, but not even that brought any tangible results.<sup>49</sup> After fourteen years of their undisputed and discriminatory rule in the Province, in March 1981 the Albanians announced a new phase of their separatist policy: the Albanian extremists set fire to the Patriarchate of Peć, a historic seat of the Serbian Orthodox Church.<sup>50</sup>

The carefully prepared and fully orchestrated Albanian rebellion in March and April 1981, initially described as a genuine student revolt, evolved within weeks into a large-scale nationalistic movement demanding the status of a seventh federal republic for Kosovo within Yugoslavia. The demanded status involved the right to self-determination, a Leninist constitutional provision reserved for the constituent communist republics. Put forth in 1981, only a year after Tito's death, the Albanian demand disturbed the sensitive balance of power in the federal leadership and challenged the sustainability of the whole system established in 1974.<sup>51</sup>

None of the attempts to pacify the Albanian revolt both by means of the regular communist practice of successive party purges and by repression (actions of the federal military and police forces against Albanian protesters, large-scale legal prosecution and punishment afflicting mostly younger age groups) yielded expected results. On the other hand, the League of Communists' simultaneous effort to minimize the problem of discrimination against the Serbs and of their forced migration from Kosovo and Metohija only led to the growing frustration of the Serbs all over Yugoslavia in the years that followed.

Tacitly backing Albanian nationalism, institutionalized by the 1974 Constitution, the Yugoslav federal leadership created dangerous tensions which were difficult to control: on the one hand, from 1981 Albanian protesters were repeatedly prosecuted and sentenced and, on the other, self-organized groups of Kosovo Serbs staged mass protests before Yugoslav federal institutions gaining wide popular support in Belgrade.<sup>52</sup> Kosovo

<sup>49</sup> The Patriarch's letter is reproduced in *Zadužbine Kosova*, 833.

<sup>50</sup> For American journalists' credible reports on Albanian demands and the difficult position of Kosovo Serbs since 1981, see M. Howe "Exodus of Serbians Stirs Province in Yugoslavia", *The New York Times*, 12 July 1982; J. Diehl "Ethnic Rivalries cause unrest in Yugoslav Region", *Washington Post* Foreign Service Saturday, 29 November 1986; D. Binder, "In Yugoslavia, Rising Ethnic Strife Brings Fears of Worse Civil Conflict", *The New York Times*, 1 November 1987.

<sup>51</sup> N. Beloff, *Tito's Flawed Legacy. Yugoslavia and the West since 1999* (Boulder: Westview Press, 1985), 209–214.

<sup>52</sup> Cf. A. Jeftić, *Od Kosova do Jadovna* (Belgrade: Srpska Pravoslavna Crkva, 1986); K. Magnusson "The Serbian Reaction: Kosovo and Ethnic Mobilization Among the Serbs", *Nordic Journal of Soviet & East European Studies* 43 (1987), 3–30.

Serbs were given both moral and political support by priests, monks and bishops of the Serbian Orthodox Church, which was generally perceived as the archenemy of the communist regime. As a result of its statements and petitions denouncing the situation as a “cultural and spiritual genocide” against the Serbs and the Serbian Christian heritage (desecration of churches, monasteries and graveyards, harassments and attacks on monks and nuns, etc.), widely distributed through the religious press, the Serbian Church ceased to be seen as a parochial and conservative organization, and in public perception reassumed the role it had played under Ottoman rule, that of a quite natural protector of national interests in times of crisis.<sup>53</sup>

Despite often severe repression by federal forces during the 1980s, the rising Albanian nationalism made the post-Titoist system unsustainable. It was in fact the Albanian extremists that eventually, in 1987, brought Slobodan Milošević, a Serbian hard-line party apparatchik, to power. He had come to be perceived as “defender” of the Serbian cause, at first in Kosovo and then throughout Yugoslavia. On 26 March 1989, the semi-republican status of the two Serbian provinces, Kosovo and Vojvodina, was reduced to standard competencies of autonomous regions rather than abolished: the 1989 amendments to the Constitution of 1974 annulled the right of the two provinces to have two separate legislatures, abolished the veto power held by the provincial legislatures over the legislature of Serbia, placed authority over international relations into the hands of the republic, and limited the debate period to six months, after which the matter was to be decided by a referendum.

*Limited autonomy, intensified nationalism, escalating conflicts*

The referendum in the whole of Serbia was held on 1 July 1990, but it was boycotted by the ethnic Albanians. Kosovo remained an autonomous province, but with territorial autonomy and a Statute to be enacted by the Parliament of Serbia. Legislative authority was transferred to the parliament of Serbia and executive authority to the government of Serbia. The highest judicial authority was vested in the Supreme Court of Serbia. The name *Metohija* (erased by the Albanian communists in 1968) reappeared in the official name of the autonomous province.<sup>54</sup>

<sup>53</sup> “Declaration of the Bishops of the Serbian Orthodox Church against the Genocide by the Albanians on the Indigenous Serbian Population, together with the Sacrilege of their Cultural Monuments in their own Country”, *South Slav Journal* 11:2–3 (40–41) (London 1988), 61–64; 87–89.

<sup>54</sup> “Ustav Republike Srbije”, *Službeni glasnik Republike Srbije* 1 (1990).

