

INSTITUTE FOR REGIONAL AND INTERNATIONAL STUDIES

**SETTLEMENT OF THE POST-CONFLICT BALKAN STATUS QUO:
SEVERAL OPTIONS**

Ognyan Minchev

What are the options of today for final settlement of the post-conflict status quo in the Western Balkans? Three major types of initiatives might provoke change in the uncertain and controversial environment of the region. The **first one** – and least possible perspective – is the new international Balkan conference plan, proposed some 3-4 years ago by prominent political figures and region's observers (like Dr. David Owen). The plan proposed presumes that multi-ethnic communities would never be sustainable in terms of nation building and long-term stability. An international conference – similar to the Berlin Conference of 1878, but including this time regional factors too – should re-design the borders and re-establish as much homogeneous national communities as possible, before restoring a climate of mutual trust and stability in the region. This option is the most radical one – it recommends the use of painful surgical efforts in favor of long lasting decisions to end up inter-ethnic strife and zero-sum competition in the post-Yugoslav space.

There are two basic reasons why this option is least likely to be implemented as a final resolution of the Balkan conflicts of the 1990s. First, radical redrawing of region's borders presumes strong and determined concerted action of all major factors in the international community – mostly the US and the EU. Redrawing borders has to be enforced – whatever efforts of consensus are paid within the negotiating process. It is not very likely that the second Bush administration would change dramatically its perceptions of the Balkans as a remote and peripheral sphere of US interest, situated in the backyard of Europe. Neither the war against terrorism in general, nor its practical dimensions in Iraq's crisis and the Israeli-Palestinian conflict, together with the painful restructuring of the Greater Middle East, would leave enough taste in Washington for sinking into costly Balkan initiatives. The US is more likely to support indirectly Balkan developments – as in the case of Macedonia's recognition under constitutional name, rather than enforcing general plans of reshaping the region. The EU would not go for

such a radical option either. Success on the Balkans is crucial for the future of EU's common foreign and security policy system – the Balkans are effectively the only field, where Europe can try its credentials in security without US competition or obstruction. And the European way is not radical enforcing way, but rather negotiating and balancing way of pacifying and tempering conflict passions. Apart from its unwillingness to be involved in radical enforcing actions, the EU would not support redesigning of Balkan borders for the purpose of national homogenization for principle reasons either. As a postmodern project of international and inter-communal partnership and fusion, the European integration is based on post-national inclusive mentality and identity, which is hostile to efforts of rebuilding national exclusivity and homogeneity.

The second reason why the radical option of redrawing Balkan borders is least popular, reflects the real ethnic diversity in the region, which cannot be redesigned into national homogeneity whatever efforts are being invested into that. The nation building process on the Balkans has been partial and controversial in terms of achieving ethno-communal homogeneity, achieved by major Western European nations in the beginning of the modern age. The Habsburg and Ottoman imperial legacy, the communal fragmentation technologies of Yugoslav federalism, the uneven demographic and socio-economic development of neighboring states and communities – have altogether created a diverse reality of communal heterogeneity, in which majorities are conditional and minorities are present everywhere. In technical – not only political and ideological terms, unifying ethnos and territory is a desperate task to follow. Last but not least, applying a national homogenization project in some of the cases – for example Bosnia and Herzegovina – presumes a *post factum* recognition and legitimization of the war lords' plans to create ethnically cleansed communities and nations.

The second major prospect of final settlement in the post-conflict Balkans is based on the presumption that multi-cultural living is the legitimate, perspective model of fixing the region and integrating the Balkan nations into the European mainstream. Inviolability of borders is considered a basic rule, and the inter-communal issues should be treated at the level of the most advanced norms and practices of human rights respect on European soil. The multi-cultural living paradigm has been the framework of the international community's strategy of conflict management and post-conflict settlement of the Balkans in the last 14 years. The major achievements of this strategy – the Dayton agreement for B&H (1996), the UN Security Council Resolution 1244 on Kosovo, adopted in the aftermath of the NATO intervention against Belgrade (1999), the Ohrid agreement for Macedonia (2001) – were based on the presumption that multi-ethnic national communities are the preferable legitimate option for nation building throughout Europe, and – in particular – on the conflict torn Balkans.

