

Chapter V

The Dissolution of Yugoslavia and the Search for Self-Determination

1. *Northern Republics (Slovenia and Croatia) and Their 'Western Type' Self-Determination*

In the development of self-determination within the former Yugoslavia, especially during its last years, there were crystallized two options. The first option was based on Western values and norms, stressing liberal ideas and values, while the second one based itself on non-liberal and anti-democratic values and norms, stressing non-liberal ideas and values. The former was embraced by the two Yugoslav northern republics, Slovenia and Croatia, and the latter by Serbia and its tiny ally Montenegro³⁶⁷. One caveat should be made here: the Republic of Croatia, after the coming to power of *Franjo Tudjman*, began to resemble more and more *Milosevic's* Serbia. We refer in this section to this type of self-determination in Croatia, only as far as the pre-*Tudjman* era is considered³⁶⁸. In between this type of self-determination, there was the one embraced by Bosnia-Herzegovina and Macedonia, to be discussed in the following section of this chapter. A common thread in all four cases, in contrast with Serbia and Montenegro, was that they were territorially-based quests for self-determination (notwithstanding the ethnic composition of all four republics).

³⁶⁷ See, more on this, in John Williams, *Legitimacy in International Relations and the Rise and Fall of Yugoslavia*, pp.1-94; Susan Woodward, *Balkan Tragedy. Chaos and Dissolution after the Cold War*, pp. 199-272; Koen Koch, 'Conflicting Visions of State and Society in Present-Day Yugoslavia'. *Yearbook of European Studies*, No. 5 (Amsterdam: 1995) pp. 187-202; Anton Zabkar, *Analysis of the Conflict in Former Yugoslavia* (Vienna: National Defense Academy 1999) pp. 3-19.

³⁶⁸ See, more on this, in John Williams, *Legitimacy in International Relations and the Rise and Fall of Yugoslavia*, pp.74-94; Susan Woodward, *Balkan Tragedy*, pp. 333-373.

The ramification of the above-mentioned quests for self-determination within the former Yugoslavia came as a result of two parallel developments during the 1980s: economic reforms and the crisis in Kosovo that began in 1981. The latter, however, took precedence over the economic reforms of the 1980s and came to be a precedent for the future shape of the Yugoslav tragedy. As a reaction to the crisis in Kosovo, after the 1981 riots there emerged the above quests for self-determination dominating the whole Yugoslav political scene.

Following *Tito's* death in 1980, Yugoslavia entered the deepest ever economic crisis. Its relations with the International Monetary Found (IMF) became strained and new economic reforms were needed, this time not based on the self-management and other postulates of Yugoslav Communism³⁶⁹. When Yugoslav Prime Minister, *Branko Mikulic*, took his office in 1986, he had to face a political environment not akin to reforms as requested by the IMF. During most of 1988, the proposed economic reform was based on administrative measures and the Socialist concept of self-management. This ran counter to the IMF's recommendations for free market and liberal economic policies. Yugoslavia was placed under the tougher controls for 'stand by' credits. Apart from this, the IMF also asked for effective measures to combat the already prevailing inflation. To this, Belgrade politicians replied with the claims for constitutional reforms empowering the Yugoslav federation instead of its constituent units³⁷⁰. Centralist tendencies in Belgrade

³⁶⁹ See, Susan Woodward, 'Orthodoxy and Solidarity: Competing Claims and International Adjustment in Yugoslavia' *International Organization* Vol. 40 Issue 2 (Spring 1986) pp. 505 - 545 ; John R. Lampe, Yugoslavia as History. Twice There Was a Country, pp. 308-324; Ivo Bicanin, Fractured Economy. In Dennison Rusinov (ed.), *Yugoslavia. A Fractured Federalism*, pp. 120-142; John Burkett and Borislav Skegro, Are Economic Fractures Widening? In Dennison Rusinov (ed.), *Yugoslavia. A Fractured Federalism*, pp. 142-155; Bruce McFarlane, *Yugoslavia. Politics, Economics and Society*, pp. 131-148; Paris Kitsos, 'A Glimpse of Yugoslavia's Economy'. *The Yearbook of the Hellenic Foundation for Defense and Foreign Policy* (Athens: ELIAMEP, 1990) pp. 187-192.

³⁷⁰ Viktor Meir, *Yugoslavia. A History of its Demise* (Route ledge: London and New York, 1999) pp. 100-106.

became obvious as soon as *Mikulic* tried sincerely to embark on economic reforms, shortly before his resignation on December 1988, as requested by IMF. Then, the pressure came not from Slovenia and Croatia but from Belgrade. Until then, two northern republics resisted *Mikulic's* reforms as being based upon administrative measures and old concepts of self-management. However, following *Mikulic's* resignation, *Milosevic* stood openly against private property and free market, focusing instead on constitutional changes of the political nature of the Yugoslav federation in an apparent hope to take over the control of the federal structures. *Milosevic's* move on the constitutional plane was directed first and foremost against two autonomous provinces of Kosovo and Vojvodina, exactly as foreseen by the 1986 Memorandum. Thus, Belgrade's first priority became the unity of Serbia via the destruction of the autonomies of Kosovo and Vojvodina, preparing the ground for a centralized and Serbian-dominated federal Yugoslavia³⁷¹.