Claiming that the autonomy of the province was unlawfully abolished, the majority of ethnic Albanians (represented through the members of the dismissed provincial communist Assembly) responded on 2 July 1990 by proclaiming Kosovo a seventh republic within Yugoslavia, and by adopting, on 7 September 1990, their own "Constitution" at a secretly held Albanian assembly at Kačanik. These steps, followed by the widespread Albanian boycott of all official institutions, were assessed by Serbian authorities as a serious attempt at secession. As a result, all Albanians who had voluntarily left their jobs for an indefinite period, thereby contesting the state unity of Serbia, were fired. Another measure was an often harsh police treatment of both armed and unarmed street protesters, mostly younger Albanian population.

Denouncing what they called the "Serbian apartheid", most of the Kosovo Albanians boycotted every major Serbian institution and the Belgrade-appointed administration from 1991. Instead, they organized their own parallel school and health systems, tacitly tolerated by Belgrade.<sup>55</sup> After the Dayton Accord of 1995, Slobodan Milošević, as the main guarantor of the hard-won peace in Bosnia-Herzegovina with unconditional Western support, became the chief negotiator for the Kosovo crisis. Nevertheless, the significant efforts of various international mediators to ensure a peaceful solution to the Albanian issue in Kosovo eventually failed.<sup>56</sup> While Milošević, treating the Albanian issue in humanitarian terms (allowing school facilities to be used), was reluctant to discuss constitutional change, the Albanians in Priština demanded the restoration of the 1974 autonomy status as the foremost concession.<sup>57</sup> Aside from various semi-official Serbian proposals calling for the ethnic partition of Kosovo as the only long-term solution

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<sup>55</sup> For the Albanian point of view see I. Rugova, *Independence and Democracy* (Prishtina: Fjala, 1991); *The Denial of Human and National Rights of Albanians in Yugoslavia*, ed. A. Gashi (New York: Illiria, 1992); *Open Wounds: Human Rights Abuses in Kosovo* (New York: Human Rights Watch, 1993). Roughly ten to fifteen percent of Kosovo Albanians, however, remained loyal to Serbia and the Yugoslav state, which later made them preferred targets of Albanian terrorist groups.

<sup>56</sup> D. T. Bataković, "Kosovo-Metohija Question: Origins of a Conflict and Possible Solutions", *Dialogue* 7/25 (1998), 41–56.

<sup>57</sup> The Milošević–Rugova agreement on education in Kosovo, signed under the auspices of the Community of St Egidio, never came into effect due to different interpretations: *Naša Borba*, Belgrade, 3 and 4 September 1996. For an overview of different initiatives with associated documentation, see *Conflict in Kosovo: An Analytical Documentation, 1992–1998*, ed. S. Troebst (Flensburg: European Centre for Minority Issues, Working Paper No 1, 1998).

to the problem, the Serbian democratic opposition put forward a range of transitional solutions, from regionalization to cantonization of Kosovo.<sup>58</sup>

In the early 1990s the Kosovo Albanians pursued the policy of non-violent, passive resistance, symbolized by Ibrahim Rugova, and of the tacitly tolerated coexistence of two parallel systems in Kosovo, Serbian and Albanian. At least fifteen percent of Albanians still loyal to Serbia, as well as the loyalty of Kosovo's minorities, spared the province from large-scale inter-ethnic conflicts, such as those raging in other parts of the former Yugoslav federation between 1991 and 1995. Yet, the same period witnessed a yearly rhythm of six to twelve terrorist attacks on the Serbian police by smaller armed groups of Kosovo Albanians. This low-intensity conflict, more like testing the police force in preparation for large-scale actions, went on until the middle of 1996, when the number of attacks tripled. The reported score of thirty-one ambush attacks in 1996 rose to fifty-four in 1997.<sup>59</sup> The UÇK (or KLA/Kosovo Liberation Army) emerged as an organized force in 1998. In Kosovo, it was seen as a national liberation group by the ethnic Albanians, and as an oppressor by non-Albanian ethnic groups. Purely Albanian, the UÇK was the military wing of one of many pro-communist guerrillas, often of Stalinist or Hoxhaist inspiration, tied to the Albanian narco-mafia and political radicals in the diaspora. Trained and armed in neighbouring Albania, and sponsored from abroad, the UÇK started attacks on Serb policemen and civilians, but also on the Albanians loyal to Serbia.<sup>60</sup>

The full-scale war instigated by the UÇK and their sponsors in 1998 led, after the failed negotiations held at Rambouillet, to the unilat-

<sup>58</sup> D. T. Bataković, "Progetti serbi di spartazione", *Kosovo: Il triangolo dei Balcani, Limes* 3 (1998), 153–169. For views of Serbian experts from the democratic opposition ranks, see "Kako rešiti kosovsko pitanje" [How to solve the Kosovo issue], in Belgrade's *Književne novine* no 973 of 1 May 1998, and no 974 of 15 May, with the discussion of the following participants: D. T. Bataković, S. Samardžić, D. M. Popović, Z. Lutovac, Z. Radović, S. Ugričić and M. Perišić.

<sup>59</sup> According to Belgrade's data, thirteen police officers, nine Albanian terrorists and twenty-five civilians, mostly Serb, were killed, and sixty-seven persons were wounded. Moreover, in 1997 there were twenty-seven registered attacks on the Yugoslav army, hitherto uninvolved in operations against rebel groups. Also observed during 1997 was intensive smuggling of both drugs and ever-larger quantities of weapons from Albania, where the looted army barracks (700,000 pieces of small arms were stolen) became a source for the illegal export into Serbia, notably into Kosovo and Metohija, of tens of thousands of Kalashnikovs and other weapons, usually of Chinese, Soviet and Albanian provenance.