Yet, it is not very likely that the multi-cultural paradigm will be enforced as the ultimate framework of final post-conflict settlement in the Western Balkans. First, the strategy of enforced multiculturalism and multi-ethnic nation building is an expensive endeavor. To keep the former conflicting parties and communities into one state and to develop a democratic process of state building is a long-term and intense financial burden, covered mostly by the tax payers' money of the West. It is hard to restore – or

establish – organic communal living among the former foes, and their common institutions – as in the case of B&H – outside the protectorate based institutional framework of the international community. Bosnia is a good example of parallel life of the three major communities, intersecting mostly at official protectorate level of the central national institutions. Protectorate institutions are extremely expensive and ineffective – beyond any comparison with the institutions even of the neighboring weak post-communist states. No one is certain what is going to happen if the protectorate framework is lifted at some point, leaving the local communities to fix their common lives on their own. And if this is the case with B&H, which is the success story of Balkan post-conflict protectorate administrations, how could we assess the protectorate performance in Kosovo?

What is difficult in B&H is impossible in Kosovo. There's no question of multi-ethnic living there, the question is how the few remaining Serbs could save their lives, even if isolated in their small villages and enclaves and heavily guarded by the KFOR? The political heirs of the KLA – which combined the roles of national liberation movement and mafia involved in drugs and “white slaves” smuggling – are partially tolerating Serb, Roma and Turkish minorities' presence on Kosovo soil only under international pressure to keep minimal democratic standards in exchange for upcoming independence of the region. Ethnic Albanian homogeneity is the only option the Kosovo Albanian leaders recognize in a longer-term perspective.

Kosovo is a tough customer for the multi-cultural – multi-ethnic paradigm yet for another reason. In order to implement democratic multi-ethnicity as a principle of state building, the international community (based on the OSCE process accords) has to observe inviolability of borders as a second key pillar. The borders of the former Yugoslav republics have been recognized as legitimate international borders after the collapse of the federation in the first half of the 1990s. Kosovo has been – and legally still is – an integral part of Serbia. (Under the provisions of Resolution 1244 of the UN Security Council, Kosovo is part of Yugoslavia – which is not an existing state entity anymore.) Even Montenegro has legally more legitimate background to claim independence rather than Kosovo. But keeping Kosovo within any kind of Serb national community is illusory and impossible, provided the levels of hatred and the intensity of conflict between both ethnicities. Keeping Kosovo as international protectorate is the legal form of postponing the decision making process, but not a decision itself. An option for Belgrade and Pristina to negotiate a peaceful divorce is possible hypothetically, but not in real life – at least not without strong international pressure.

And even if we assume that such international pressure is being exercised, controversial issues of legitimacy remain crucial in Western Balkan regional context. If Kosovo Albanians are granted independence on the basis of their ethnicity, on what ground could Bosnian Serbs in Republica Srpska be denied such opportunity? If Albanians cannot live with Serbs, why should they live together with Macedonians, or Montenegrins? Those are questions very likely to appear in time shortly after the “final settlement” of the Kosovo status. Multi-cultural – multi-ethnic paradigm fails to provide answers to those questions. All that the strategy of multi-ethnic nation building can rely

upon is further spending money and postponing final settlement issues, investing in the hope of healing the conflict legacy with time.

The third – and the most likely option of final settlement of post-conflict Western Balkans issues is **the piecemeal approach**. In fact, it has been applied throughout the last decade and a half in managing and resolving the conflicts of the region. Working with different conflicts as separate cases provided the necessary flexibility and made it easier to make practical compromises with the principles of conflict management ideology of the international community. Those compromises vary from case to case. In the Dayton talks on B&H the negotiating parties were in fact the three major war mongers, who have engineered the bloody contest and the mass scale ethnic cleansing – Slobodan Milosevic of Serbia, Franjo Tudjman of Croatia and Alija Izetbegovic – the hard line Islamist leader of the Bosnian Muslims. They made a deal under heavy US pressure, which marked the end of the war and the beginning of the reconstruction and reconciliation.

In the crisis of Macedonia in 2001 the conflict management efforts of the international community have led to the compromise of practically legitimizing the guerillas of the NLA (National Liberation Army) as the major political representative of the Albanian – Macedonian community. Armed revolts against oppressive dictatorships (like the one of Milosevic over Kosovo) are usually considered to be legitimate response to a system of injustice. Armed rebellions against democratic governments are denied such legitimacy for a simple reason – what is being claimed under gunpoint, could be achieved through democratic procedures within the institutions and the civil society. Not in the case of Macedonia, though... In 2001 the tiny Republic of Macedonia was governed by a coalition, involving the major Slav Macedonian and Albanian parties – VMRO-DPMNE and the Democratic Party of Albanians (DPA). The coalition was formed after free and democratic elections – actually the sixth consecutive democratic elections after 1991. In order to unseat DPA and its leader Arben Xhafferri from the position of the most popular Albanian party, a group of armed rebels, headed by Ali Ahmeti - a former KLA commando – started attacks against police and army units, undertook series of armed occupations of towns and villages, cleansed Slav Macedonian population from regions, considered to be “Albanian”, and murdered some of the refugees. The attempts of the government to respond with military force have been deterred by the international community mediators in favor of negotiations. The negotiations nominally involved the democratically registered Slav Macedonian and Albanian parties, but were practically held under the gunpoint of the rebel group.