Despite his backing from the Yugoslav military, *Milosevic* could not succeed *Mikulic* as Prime Minister. *Mikulic* was succeeded by a liberal-minded Ante *Markovic*, a Croat and candidate of Slovenia and Croatia. *Milosevic* and the Yugoslav military were forced to support the candidacy of Ante *Markovic* because of the events in Vojvodina and Montenegro. This endorsement did not mean the support for reform; it was, rather, a political reaction to the coups in Montenegro and Vojvodina following the so-called 'anti-beaurocratic' revolutions in these two countries that led to the replacement of their legally elected representatives. After he toppled down the rulers of these two entities and replaced them with his men, *Milosevic* realized that he needed to back off temporarily. Within a few months, *Milosevic* succeeded in destroying other constitutional balances, this time by abolishing the autonomous status of Kosovo and Vojvodina (March 1989). The new Prime Minister, hoping to garner Serbia's support for his reforms, did not react to the declaration of the state of emergency in Kosovo at the end of February 1989, which was made to extract the Kosovar Assembly's acceptance of the constitutional changes leading to the abolition of

³⁷¹ Ibid. pp.109-110; See, also, Sabrina P. Ramet, *Balkan Bebel*. (Oxford: Westview Press, 1992) pp.21-37.

Kosovo's autonomous status within Yugoslavia. The collective Federal Presidency proved to be nothing more than *Milosevic's* executive assistant³⁷². The only reaction came from Slovenia.

The Slovenian leaders, both position and the opposition (the latter recently formed for the first time in the territory of former Yugoslavia), gathered in a meeting of solidarity for the plight of the Kosovar Albanians living under the state of emergency. This meeting, held by the end of February 1989, took place in Ljubljana and is known as *Cankarjev Dom Meeting*. It consisted of a genuine support for Kosovo and its majority population on the eve of the destruction of Kosovo's autonomous status³⁷³. Slovenes clearly denounced the state of emergency in Kosovo and began their work in two other directions. One was the democratization and the next was institutionalization of Slovenia's position within the Yugoslav federation. The Slovenes were taken over by the wide support given to *Milosevic* within the Serbian and Yugoslav society for his actions in Kosovo³⁷⁴.

The process of democratization in Slovenia began when the Slovenian Communists gradually allowed the voice of the various associations to be heard. In April 1989, they even elected their member of the Federal Presidency, *Janez Drnovsek*, in a direct balloting. This was an unprecedented step for a Communist country. Apart from this, the Slovene Communists fully endorsed the so-called 'May Declaration', passed by the Slovene opposition. This declaration clearly hinted at Slovenia's independence with an intentional symbolic reference to that of 1918³⁷⁵. The next step in this process of Slovenian democratization

³⁷² Victor Meir, *Yugoslavia. A History of its Demise*, pp 106-107.

³⁷³ Dragan Belic - Duro Bilbija, *Srbija i Slovenija. Od Cankarijevog Doma do 'Jugolata' i Gazimestana* (Beograd: 'Tera', 1989) pp. 22-41.

³⁷⁴ Croatia woke up only later, while Macedonia saw itself threatened by Milosevic's regime only in April 1989 when Milosevic tried to push in the Federal Parliament the so-called Law on Colonists allowing the Serbs to return to the regions annexed after the Balkan Wars of 1912-1913, that is, to Macedonia and Kosovo. Cf. Victor Meier, *Yugoslavia. a History of its Demise*, pp. 118.

³⁷⁵ Victor Meier, *Yugoslavia. A History of its Demise*, p. 113.

was the June 1989 'Fundamental Charter of Slovenia' that paved the way for Slovenian constitutional reforms (September 1989). These reforms granted the Republic of Slovenia the right to protection from centralist tendencies of *Milosevic* and the Yugoslav military. It is this charter and the later constitutional reforms that ensued that show the true liberal character of the Slovenian quest for self-determination. Thus, the 'Fundamental Charter' in its first passage, announced that Slovenian leadership wanted to live in 'a democratic state grounded on the sovereignty of the Slovenian people, human rights, and the liberties of citizens' and, further, that they 'will live only in such a Yugoslavia in which our sovereignty and our lasting and inalienable right to national self-determination are secured, together with the equality of all nationalities and minorities, in which the differences among peoples are protected and guaranteed, and in which the common tasks in the federal state are regulated on the basis of consensus'. The Charter also recognized an explicit right for political pluralism, including freedom of association and free voting³⁷⁶. These messages were not welcomed in the East of the country. *Milosevic* and his aides continued their quest for a tighter and centralized federation, leading to war and conflict with others³⁷⁷.

To preserve their rights, the Slovenes went further, shifting the political problem over Kosovo into the terrain of constitutional rearrangement of the Yugoslav federation. In the Summer of 1989, the Slovene Parliament embarked upon a constitutional reform aimed at preserving the statehood of Slovenia, including the right to dissolve its association with Yugoslavia. Slovenia rejected the Serbian claims that its right to self-determination had been 'consummated' through its accession to Yugoslavia in 1918. These Slovenian constitutional amendments dealt further with human rights, political freedoms, democratic procedures, economic freedom (including the right to own property), the use of

³⁷⁶ For the text, see, Dragan Belic - Duro Bilbija, *Srbija i Slovenija. Od Cankarijevog Doma do 'Jugoalata' i Gazimestana*, Annex II; For comments, see, Victor Meier, *Yugoslavia. A History of its Demise*, pp.113-114.

³⁷⁷ See, also, a documentary evidence on this period in Dragan Belic - Duro Bilbija, *Srbija i Slovenija. Od Cankarijevog Doma do 'Jugoalata' i Gazimestana*, pp.192-258.