<sup>60</sup> T. Hundley, "Kosovo Serbs Live in Fear of Future", *Chicago Tribune*, 22 February 1999. The Albanian version in P. Denaud and V. Pras, *Kosovo. Naissance d'une lutte armée UCK*. Entretiens avec Bardhyl Mahmuti représentant politique de l'armée de libération du Kosovo (Paris: Harmattan, 1999).

eral NATO intervention in March 1999: 78 days of NATO bombing of Serbia and partially of Montenegro, the other member-state of the former Federal Republic of Yugoslavia. However, the bombing campaign (38,000 combat sorties flown between 24 March and 10 June 1999) lacked legal endorsement of the United Nations and was strongly opposed by many international players, including two permanent members of the UN Security Council, the Russian Federation and China. Ethnically motivated violence remained the prevailing practice in Kosovo even after the establishment of UN administration and KFOR military control in June 1999.<sup>61</sup>

#### *UN administration since 1999*

The 1999 war over Kosovo, which was not, as confirmed later, a “genocide”, as claimed during the NATO bombing, took the lives of roughly 10,000 Albanians and 2,000 Serbs in Kosovo alone, plus several thousands Serb, mostly civilian, victims in other regions of both Serbia and Montenegro. The bombing campaign was eventually terminated in early June 1999. Serbia gave assent to peace only after the NATO and Russian mediators had assured her that Kosovo would be placed under UN administration and that Yugoslavia would retain sovereignty over it. The UN Security Council Resolution 1244/99, under which Kosovo was entrusted to the United Nations, calls for establishing democracy, multicultural society and “substantial self-government” for Serbia’s southern province torn by spiralling cycles of interethnic violence.

In spite of some, though unsatisfactory, efforts of the UN Mission in Kosovo (UNMIK) and an unparalleled international military presence (a 45,000-strong “Kosovo Force” or KFOR for an area of only 10,887 sq km and less than two million inhabitants, scaled down after nine years to a still strong contingent of 16,000 NATO-led troops), the position of the Serbs and other non-Albanians continuously deteriorated.<sup>62</sup> The Albanian-dominated provisional institutions of Kosovo (president, government and parliament) not only failed to prevent large-scale persecution of Serbs and other non-Albanians, but gave a tacit approval to all kinds of ethnically motivated crimes.<sup>63</sup>

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<sup>61</sup> See rather critical analyses of the evolution of the Kosovo crisis and NATO operations in *La nouvelle guerre des Balkans*, eds. I. Ramonet and A. Gresh, *Manière de voir* 45, *Le monde diplomatique*, May–June 1999 (a collection of previously published articles).

<sup>62</sup> For more see I. King and W. Mason, *Peace at Any Price. How the World Failed Kosovo* (Ithaca, New York: Cornell University Press, 2006).

<sup>63</sup> H. Morris, “Church warns over attacks on Serbs”, *Financial Times*, 29 June 1999, 1; cf. also D. François, “La KFOR confrontée à la violence albanaise. Les représailles se

In the months following the quick and safe return in the summer of 1999 of hundreds of thousands of displaced Kosovo Albanians, a reverse process ensued: mass expulsion (according to the UNHCR) of 246,000 Serbs, Roma, Gorani (Muslim Slavs) and other non-Albanians by Albanian extremists.<sup>64</sup> Besides, more than 40,000 houses and flats owned by non-Albanians were burned to the ground or usurped by ethnic Albanians, including many illegal immigrants from Albania who plundered the property of the expelled non-Albanian owners. Furthermore, since 10 June 1999, there are another 1,300 Serbs killed and 1,300 considered missing.<sup>65</sup> Since 10 June 1999, Priština, capital city of the Kosovo province, has lost one-fourth of its pre-war population (250,000): the city's pre-war Serbian community of 40,000 (including 8,000 students and professors of the Serbian-language section of Priština University) has been reduced to barely above zero, a few dozen KFOR-guarded families, mostly elderly people.

The same horrendous fate befell the large, at least 10,000-strong urban and suburban Roma population of Priština, presently the only ethnically cleansed provincial capital in the whole of Europe, and the same goes for all major urban centres in Kosovo. The only exception remained to be northern Kosovska Mitrovica, which strongly resisted frequent Albanian attacks from June 1999. The predominantly Serb-inhabited municipalities north of Mitrovica (Zvečan, Zubin Potok, Leposavić), still resist the Albanian authorities in Priština, recognizing only UNMIK and the Serbian government. Ten years after the end of the war, more than sixty percent of the Kosovo Serbs are still internally displaced persons (a euphemism for 200,000 refugees living in both Serbia and Montenegro since 1999), as well as seventy percent of the Roma and seventy percent of the Gorani. So it was only after a decade of successive campaigns of ethnic cleansing that the Albanians became a ninety-percent majority in Kosovo. This percentage

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multipliant contre les minorités serbe et rom", *Libération*, 29 June 1999, 8; "Sad Serb", *The Economist*, 31 July 1999, 41.

<sup>64</sup> According to the UNHCR data, between the beginning of June and 26 July 1999, 172,061 persons fled Kosovo and Metohija, ninety percent of whom were Serbs. There were 132,789 officially registered refugees in Serbia and Montenegro, and 22,811 fled to Montenegro alone (the data reproduced in *Danas*, Belgrade, 27 July 1999, 2). For other on-the-spot reports that were published, see M. O'Connor, "Rebel Terror Forcing Minority Serbs Out of Kosovo", *New York Times*, 31 August 1998; R. Jeffrey Smith, "Kosovo Rebels Make Own Law", *Washington Post*, 24 November 1999; P. Worthington, "NATO's Reputation a Casualty of War", *The Toronto Sun*, 18 November 1999; cf. also M. Boot, "U.N. Discovers Colonialism Isn't Easy in Kosovo", *The Wall Street Journal*, New York, 2 November 1999.