This was the road to the Ohrid Agreement, which – among other regulations – transferred effective power over the Albanian community to the rebels of Ali Ahmeti (later registered as Democratic Union for Integration – DUI) and to the opposition Slav Macedonian party SDSM. The elections that followed later the same year have just legalized the new status quo.

The changes within the constitutional system of Macedonia, involved in the Ohrid Agreement are positive and necessary for the future development of the country as a shared fatherland of both Macedonians and Albanians. Yet, the enforced compromise

with the democratic institutions and procedures of the Macedonian state by the international community has caused significant erosion of trust of civilians towards the democratic system of the state. The negotiating process, which led to the Ohrid Agreement – apart from legitimizing guerrillas in a democratic country – was carried out behind closed doors, out of public control. The major institutions of government – the Parliament, the executive, the parliamentary control over the executive and the prime minister – have been suspended in favor of small group leaders' talks for the future of the country. Even today, the consequences of such bypassing of the democratic rules are visible in Macedonia's governmental system fragility and inefficiency, in the lack of transparency in cross ethnic party deals, which causes series of crises – the failed referendum on decentralization being only one of them.

This piecemeal approach will continue to govern the international efforts on the Balkans in observable future, provided the dead end of the other two – “principle” – approaches. Resolution 1244 for Kosovo expires in the late spring of 2005, thus reopening the issue of Kosovo's final status. Such status could not be granted for a number of reasons. First, the unresolved minority issues of Serbs, Roma and Turks in Kosovo. The resolution of the problem (together with several other practical problems) requires bilateral talks and agreements between Pristina and Belgrade. Yet the positions of both parties are so distinct that it is hardly possible to find a common ground for starting substantive negotiations. Second, Kosovo is a land of organized crime and disorder, presided by the major leaders of the parties – heirs to the KLA. An independence status “before standards” – as the EU has defined the basic precondition for sovereignty – would mean strengthening of regional and international mafia resources through the territory of the Balkans. “Standards” – or functioning decent institutions – were available in the 1990s, when Kosovo was governed by the oppressive Belgrade regime, and the party of Ibrahim Rugova practically organized an entire alternative state for the Albanians there. This “shadow government” provided education, health care, social provisions and effectively collected taxes for those purposes. Nothing of the kind is barely possible today – when the oppression of Belgrade is lifted for already six years. Last but not least, Kosovo independence has to be carefully engineered provided the danger of spill over – indirectly to Republica Srpska in Bosnia (which may claim independence on the same grounds) and directly to Macedonia, where the Albanian community may claim secession for joining a “Greater Kosovo”.

In order to avoid such secession, a careful separate management of the Macedonia case by the international community (mostly by the EU) will be needed. The most important task here, apart from normalization of inter-ethnic relations, is splitting the Albanian Macedonian community's ethnic agenda from the agenda of Kosovo. The decentralization process, taking place currently is an important part of this task. A system of administrative, economic and social – communal measures should be undertaken in order to develop separate strong communal interests among Macedonia's Albanians, preventing further spill over crises from Kosovo.

Even if treated “case by case”, the Western Balkan environment should be considered as an integral space for final settlement and reconciliation in order to speed up

the process of EU and Euro-Atlantic integration of the region. The settlement of Kosovo is an integral part of final reintegration of Serbia into the international community. Postponing this process may lead to de-stabilization and return of authoritarian elites back to power in Belgrade. The risk of resuming the conflicts of the 1990s is limited, but the risk of keeping the entire Western Balkan region in an environment of weak institutions, depressed conflicts, organized crime expansion and general instability is high. This risk splits and isolates the Western Balkans from the general positive developments of the entire post-communist world.

© 2005 Institute for Regional and International Studies
15, Frederic Juliot Curie Street, block 3, floor 1, apt. 1
Sofia 1113, Bulgaria
Tel./fax: (+ 359/2) 971 12 27, 971 12 28, 971 12 29, 971 12 24
E-mail: mail@iris-bg.org
Web: www.iris-bg.org