Slovenian language in Slovenia (including on the part of federal organs), the financial obligations of Slovenia *vis-à-vis* the Federation, and the rights of the Federal Army. A state of emergency, according to the proposed constitutional amendments, could be proclaimed in Slovenia only with the consent of the republic's parliament³⁷⁸. These Slovenian moves were the first serious step towards the resistance of Serbian centralist tendencies. These tendencies were clearly expressed in a meeting of the Yugoslav Communists (the Communist League of Yugoslavia, or the LCY), held on afternoon of December 20, 1989. This meeting, convened at the behest of the Yugoslav military, was designed to put pressure on the Slovene Communists to give up their drive towards a loose federation. The Slovenes did not succumb to the pressure and on September 27, 1989 their parliament voted on the proposed amendments granting the Republic more protection and freedom of action *vis-à-vis* Serbia and the federal institutions³⁷⁹. The Slovenian constitutional amendments were a prelude to full democracy and independence, although the latter was coined in terms of 'an asymmetric federation'. The message was clear at the time: preventing the Serbian and the Yugoslav military's further tendencies towards centralization of the Yugoslav federation that had already started with Belgrade's moves against Vojvodina, Montenegro and Kosovo (October 1988-July 1989).

The pressure against Slovenia did not end here, though. Milosevic and his Federal Presidency (the Army included) staged a rally for December 1, 1989, hoping to destabilize Slovenia in a similar fashion with the rallies held in Vojvodina, Montenegro and Kosovo before they were stripped off their constitutional rights. The Slovenian authorities banned the rally so that the Milosevic group charged with the organisational issues had to back off. As a response to this, Serbia broke its economic relations with Slovenia on December 3, 1989³⁸⁰. This Serbian action did not trouble Slovenia that much but did trouble the reform-oriented Prime

³⁷⁸ Victor Meier, *Yugoslavia. A History of its Demise*, pp. 116; Dusan Belic - Duro Bilbija, *Srbija i Slovenija. Od Cankarijevog Doma do 'Jugolata' i Gazimestana*, pp. 220-221.

³⁷⁹ Victor Meier, *Yugoslavia. A History of its Demise*, pp.117-119.

³⁸⁰ Ibid. p. 121.

Minister of Yugoslavia, Ante Markovic, who presented his economic program to the Yugoslav Parliament on December 18, 1989, hoping to realize the unity of the Yugoslav market. This was hardly possible after the December 1989 economic war between Serbia and Slovenia. From this time onwards, Milosevic not only opposed Markovic's reforms but also did his utmost to push Slovenia out of Yugoslavia and settle scores with the rest of the country. For Slovenia, the preservation of its independence and the reduction of the maneuvering room for anti-Slovene forces within Yugoslavia, remained the goals to be pursued in the future. The Fourteenth Congress of the CLY, held in January 1990, provided an opportunity to advance these goals. The Slovenes also found a reply to the Serbian economic boycott: on February 26, 1990, Slovenia discontinued remissions to the Federal fund for the underdeveloped regions, as Serbia and its regions benefited from that fund³⁸¹.

After the failure of the LCY in its Fourteenth Congress, the Communist Party as well as the Yugoslav federation began splintering along republic lines. Slovenia and Croatia went further ahead with planned multiparty elections announced for the Spring 1990. The crucial issue emerged: who was sovereign? Peoples or republics? In the case of Slovenia, the national (ethnic) and republican boundaries were essentially the same so that the answer was simple: sovereignty for the republic. In the rest of Yugoslavia, the situation was all too complicated. However, the first multiparty elections were held in all Yugoslav republics. Slovenia was leading in this process. After the April 1990 elections, the Slovenes went further in their quest for self-determination, holding a successful plebiscite on independence in December that year, and in late February 1991 promulgated crucial federal laws in preparation for 'disassociation' from Yugoslavia in June 1991. Croat leaders began saying that Croatia, too, would break away if Slovenia did. Both republics were working on new constitutions modeled upon western democracies³⁸². The following

³⁸¹ Ibid, pp. 121-122; John R. Lampe, *Yugoslavia as History. Twice There Was a Country*, pp. 282, 286, 346; Sabrina P. Ramet, *Nationalism and Federalism in Yugoslavia: 1962-1991*, pp. 150-161.

³⁸² See, more, on these preparations in Sabrina P. Ramet, *Balkan Bebel*, pp. 37-56; Misha Glenny, *The Fall of Yugoslavia. The Third Balkan War* (London: Penguin Books 1992)

Spring and Summer saw the two northern republics declaring their full independence, with Serbia and Montenegro trying to take control over the Federal Presidency and Macedonia and Bosnia-Herzegovina holding a compromise stance between the Slovene and Croat positions and that of Serbia³⁸³. For most of 1991, the Federal Presidency was blocked in its work³⁸⁴. The rotation of the Yugoslav presidents, which was due on May

pp. 62-97; John R. Lampe, *Yugoslavia as History. Twice There Was a Country*, pp. 344-356.

³⁸³ Borisav Jovic, *Poslednji Dani SFRJ. Izvodi iz Dnevnika* (Beograd: Politika 1995) pp. 328-339. Jovic had been the Serbian member of the Head of the Yugoslav (rotating collective) Presidency of that time.