<sup>65</sup> Cf. detailed documentation on 932 missing persons in *Abductions and Disappearances of non-Albanians in Kosovo* (Belgrade: Humanitarian Law Center, 2001).

remains conjectural given that the Albanians refused to organize a population census in the province after 1999.<sup>66</sup>

To add to this appalling human rights record, 156 Serbian Orthodox churches, of which one third are important medieval monuments, were razed to the ground, burned down or severely damaged by local Albanian extremists.<sup>67</sup> This was a systematic effort to obliterate any trace of previous Serbian presence in the area in pursuit of further legitimization of post-war Kosovo as an exclusively Albanian-inhabited land.<sup>68</sup> As stressed by a Western observer, “this demolition cannot be just ‘revenge’ — NATO’s usual excuse for the destruction under its auspices. You do not just fill with rage and spend days gathering explosives to blow up churches. This is vandalism with a mission.”<sup>69</sup>

This “vandalism with a mission” undoubtedly is an integral part of every standard practice of ethnic cleansing. Two of the four major Serb monasteries in Kosovo — the Patriarchate of Peć and, to a lesser extent, the monastery of Visoki Dečani — until recently sustained occasional shelling by Albanian extremists from the surrounding hills. The whole of Metohija — save for a thousand Serbs still living under siege in the enclaves of Gorazdevac and Velika Hoča, and a few hundred Serbs isolated in scat-

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<sup>66</sup> Important personal testimony is provided by T. Judah, *Kosovo. War and Revenge* (Yale University Press, 2000).

<sup>67</sup> R. Fisk, “Nato turns a blind eye as scores of ancient Christian churches are reduced to rubble”, *The Independent*, 20 November 1999; “French Troops Feel Anger of Albanian Kosovars”, *International Herald Tribune*, 9 August 1999, 5. Cf. also the bilingual Serbian-English publication *Crucified Kosovo. Destroyed and Desecrated Serbian Orthodox Churches in Kosovo and Metohija (June–August 1999)*, ed. Fr. Sava Janjić (Belgrade 1999). A revised and updated Internet edition available at: [www.kosovo.net](http://www.kosovo.net)

<sup>68</sup> “The Serb church has issued its own list of destroyed or partly demolished buildings. Between 13 June — when NATO troops entered Kosovo — and 20 October, they say, seventy-four churches have been turned to dust or burnt or vandalised. The fifteenth-century monastery of the Holy Trinity above Mušutište, constructed in 1465, has been levelled to the ground by the planted explosives. The monastery of the St. Archangel near Vitina, built in the fourteenth century, has been looted and burnt. So has the church of the St. Archangels in Gornje Nerodimlje. The church of St Paraskeva, near Peć, and the church of St. Nicholas in Prekoruplje — razed and its nine sixteenth-century icons lost, including that of the apostle Thomas. The rubble of [Serb] Orthodox churches across Kosovo stands as a monument to Kosovo Albanian vandalism and to NATO’s indifference or — at the least — incompetence. After declaring that Kosovo must remain a ‘multi-ethnic society’, 40,000 troops from K-For cannot, it seems, look after its historical heritage against the violence of those whom its spokesmen treated as allies in the war against Yugoslavia’s President, Slobodan Milošević, only five months ago.” *The Independent*, 20 November 1999.

<sup>69</sup> *Ibid.*



tered villages — is effectively an ethnically cleansed part of the province of Kosovo and Metohija.

The destruction of at least 117 Serbian cultural sites between 1999 and 2004, mostly churches and monasteries, one third of a medieval date, passed almost unnoticed, or was mildly criticized everywhere except in Serbia, Russia or Greece. Nonetheless, ethnic purity as envisaged by Kosovo's Albanian extremists is not a concept that can be accepted as a legitimate basis for either democracy or state independence. It has become evident that none of the values of the West will be able to eventually take root in the lawless, illegal trafficking paradise of a mafia-ruled Kosovo, "Balkan Colombia" as it has often been described by renowned international experts for drug-trafficking routes leading to Western capitals.<sup>70</sup>

Most of the remaining Serbs and non-Albanians throughout Kosovo, with the exception of the Serb-inhabited area north of the Ibar River, in Kosovska Mitrovica, live in squalid conditions in smaller or larger ghetto-like enclaves (Gračanica and Lipljan, Štrpce, Šilovo, Parteš, Klokot, Novo Brdo, Orahovac and Velika Hoča, Goraždevac), often surrounded by barbed wire and always under the protection of international forces. They practically have no freedom of movement. The appalling ethnic discrimination they have been suffering is well-documented in the reports of both Serbian and relevant international organizations.<sup>71</sup> The post-1999 ghetto-like situation remains a rule for smaller Serb communities (villages, parts of villages or groups of villages). For example, the village of Cernica in the Gnjilane area once had 85 Serb and 400 Albanian households. From 2000 to 2003 the Serb villagers sustained frequent attacks by the local Albanian extremists: five families lost their members, including a child; dozens were wounded, their houses were burned or destroyed, and the church of St Elijah was largely devastated. At the end of 2003, the score showed 6,391 ethnically motivated attacks by Albanian extremists, 1,192 Serbs killed, 1,303 kidnapped and another 1,305 wounded. Nevertheless, few perpetrators of these ethnically motivated crimes have ever been identified, let alone arrested and prosecuted.<sup>72</sup> The Albanian-dominated provisional institutions of Kosovo

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<sup>70</sup> D. T. Bataković, "Serbs and other non-Albanian Communities in Kosovo and Metohija: Appalling Conditions and an Uncertain Future", *Review of International Affairs* LVII:1122 (2006), 13–15.