³⁸⁴ In fact, the paralysis in the functioning of the state of Yugoslavia were present throughout 1990 and 1991. To overcome this stalemate, there were put forward various proposals, first by Slovenia and Croatia, and later by others. Thus, in October 1990, the Slovene and Croat governments submitted to the Yugoslav state presidency an official proposal for the restructuring of Yugoslavia entitled 'A Model of Confederation'. According to this proposal, the existing republics should constitute themselves as independent and sovereign states, based on the right of self-determination, and, then, as independent states enter into a confederal agreement with other republics or federations which would be based on international law concerning relations among independent states. See, the full text in Serbo-Croatian, 'Model Konfederacije', published in Zagreb-based daily *Vjesnik*, October 6, 1990. The counterproposal submitted by the Serbian-controlled state presidency few weeks later had the opposite meaning in terms of self-determination. This paper, entitled as 'A Concept for the Federal Organization of Yugoslavia' would have established 'the Federal Republic of Yugoslavia' on the basis of the sovereignty of its individual citizens (sic!). No special rights were attributed to nations as collective entities, except for the declaration that the nations as well as federal units were in the new federal republic deemed to be equal. See, the full text in Serbo-Croatian, entitled 'Koncept Federativnog Uredjenja Jugoslavije', published in Belgrade-based daily *Borba*, October 18, 1990. For the comments on both proposals (Croat and Slovene and the Federal one), see, Vladimir Djuro Degan, 'Konfederalizam'. *Politicka Misao*. Vol. XXVII No. 2 (Zagreb 1991) pp. 3-46. According to the Slovene and Croat proposal, former federal units would become independent states while the Yugoslav state presidency (counter) proposal - almost identical to the Serbian and Montenegrin proposal submitted in February 1991 - regarded the federal units as separate but equal units in a single state administration. This means that the latter proposal aimed at centralizing the

15, was blocked by the Serbs. The President at this time was Borisav Jovic, a Serb and close collaborator of Milosevic; the next line for the office was Stipe Mesic, a Croat³⁸⁵. Jovic refused to be replaced by Mesic. This was in effect a Serbian coup d'etat. Jovic was backed by Serbia's allies on the Yugoslav presidency: Montenegro, Vojvodina and Kosovo (the last two controlled by Milosevic after the 1989 constitutional changes). In this situation, the Croats, after the Slovenes did so in December 1990, declared their wish for independence on May 19, 1991. The full secession of the two northern republics was prevented by the US Secretary of State, James Baker, who met with Prime Minister Markovic and with each of the republic presidents on June 21, 1991, urging them to keep Yugoslavia together. Markovic also spoke to the Croat and Slovene assemblies, urging them not to secede. The two northern republics refused to turn back. On June 25, 1991, Slovenia and Croatia announced their full independence³⁸⁶. The immediate result was

existing federation as opposed to the former which was not only based on the territorial self-determination but also on liberal ideas (political and economic), including the respect for human and minority rights and the rule of law. The following year was also very dynamic in terms of negotiations aimed at breaking the impasse in the relations between the Yugoslav republics. This time, however, Bosnia-Herzegovina and Macedonia would play a more active role. Their joint proposal shall be discussed in the secession to follow (apart from the Brioni Agreement, already discussed). In this place, it is also worth noting the time when Croatia shifted into the authoritarian direction, thus abandoning the western concepts in the search for self-determination within Yugoslavia. Croatia's ethnically-based self-determination became obvious after 25 March 1991, when Franjo Tudjman, after having taken the office of the President of Croatia, met in Tito's old haunting lounge of Karadjordjevo with Milosevic ostensibly to discuss the constitutional impasse. But, they principally agreed to partition Bosnia-Herzegovina along ethnic lines (between the Serbs and Croats living in this republic). This line became Croatia's foreign policy well until the Dayton Accords and after until the liberals took over the power in Croatia (fall 1999).

³⁸⁵ For an account of the Serbian resistance to the election of Mesic as the head of the Yugoslav rotating presidency, see, Borisav Jovic, *Poslednji Dani SFRJ*, pp. 328-339.

³⁸⁶ However, there is a difference between these two republics. The Slovenian parliament declared Slovenian independent state which was no longer a part of the Yugoslav federation, while Croatian parliament declared Croatia an independent state which was

war in Slovenia, which lasted ten days. With the Brioni Agreement of July 7, signed by the EC representatives and the heads of Yugoslavia's republics, Slovenia gained the right to be independent by October 8, 1991³⁸⁷. In Croatia there was no truce. Hostilities there were only just beginning in July 1991, and matters would go very badly for Croatia because Yugoslav government authorities (Markovic as Prime Minister and Mesic as the head of the Yugoslav presidency following the Brioni Agreement) had lost control over the Yugoslav military. By late 1991, Tito's Yugoslavia was coming to an end. In December that year, Mesic resigned as president of the Yugoslav presidency and Markovic resigned as well. The two northern republics gained their international recognition, while the international community began to see Yugoslavia as a state being in the process of gradual dissolution.

beginning the process of 'disassociation' from Yugoslavia and of gaining the international recognition. For the documents concerning the independence of these two republics, see, in the following order: 'Republic of Slovenia Assembly Declaration of Independence', Ljubljana, June 25, 1991; 'Republic of Slovenia Assembly Basic Constitutional Charter', Ljubljana, June 25, 1991; 'Republic of Slovenia Assembly Constitutional Law on the Enforcement of the Basic Constitutional Charter on the Autonomy and Independence of the Republic of Slovenia', Ljubljana, June 25, 1991; 'Constitutional Decision on the Sovereignty and Independent Republic of Croatia', Zagreb, June 25, 1991; 'Declaration on the Establishment of the Sovereign and Independent Republic of Croatia', Zagreb, June 25, 1991. Also reprinted in Snezana Trifunovska, *Yugoslavia Through Documents*, pp. 286-305. For comments, see, Aleksander Pavkovic, *The Fragmentation of Yugoslavia. Nationalism in a Multinational State* (London: Macmillan Press Ltd., 1997) pp. 124-125.

³⁸⁷ For the full text, see, 'Joint Declaration of the EC Troika and the Parties Directly Concerned with the Yugoslav Crisis', Brioni (Croatia), July 7, 1991. Text provided by the *Albanian Foreign Ministry*, Tirana. For comments, see, Susan L. Woodward, *Balkan Tragedy*, pp. 168-179, 193-200, 202, 276-285.

2. *Bosnia-Herzegovina and Former Yugoslav Republic of Macedonia (FYROM): the Victims of the Balance of Power Within Yugoslavia*

The history of these two Yugoslav republics very much reflects the balance of power existing within the Yugoslav federation during all periods of its development. Their formation after the Second World War, as noted, was a result of the internal balance of forces. The very aim of their formation was to check and balance Serbian southwards expansion (FYROM) and to prevent the Serb-Croat conflict over Bosnia-Herzegovina³⁸⁸. The independence of these two countries was, to use Meier's words, unwanted³⁸⁹. Nevertheless, their path to full independence and the concrete reasons for it differ in each case. This is not to say that the basic premises of the balance of power that caused their birth decades ago do not remain the same.

³⁸⁸ Dusan Bilandic, a notorious Croatian historian, notes that Tito himself had told him that he had been in favor of keeping these two republics as separate and independent as possible from Serbian and Croatian influence. See, Dusan Bilandjic, 'Interview'. *Radio Free Europe* (In South Slavic Languages). The same balance of power logic repeated itself on the eve of Yugoslavia's dissolution, when both republics tried to mediate between the Serb solution of Yugoslavism and that advocated by two northern republics. Whilst the confederated proposal was initially a Slovenian idea consciously modeled on the European Union (then Community), Bosnia-Herzegovina, backed by Macedonia, became its prime supporter during tense and often confrontational negotiations among the Yugoslav republics in 1990 and 1991. This was done, as we shall see in this section, in an apparent hope to avoid the conflict and war with Serbia and Croatia. See, John Williams, *Legitimacy in International Relations and the Rise and Fall of Yugoslavia*, pp. 82-83; See, also, the accounts of the then president Kiro Gligorov of Macedonia and the current president Stipe Mesic of Croatia. Kiro Gligorov, 'Interview'. *Radio Slobodna Evropa* (In South Slavic languages), July 4-7, 2000; Stipe Mesic, 'Interview'. *Radio Slobodna Evropa* (In South Slavic Languages), May 7-9, 2001. (these interviews are part of the Radio's round table entitled 'Kako se Raspala Jugoslavija' that deals with the dissolution of Yugoslavia). (also available in internet at <http://www.rferl.org>).

³⁸⁹ Victor Meier, *Yugoslavia. A History of its Demise*, pp. 181-214.

The anti-Serbian course in the Macedonian politics began with the November 1989 Congress of the League of Communists of Macedonia (LCM). In this congress, the old dogmatic and pro-Serbian party leadership was voted out of the office. However, the first signs of rift between Milosevic's Serbia and Macedonia appeared when the new law on colonists was put forward to the Yugoslav parliament (as discussed already). This was seen in Macedonia as a sign of the potential threat coming from Serbia. These Serbian intentions were made even clearer with Milosevic's famous speech on June 28, 1989 on the Field of the Blackbirds in Kosovo, when he referred to certain aspects of the Serbian medieval history covering Macedonia as well. Upon the Macedonian insistence for explanation, Milosevic visited Skopje, the Macedonian capital, but his behavior was highly arrogant, ignoring the Macedonian claims over the Monastery of Prohor Pcinjski, which is important for modern Macedonian national consciousness but which, as a result of an earlier decision taken by Tito's Communists after the war, when the inter-republican borders were being drawn, had been assigned to Serbia. It was clear to Macedonian officials that Milosevic's gesture was a sign of his desire to include Macedonia, which the Serbs had called 'South Serbia' in the interwar period, among 'Serbian territories'³⁹⁰. In fact, this was one of the aims of the 1986 Memorandum.

³⁹⁰ Ibid. pp. 180-181. Macedonian position was very precarious when it came to the external environment (its relations with Bulgaria). Apart from this, Macedonia was heavily dependent on the rest of Yugoslavia, especially Serbia, in economic terms. These two factors count for Macedonian initial hope that only the Yugoslav federation was capable of representing Macedonia's interests in relation with its unfriendly neighbours, especially Bulgaria. This state did not recognize the existence of the Macedonian nation but only its state. This Bulgarian attitude and the ramification of the Serbian expansionist claims as described above count for the Macedonian cautious course taken at the beginning of the Yugoslav crisis. Apart from this, the appreciation on the part of the Macedonians of their strong economic dependence on the rest of Yugoslavia, above all on Serbia, should also be taken into account when judging Macedonia's attitude towards self-determination and full independence. See, Victor Meier, *Yugoslavia. A History of its Demise*, pp. 191-192; Tim Judah, *The Serbs*, pp. 86, 137-138, 247, 272-273; Mark Almond, *Europe's Backyard War*, pp. 80-82, 113, 207-208, 254, 209, 338.