<sup>71</sup> A comprehensive analysis is available in *Kosovo and Metohija. Living in the Enclave*, ed. D. T. Bataković (Belgrade: Institute for Balkan Studies, Serbian Academy of Sciences and Arts, 2007).

<sup>72</sup> By way of illustration, let me present just one of many examples: on 12 April 2003 Albanian extremists planted a 40kg explosive device under the railway bridge Ložište near Banjska and Zvečan. Due to a mistake made in planting and activating the de-

not only did nothing to prevent these tragic events, but effectively gave them a tacit approval. The perpetrators have not been brought to justice.

The spread of the Kosovo war model of ethnic domination, first to the mixed Serb-Albanian municipalities in Preševo Valley in southern central Serbia in 2000, and then to the predominantly Albanian-inhabited areas of neighbouring Slavic Macedonia (FYROM) in 2001, demonstrated the essence of the aspirations of the anachronous concept of Albanian nationalism in the region. Contrary to the way they are presented to the public and international institutions worldwide, these aspirations are not motivated by a struggle for human, civil, collective or any other internationally sanctified rights, but by a long-term project of achieving full and uncontested ethnic domination over a territory through systematic persecution, pressure and discrimination of all other and numerically weaker ethnic groups.

#### *The March pogrom 2004*

In March 2004, it became obvious, to unbiased international observers at least, that certain Kosovo Albanian leaders believed that the Province could be cleansed of all the remaining Serb population in a few violent campaigns, and that they could present the international community with a *fait accompli*. They were encouraged in that belief by a mild international reaction to the ethnic cleansing campaign which had expelled two-thirds of Kosovo's Serbs from the middle of June 1999 onwards. Although Kosovo's Serbs had for years been warning of the real nature of Albanian nationalism in Kosovo, both the UN and the West assumed they were exaggerating, only to receive a confirmation for almost all Serbian claims within just two days of orchestrated violence — the March pogrom, Kosovo's *Kristallnacht*.<sup>73</sup>

Busloads of Albanians were transported to Serb-inhabited areas, clashing occasionally with KFOR units on their way, and targeting in particular those enclaves that stood as an obstacle to controlling the main transport and railway routes in Kosovo. During the two-day pogrom additional thirty-five Serb churches and monasteries were destroyed or damaged. The only still functioning Serb Orthodox Church in Priština, St Nicholas, dat-

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vice, the bridge was only slightly damaged, but both explosive planters, members of the "Kosovo Protection Corps" and the "Albanian National Army", were killed. A UNMIK police investigation established that the objective of the attack was to blow up the train carrying Serbs from the central-Kosovo enclaves to Leposavić in the north, on its way to its final destination, Belgrade.

<sup>73</sup> Cf. analysis by D. Krnjevic-Miskovic, "Kristallnacht in Kosovo. The burning of churches raises questions about independence", 19 March 2004 ([www.Nationalinterest.com](http://www.Nationalinterest.com))

ing back to 1830s, was finally set ablaze, another act of denying the very possibility of Serbs living or returning to the provincial capital.<sup>74</sup> Furthermore, four thousand Serbs were displaced by Albanian mobs from strategically important areas of Kosovo, most probably intended for Albanian settlement in the future.<sup>75</sup>

Kosovo Albanians failed to fulfil the minimum international demands set after 2000, that “standards before status” should be implemented as regards the basic human rights, the freedom of movement, democracy, the rule of the law and property rights, in particular for Serbs and other non-Albanians. Furthermore, according to the reliable data gathered by the German Intelligence Service (BND), filed in the sixty-seven pages of a confidential report of 22 February 2005, partly published by the Swiss weekly *Weltwoche*, the leading political figures among Kosovo Albanians, former KLA warlords Hashim Thaçi, Ramush Haradinaj and Xhavid Haliti, had for years been deeply involved in organized crime in the province, from arms and drugs smuggling to human trafficking and money laundering.<sup>76</sup> The same report included the statement of Klaus Schmidt, chief of the European Mission for Police Assistance of the EU Commission in Albania (PAMEC), that “through Kosovo and Albania 500 to 700 kilos of drugs are smuggled daily, and that a part of it is refined in Kosovo laboratories”.<sup>77</sup> Lack of control over the borders and movement of people and goods between UN-controlled Kosovo and Albania additionally strengthened organized crime, which became a trademark of Kosovo in the eyes of international observers.<sup>78</sup>

### *UN-sponsored negotiations*

Despite a series of Western reports that Kosovo remained a major centre of drug-smuggling and women-trafficking in Europe, and that it made no

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<sup>74</sup> Once the news of the pogrom and the burning of churches in Kosovo spread, two mosques, in Belgrade and Niš, were attacked and sustained damage. In contrast to the way the crisis was handled in Kosovo and Metohija, the Serbian authorities deployed police forces, which however, were not entirely successful in dispersing the enraged mob. In Belgrade, a bishop of the Serbian Orthodox Church joined Muslim clerics in an effort to prevent the crowd from attacking the mosque.