After the Slovenes and Croats, new Macedonian Communists that emerged from the above congress, too, had to get ready for their independence, thus giving a sign to Milosevic that this republic did not endorse nor support Belgrade's course as opposed to previous pro-Serbian officials. However, the September 1991 referendum on Macedonian independence was even softer than its Croatian counterpart, leaving open the issue of further coexistence within a reformed Yugoslav federation. This was in fact the very aim of the Macedonian officials who, jointly with Bosnia-Herzegovina, presented their compromise proposal for a new arrangement in Yugoslavia early in June 1991. It was a counter-proposal to the Slovenian-Croatian confederative plan and a response to Serbian centralist tendencies, albeit much closer to the former. The Bosnian-Macedonian proposal represented an attempt to preserve some sort of Yugoslavia and, if this would prove impossible, to realize the right to self-determination in a democratic and civilized manner³⁹¹. The Bosnian-Macedonian proposal foresaw that the new Yugoslav association, its members included, would be a legal subject - the latter naturally dependent on external recognition. It foresaw as well that Yugoslavia should be a unified economic, custom and currency zone and that its foreign policy should be common, though the member states would enjoy the right to take independent initiatives in foreign

³⁹¹ The Yugoslav Prime Minister Markovic endorsed this proposal on June 21, 1991 in his expose before the Yugoslav parliament of the still existing Yugoslavia. Then he spoke about the 'new Yugoslavia', which he now wanted to see as a community of sovereign states for the sake of pursuing his own (ambitious) economic reforms which enjoyed the support of the Western countries. Markovic in particular stressed the need for the realization of the 'constitutional right to self-determination', not in 'one-sided manner' but through a 'democratic process.' See, the Belgrade-based daily newspaper 'Borba', June 22-23, 1991. Full title of the joint Bosnian-Macedonian proposal was 'The Platform Concerning the Future of the Yugoslav State'. See, Belgrade-based daily *Borba*, June 4, 1991. Partial translation into English is found in *Focus* (Belgrade, 1992), Special Issue, pp. 82-87.

policy³⁹². This plan was rejected because it offered the Serbs too little, while it went too far for the Slovenes and Croats³⁹³.

Following the failure of their joint proposal, both Macedonia and Bosnia-Herzegovina submitted their applications for international recognition as requested by the EC Hague Conference on Yugoslavia. In the meantime, Gligorov conducted successful negotiations with the Yugoslav military with regard to its withdrawal from Macedonia, in a time when the same military was concentrating in and around Bosnia-Herzegovina (February-March 1992). The Yugoslav military withdrew from Macedonia in an apparent hope that this republic would not be able to safeguard its stability³⁹⁴. However, Macedonia managed to preserve its fragile peace, first by gaining the support of the Albanian population living there who voted in favor of its independence and, second, by redefining its own constitution declaring Macedonia as a 'citizens state' rather than as the 'national state' of the Macedonian people³⁹⁵. The rest of the fight that Macedonia had to conduct over consolidation of its international statehood was about its name. For example, the Greeks objected to its name which, in their eyes, implied territorial claims

³⁹² For the text of the Bosnian-Macedonian proposal, see, Belgrade-based daily *Borba*, June 7, 1991.

³⁹³ Kiro Gligorov admits that this proposal was too little too late for both side, the Serbs and the north of Yugoslavia. See, Kiro Gligorov, 'Interview'. *Radio Free Europe* (In South Slavic Languages).

³⁹⁴ Victor Meier, *Yugoslavia. A History of its Demise*, p. 193.

³⁹⁵ For an excellent analysis of these Macedonian moves leading to the consolidation of the Macedonian state in its initial stages, see, Dean Katsiyannis, 'Hyper-Nationalism and Irredentism in Macedonian Region. Implications for US Policy', Part I., *European Security*, Vol. 5 No. 2 (Summer 1996) pp. 324-360; Dean Katsiyannis, 'Hyper-Nationalism and Irredentism in Macedonian Region. Implications for US Policy', Part II., *European Security*, Vol. 5 No. 3 (Autumn 1996) pp. 470-512; Sophia Clement, 'La Prevention de Conflicts dans les Balkans: Le Kosovo et l'ARY de Macedoine'. *Cahiers de Chaillot*. Numero 30 (Paris: Institut des Etudes de Securite. Union de l' Europe Occidentale, Decembre 1997) pp.13-21.

against Greece³⁹⁶. To counteract this move, Macedonia declared through a constitutional amendment, adopted at the insistence of the West European states, that it did not intend to engage in any 'interference' in the sovereign rights of the states affected or in their internal affairs. In a similar spirit, a further amendment affirmed that Macedonia did not nurture any territorial claims against its neighbors³⁹⁷. With the Yugoslav army out of Macedonia and the guarantees given to its neighbors, the new state of Macedonia was more or less secured in its way towards full independence³⁹⁸. This means that the Macedonian quest for (territorial) self-determination, apart from some difficulties as described here, was fully realized. This was not the case with Bosnia-Herzegovina.

The decision along ethnic lines among the members of the Central Committee of the League of Communists of Yugoslavia became initially obvious in 1988 in the case of Bosnia-Herzegovina when the

³⁹⁶ In its opinions nos. 6 and 7 of January 11, 1992, the *Badinter Commission* announced that Macedonia and Slovenia fulfilled all the conditions for international recognition as independent and sovereign states as foreseen by the December 1991 Guidelines. However, Macedonia was not recognized as a sovereign and independent state due to these objections put forward by Greece regarding Macedonia's name. For an overview of the Greek position and the reaction of the rest of the international community, see, Dean Katsiyannis, 'Hyper-Nationalism and Irredentism in Macedonian Region. Implications for US Policy', pp. 324-360; Dean Katsiyannis, 'Hyper-Nationalism and Irredentism in Macedonian Region. Implications for US Policy', pp. 470-512-360; Keith Highet, George Kahole III, Ane Peters, 'Commission of the European Commission v. Hellenic Republic'. *American Journal of International Law* Vol. 89 Issue 2 (April 1995) pp. 376-385.

³⁹⁷ It should be noted, though, that Macedonia was on Milosevic's partition agenda but it did not work. After Yugoslav military withdrew, Milosevic contacted Greek Prime Minister Mitsotakis with a proposal to divide Macedonia between Serbia and Greece. This proposal was rejected by Greece. See, Victor Meier, *Yugoslavia. A History of its Demise*, p.193.