<sup>75</sup> *Kosovo and Metohija. The March Pogrom* (Belgrade: Ministry of Culture, 2004).

<sup>76</sup> J. Roth, “Rechtstaat? Lieber nicht!”, *Weltwoche* 43/2005, 48–50.

<sup>77</sup> *Ibid.*

<sup>78</sup> For more details see X. Raufer (with S. Quéré), *Une menace pour l'Europe. La mafia albanaise. Comment est née cette superpuissance criminelle balkanique?* (Lausanne: Ed. Favre, 2000).

progress in fulfilling the standards regarding democracy, tolerance, minority protection and the rule of the law, set as a prerequisite for talks on the final status of the province, negotiations on the future status of Kosovo commenced under UN auspices in early 2006.<sup>79</sup> Apparently promised independence prior to the beginning of the negotiating process, the Kosovo Albanians did not feel obliged to engage seriously in the status talks.

Although Serbia offered the Kosovo Albanians the broadest autonomy possible, “more than autonomy, less than independence”, except a UN seat and their own armed forces, they, fully confident of the support they enjoyed in certain influential capitals, practically refused to negotiate seriously about the status and demanded nothing short of independence. In order to find mutually acceptable topics, the Serbian delegation in Vienna status talks on Kosovo, offered serious and sustainable proposals concerning non-status issues, such as decentralization, establishment of new Serb-inhabited or mixed municipalities, new competencies of these municipalities, as well as the protection of the endangered Serbian religious and cultural heritage, with special protected zones for the most important patrimonial sites.<sup>80</sup>

All these issues, addressed by the Serbian delegation with utmost accuracy, and their sustainable proposals drafted in accordance with the Kosovo Serbs were either rejected or scaled down to the level of becoming unacceptable for the Serbian side. Furthermore, the UNOSEC — UN office in Vienna in charge of organizing bilateral meetings and providing mediation— was perceived by many analysts as rather slow, inefficient and, in most cases, biased. In order to additionally fortify the positions and demands of Kosovo Albanians, it tended to present the Serbian negotiating

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<sup>79</sup> Kosovo's record is at best disappointing after years of supposed tutelage in democracy by the “international community”. The ethnic Albanian leadership has been implicated in an explosion of organized crime, including drug dealing, money laundering and sex trafficking. Some have referred to Kosovo as the “black hole” of Europe. At a 2006 congressional hearing, Charles English of the State Department stated: “Discrimination remains a serious problem. Access to public services is uneven. Incidents of harassment still occur. Freedom of movement is limited. And too many minorities still feel unsafe in Kosovo.” Similarly, Joseph Grieboski of the Institute on Religion and Public Policy argued that “the present record of rule of law, protection of the rights of religious and ethnic minorities, and the return/resettlement of internally displaced people by the Provisional Authority of Kosovo – all of which are indispensable for democratic governance – have been gravely unsatisfactory.” D. Bandow, “Kosovo a Year Later”, *The American Spectator*, 23 February 2009.

<sup>80</sup> D. T. Bataković, “Kosovo: Negotiated Compromise vs. Chaos and Instability”, *The Bridge* 1 (2007), 48–51.

team (in cases they rejected a pointless or even humiliating proposal made by Kosovo Albanians) as the only responsible for non-cooperative attitude.

At the end of the eighteen-month-long UN-sponsored talks on the future status of Kosovo, the UN-appointed mediator Martti Ahtisaari produced a plan for a “supervised independence” of Kosovo.<sup>81</sup> His plan, however, contained solutions of which roughly sixty percent had never been tabled, let alone discussed, by the involved parties during the Vienna negotiations, including crucial provisions regarding basic security, freedom of movement and military protection for Serb patrimonial sites.<sup>82</sup> The entire Ahtisaari plan was therefore resolutely rejected jointly by Belgrade officials and Kosovo Serbs as being both biased and unsustainable. Moreover, the Ahtisaari plan lacked approval from the UN Security Council and thus could not be legally implemented. The time-limited extension of status talks under the UN Troika (USA, Russia, EU) in late 2007 brought no tangible results, despite Serbia’s renewed offer of a broadest possible autonomy (including the Hong-Kong model) exclusive of a UN seat and armed forces.<sup>83</sup>

Furthermore, the unilateral proclamation of independence at the Kosovo parliament session of 17 February 2008 was boycotted by the non-Albanian MPs, including dozens of self-appointed Serbs and the legitimate representatives of the Gorani and Roma communities. Their boycott underlined that the declaration of independence approved by a *de facto* mono-ethnic Kosovo parliament had no legitimacy in the eyes of Kosovo’s non-Albanian communities. Unilateral declaration of independence, lacking consent both of Belgrade and of Kosovo’s Serbs and non-Albanians, is considered by many experts in both politics and international law to be an inadequate basis for building a tolerant, multiethnic and democratic society, despite any lip service paid to such ideals.

#### *A failed state based on discrimination*

Deficient in legitimacy and parliamentary approval from any of Kosovo’s significant non-Albanian communities (including 140,000 remaining and 200,000 displaced Serbs who are a constitutive nation, not a minority, in Kosovo as elsewhere in Serbia), the decision of Kosovo’s mono-ethnic provisional parliament does not represent the will of a multiethnic society; rather, it is an entirely Albanian project meant to satisfy Western demands

<sup>81</sup> J. Preston, “United Nations report urges independence for Kosovo”, *The New York Times*, 26 March 2007.

<sup>82</sup> [www.unosek.org/unosek/en/statusproposal.html](http://www.unosek.org/unosek/en/statusproposal.html)

<sup>83</sup> For more on Vienna negotiations and their continuation after June 2007 see D. T. Bataković, *Kosovo. Un conflit sans fin?* (Lausanne: L’Age d’Homme, 2008), 273–287.

in word but not in deed, while in reality being founded on brutal and irrevocable ethnic discrimination and continuous orchestrated violence against the other national and ethnic communities, as repeatedly confirmed by the international Kosovo Ombudsman, various reports to the UN and relevant international human rights groups.

The Kosovo Albanians' unilateral proclamation of independence of 17 February, celebrated not only in Kosovo but in all Albanian-inhabited areas of the Balkans as well, was immediately declared void by the Serbian Parliament in Belgrade. After the USA and most European states recognized the independence of Kosovo, Serbia has reaffirmed her commitment to reject any kind of *fait accompli* as unacceptable. Unilateral independence of Kosovo, as seen by Serbia, is an obvious violation of both international law and basic human rights, disregarding the UN Charter, the Final Helsinki Act, the Constitution of Serbia and UN SC Resolution 1244, the latter, according to international law, being the only valid legal document defining the status of Kosovo after June 1999. Furthermore, Serbian officials have expressed readiness to remain fully committed to a compromise negotiated under the auspices of the United Nations, a process currently supported by two-thirds of the world's sovereign states, including China, Russia India, Brazil, Indonesia, Argentina, South Africa, Mexico, Spain, Romania, Slovakia, Greece, Cyprus, Morocco, Egypt, Algeria etc.

The celebration of Kosovo's independence on 17 February 2008, as reported by the Serbian media, was marked by the attack of three Albanians extremists on an 83-year-old Serb women in the Gnjilane area in eastern Kosovo.<sup>84</sup> Since then the Serbs in their enclaves all over Kosovo, including students, doctors and policeman (suspended for recognizing UNMIK as the only legal authority) have been protesting on a daily basis against the illegal and imposed independence, considered as a further extension of Albania into the historic heartland of Serbia. The independence of Kosovo was proclaimed and embraced solely by the Kosovo Albanians against the will of other nations and ethnic groups in the province, lacking legal authorization of both the United Nations and Serbia. The repeated statements of Serbian officials that since its unilaterally proclaimed independence Kosovo has remained a failed state, based on discrimination and denial of both human and property rights, have been duly confirmed by numerous independent monitoring groups.<sup>85</sup>

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<sup>84</sup> B92, Belgrade, 17 February 2008.

<sup>85</sup> See, e.g., I. Bancroft, "The flight of Kosovo's minorities. The EU insists that Kosovo is a tolerant and multi-ethnic society. So why are its minorities leaving?", *The Guardian*, 5 June 2009; "The report of Minority Rights Group International (MRG) maintains that members of minority communities are beginning to leave Kosovo over a year after its

However, Serbia has continued to pursue her position by launching new initiatives. It was in October 2008 that Belgrade eventually obtained the backing of the United Nations Security Council for a Serbian-drafted resolution asking for an advisory opinion from the International Court of Justice at Hague concerning the legality of the independence of Kosovo.<sup>86</sup> Only six countries objected — among them the USA, Albania and four microstates in the Pacific, whilst some other important European states abstained.<sup>87</sup> Furthermore, prior to the deployment of the special EU mission in Kosovo (EULEX) in December 2008, Serbia had reached an agreement with the United Nations on a Six-point plan, intended to ensure the sheer survival of Serbs in Kosovo and Metohija and protect the sovereignty and territorial integrity of Serbia. The plan was in line with UNSC Resolution 1244, and was intended to guarantee that EULEX would remain status-neutral, operating solely under the authority of the United Nations. Thus, the Ahtisaari Plan, which the Kosovo Albanians, encouraged by the recognition of Kosovo by fifty-three states, considered as their main legal pillar, was not destined to be implemented. In contrast to the Belgrade Six-point plan, the Kosovo Albanians of Priština proposed their own four-point version as a substitute, whereby EULEX would be deployed according to the mandate of Kosovo's declaration of independence, the Ahtisaari Plan and the Constitution of Kosovo.

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unilateral declaration of independence, due to persistent exclusion and discrimination ... The report, *Filling the Vacuum: Ensuring Protection and Legal Remedies for Minorities in Kosovo*, concludes that Kosovo 'lacks effective international protection for minorities, which is worsening the situation for smaller minorities and forcing some to leave the country for good'. These minorities include not only Kosovo's Serbs, but also Ashkali, Bosniaks, Croats, Egyptians, Gorani, Roma and Turks, who together make up around five percent of the population of Kosovo according to local estimates ... a 2006 report, *Minority Rights in Kosovo under International Rule*, describing the situation of minorities as the worst in Europe and 'little short of disastrous'; the international community having allowed 'a segregated society to develop and become entrenched'. Despite these and other warnings from human rights organisations, the international community has continued to not only ignore the difficulties faced by minority communities in Kosovo, but to regularly proclaim success with respect to minority rights protection." See also *Rapport 2008 sur le Kosovo-Metochie* du Collectif Citoyen pour la Paix au Kosovo-Metochie au Parlement Européen, avec le Groupe Indépendance et Démocrate, Bruxelles, Groupe Indépendance et Démocrate 2008, 115 p.