³⁹⁸ One of the crucial factors making for Macedonian stability has also been the presence of a small number of U. S. peacekeepers in its territory. Cf. Victor Meier, *Yugoslavia. A History of its Demise*, pp. 194-195. See, also, Sophia Clement, 'La Prevention de Conflicts dans les Balkans: Le Kosovo et l'ARY de Macedoine', pp. 21-32.

Communists from this republic sided with Slovenes and Croats³⁹⁹. This was an ominous sign for the ethnic realities of Bosnia-Herzegovina where barely few municipalities were ethnically pure⁴⁰⁰. The process of democratization in this republic, which started too late, had to reckon on this ethnic reality. In January 1990, the parliament of this republic decided on a new constitution and introduced, in principle, a multi-party system. But, the parliament had to take care of ethnic reality and, in its efforts to not exacerbate ethnic tensions, pass a law in April 1990, forbidding the establishment of parties under national names⁴⁰¹. Despite these legal constraints, in the first free elections, held on November 18, 1990, national parties won an overwhelming majority⁴⁰².

Following the elections, Radovan Karadjic, the leader of the Serbian Democratic Party and the future war criminal, declared a day after elections that the 'conditions had now been established for the three national parties (Muslims, Serbs and Croats), as legitimate representatives of their peoples, to reach an agreement as to the future of Bosnia-Herzegovina'⁴⁰³. The Serbs clearly stood for national (ethnic) self-determination, a line pursued throughout 1990 to 1995. Only after the Dayton Accords (1995) did territorial self-determination enter the scene in this republic. In fact, the Dayton Accords shattered down the Serbian (and Croatian) illusions about ethnic self-determination within Bosnia-Herzegovina⁴⁰⁴. This ethnically-based self-determination was pursued by the Bosnian Serbs since the beginning of 1991 and in

³⁹⁹ Victor Meier, *Yugoslavia. A History of its Demise*, op. cit. 198.

⁴⁰⁰ For the ethnic composition of Bosnia-Herzegovina before the war, see, Dr.Smail Cekic, *The Agression on Bosnia and Herzegovina and Genocide Against Bosniacs: 1991-1995* (Sarajevo: Institute for the Research of Crimes Against Humanity and International Law, 1995) pp. 9-40.

⁴⁰¹ The Republic's Constitutional Court overruled the prohibition imposed by the law of April 1990. See, Aleksander Pavlovic, *The Fragmentation of Yugoslavia Nationalism in a Multinational State*, p. 113.

⁴⁰² Victor Meier, *Yugoslavia. A History of its Demise*, p. 199.

⁴⁰³ Ibid. p. 199.

⁴⁰⁴ Kasim Begic, *Bosna-Hercegovina: Od Vanceove Misije do Daytonskog Sporazuma* (199-1996). (Sarajevo: Bosanska Knjiga, 1997) pp. 235-302.

connection with the constitutional changes was already under way in this republic. As time passed on, the Serbs abandoned the constitutional system of Bosnia-Herzegovina and asked for the creation of separate state structures of their own.

During 1991, the organs of Bosnia-Herzegovina started to work on the new constitution of this republic. The draft-constitution of Bosnia-Herzegovina was ready in November 1991. The issue at stake was the type of self-determination to be applied in this republic. The constitutional commission of Bosnia-Herzegovina entrusted with the above work on the new constitution faced the same dilemmas and difficulties regarding the type of self-determination, the dilemmas already being aired in the public opinion at large. These dilemmas centered on two issues: the status of Bosnia-Herzegovina as a state within the Yugoslav federation and, second, the status of its component nations in the future redefinition of the internal structure of Bosnia-Herzegovina. The Serbian Democratic Party (SDS) was firmly in favor of keeping Bosnia-Herzegovina within Milosevic's Yugoslavia. As for the second issue, Bosnian Serbs also held the view that the sovereigns of Bosnia-Herzegovina were its three ethnic communities (Muslims, Serbs and Croats), not the state of Bosnia-Herzegovina as a whole. In the final draft of the constitution (November 1991), the Muslim-Croat view on (territorially-based) self-determination prevailed, defining Bosnia-Herzegovina as 'a common state of three equal ethnic communities, Serbs, Muslims and Croats, with the right to full independence in a case Yugoslavia dissolved'⁴⁰⁵. This was the stance of the majority of the people of Bosnia-Herzegovina and of its organs, which was made public not only *vis-à-vis* other Yugoslav republics (via the already discussed Macedonian-Bosnian peace plan of June 1991, first proposed in May 1991) but also towards the international community. Based on this, the state of Bosnia-Herzegovina applied for international recognition of its international statehood in December 1991 together with other Yugoslav republics, held its own referendum on independence on March 1, 1992 and, finally, gained its international recognition on April 6 and 7,

⁴⁰⁵ Ibid. pp.45-53. See, also, Belgrade-based newspaper *FOCUS*, Special Issue (1992) pp. 182-183.

1992⁴⁰⁶. The actions of the state organs of Bosnia-Herzegovina after war broke out were also based on territorial self-determination of the state of Bosnia-Herzegovina as a whole, a stance clearly expressed in the so-called 'Platform for Action of the Bosnian Presidency During War Times', dated June 26, 1992.

By this document, the state of Bosnia-Herzegovina pledged itself, through the state organs, not to accept any division or regionalization of the country along ethnic lines or based on ethnic criteria especially not if that division is achieved by force⁴⁰⁷. The latter related to the parallel power structures set up by the Serbs in the course of war in Bosnia-Herzegovina, first in the form of the so-called autonomies and then leveled to the status of full republics. These Serbs entities lacked a clear territorial base by the time they were formed. Their territorial base was achieved only through the brutal war leading to ethnic cleansing of the non-Serbs and their culture, an issue to be discussed again in detail in the next section after the following one to come.