<sup>86</sup>T. Barber, "A partial UN victory for Serbia. The consequences of recognition of Kosovo will be with the Balkans, and the EU, for many years to come", *Financial Times*, 22 October 2008.

<sup>87</sup>The four microstates are Marshall Islands, the Federated States of Micronesia, Nauru and Palau.

The position of the Kosovo Serbs, however, has continued to deteriorate on the ground, especially in the enclaves south of the Ibar River, surrounded by Albanian settlements and pressured by Kosovo Albanian officials, police and paramilitaries. A year after Kosovo's independence was proclaimed, the Union of Serbian Municipalities in Kosovo, at its session held on 17 February 2009 in Zvečan in northern Kosovo, adopted a declaration which once more firmly rejected the Albanian-proclaimed independence of Kosovo: "Under the Constitution of the Republic of Serbia and in compliance with UN Security Council Resolution 1244, the United Nations Charter, Helsinki Final Act and other binding legal acts, the Autonomous Province of Kosovo and Metohija is part of a single and inseparable territory of the sovereign state of Serbia."<sup>88</sup>

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<sup>88</sup> KosovoCompromise Staff, 18 February 2009 (*www.KosovoCompromise.com*).

\* *Source:* *www.kosovocompromise.com* (31 December 2008)



*Appendix***The chronology of Kosovo-related events in 2008\*****January**

- Deep division in the EU and the UNSC on the issue of Kosovo's possible secession
- Russia warns of a Kosovo precedent for South Ossetia and Abkhazia
- Presidential elections in Serbia. Victory of Boris Tadić

**February**

- EU foreign ministers agree on Joint Action to send the EULEX mission
- The ethnic Albanian leadership in Priština proclaims Kosovo's unilateral secession from Serbia
- The decision of the ethnic Albanians declared void by Serbia
- Serbs worldwide protest against Kosovo's independence; violent riots in Belgrade leave one dead, dozens injured; clashes also in Republika Srpska, the Serbian entity within Bosnia and Herzegovina
- Kosovo Serbs protest, burning down newly-established customs posts between Kosovo and central Serbia; quit Kosovo police; more than 20 injured in clashes
- Condemnation of the move in non-Western countries worldwide, as well as by various political parties and intellectuals in Western countries
- The US leads recognition wave; coalition of "friends of independent Kosovo" form International Steering Group
- Kosovo's secession inspires "independence daze" as separatist movements worldwide call it a clear precedent

**March**

- Belgrade rejects deployment of EU mission without UN backing
- Serbian government falls over disagreement on future EU policy on Kosovo
- Riots in Kosovska Mitrovica leave one Ukrainian policeman dead and 150 people injured

**April**

- Former ICTY prosecutor Carla del Ponte reveals in her book *La Caccia* details of a hidden 1999 case of several hundred Serb prisoners abducted by the KLA, victims of trade organs trade in Albania
- India, Indonesia, Vietnam, Brazil, Argentina and other regional powers worldwide underline strong opposition to Kosovo's secession

**May**

- Macedonian government falls after the Albanian coalition partner quits
- NATO announces plans to train "Kosovo Security Force"; harsh opposition from Serbia, Russia

**June**

- Elections in Serbia, including local elections in Kosovo
- Formation of a Kosovo Serb assembly

- Kosovo constitution, based on the Ahtisaari Plan, enters into force

### July

- New Serbian pro-European government vows to pursue the same policy on Kosovo
- Donors' Conference in Brussels: 1.2 billion pledged for Kosovo
- Recognition of Kosovo slows down dramatically; US President George W. Bush urges the world to continue recognizing Kosovo

### August

- Georgian invasion of South Ossetia leads to Russian military intervention
- South Ossetia and Abkhazia seek independence based on the Kosovo precedent
- Moscow recognizes independence of South Ossetia and Abkhazia

### September

- Serbia's diplomatic initiative underway to secure enough votes on its ICJ initiative; the US, France and the UK express dissatisfaction

### October

- The UN General Assembly votes in favour of sending Serbia's initiative to determine the legality of Kosovo's secession to the International Court of Justice; only the US, Albania and four microstates in the Pacific oppose the initiative
- Macedonia and Montenegro recognize Kosovo under pressure, a day after the UN General Assembly's positive decision on Serbia-proposed plan for ICJ; Serbia expels their ambassadors in response
- 34 injured in protests against Kosovo recognition in Montenegro
- Talks intensify between Belgrade and the UN (Six-point plan), as well as between Belgrade and the EU on reconfiguration of the UNMIK mission which would allow for the deployment of EULEX
- Five Serbs injured in a clash with Albanians in Kosovska Mitrovica
- FIFA, UEFA, FIBA and other sports organizations reject Kosovo's membership candidacy

### November

- The UN Security Council unanimously backs a presidential statement putting EULEX under the UN umbrella and supports the Six-point plan agreed between Belgrade and New York
- Priština rejects the UN-proposed Six-point plan
- Explosive device goes off in front of the EU office in Priština: three members of the German intelligence service (BND) arrested over the affair released following a row between Berlin and Kosovo Albanian authorities

### December

- EULEX begins its mandate under the UN umbrella
- Martti Ahtisaari is awarded the Nobel Peace Prize
- Kosovo Albanians name the central street in Priština after US President George W. Bush

- Serbian police arrests ten former Albanian KLA members for 1999 war crimes
- Tensions in Kosovska Mitrovica following the stabbing of a 16-year-old Serb boy
- By the end of 2008, Kosovo's secession from Serbia recognized by 53 out of 192 members of the UN

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