⁴⁰⁶ Aleksander Pavkovic, *The Fragmentation of Yugoslavia. Nationalism in a Multinational State*, pp. 156-157.

⁴⁰⁷ Ibid. 51-52.

3. *Serbia's War Aims and the Future of the Greater Serbian Project*

As noted (see, *infra* page 28, footnote no. 57), the term 'ethnic cleansing' was used by Serb nationalists to denote a clear policy of territorial expansion through the destruction of non-Serbs and their cultures. This term was two decades following the drafting of the first Serbian national program by *Ilija Garasanin* in 1844 (the so-called *Nacertanije*, or the 'Outline')⁴⁰⁸. Garasanin's 'Nacertanije', though, was the first to clearly specify the goals of the future Serbian policies that would dominate Belgrade's discourse until its failure following the defeat of the Serbs in Croatia (1994) and the Dayton Accords (1995)⁴⁰⁹. Serbian war aims have accordingly been subordinated to the realization of this project of Greater Serbia, throughout the 19th and 20th centuries⁴¹⁰.

⁴⁰⁸ See, also, Albert Wohlstetter, 'Creating a Greater Serbia'. *New Republic*. Vol. 211, Issue 5 (08/01/94), pp. 22-28 at 23. (internet version at <http://www.gw5.epnet.com>). In a slightly different manner, the term was also used in the *1986 Memorandum of the Serbian Academy of Arts and Sciences* (Memorandum SANU), depicting the Serbs as victims of others (mainly Albanians and Croats). See, 'Memorandum Srpske Akademije Nauka i Umetnosti', pp. 154-155.

⁴⁰⁹ The case of Kosovo is still problematic in terms of the Greater Serbian project, as we shall see in the last section of this chapter.

⁴¹⁰ One caveat should be made here: the Serbian war aims have varied in the recent wars of Yugoslav dissolution (1991-1999). The aims have been either (a) to keep the old (former) Yugoslav federation together as a centralized federation under Belgrade's tight control, or (b) to carve out a Greater Serbia, including large chunks of Croatia and Bosnia-Herzegovina (Macedonia, Montenegro and Kosovo have not, at the outset, been seen as a war target of the Serbian regime, meaning that the priority was given to the areas in the north of Yugoslavia, as outlined by the 1986 Memorandum), and/or (c) to inherit the international personality (assets, rights and duties) of the old (former) Yugoslavia. Milosevic failed on all accounts. Yugoslavia came to bits; Greater Serbia lost not only Serb-occupied bits of Croatia but also Macedonia, while the 'Republica Srpska' in Bosnia-Herzegovina was not internationally recognized neither as a state nor as a part of the new Yugoslavia. Lastly, as we saw earlier, the world did not recognize this new Yugoslavia (composed of Serbia and Montenegro) as a continuity of the old (former) Yugoslavia. Cf. 'Memorandum Srpske Akademije Nauka i Umetnosti', pp. 128-163.

The institutionalization of the Serbian hegemony that started in 1918, with the beginning of the democratic processes in Europe in the mid-1980s, found itself in a weak position. This state of affairs seemed to have forced Milosevic to renew the old national program for Greater Serbia drafted earlier by Garasanin. This revival was considered as a necessary step because, according to Milosevic's team of advisers, the new political reality both within and outside Yugoslavia posed a threat to Serbian national interests as they were defined until then⁴¹¹. Notwithstanding these changes, the 1986 Memorandum did not foresee the role the changing international environment might play in the implementation of the Serbian national goals. Rather, it focused in the internal balance of forces within the Yugoslav federation, where Serbs were the dominant nation and controlled almost entirely federal structures of the old (former) Yugoslavia⁴¹². This sanctioning of the current state of affairs, without regard to the changing international environment, is evident not only throughout the 1986 Memorandum⁴¹³, but from the Serbian scholarly work undertaken at the behest and under the auspices of the Belgrade regime as well. The latter represents in fact an operationalization of the vague parts of the 1986 Memorandum, thus

⁴¹¹ Following the end of the Cold War, Yugoslavia lost its strategic importance as a buffer zone between East and West, while the Non-Aligned Movement went into the shadows of history, a movement found by Tito to boost Yugoslavia's international position. See, James Gow, *Triumph of the Lack of the Will*, pp.12; 20-31; Zoran Pajic, 'The Former Yugoslavia'. In Hugh Miall (ed.), *Minority Rights in Europe: The Scope for a Transitional Regime* (London: Royal Institute of International Affairs, 1994) pp.56-66.

⁴¹² For an overview of the Serbian dominance over Yugoslavia, see, more, in Reneo Lukic and Alen Lynch, *Europe from the Balkans to the Urals. The Disintegration of Yugoslavia and the Soviet Union* (London: SIPRI, 1996) pp. 57-97; Philip J. Cohen, *Serbia's Secret War. Propaganda and the Deceit of History*, pp. 3-24.

⁴¹³ It is evident from the 1986 Memorandum that no connection was made between the position of the Serbs living in Yugoslavia and their surrounding. Rather, the 1986 Memorandum spoke of popular sovereignty an ethnically-based self-determination taking into account that the Serbs were the largest nation in Yugoslavia. The quest for democracy, according to this document, was based on the premise 'one man, one vote', fitting only Serbian interests. See, 'Memorandum Srpske Akademije Nauka i Umetnosti', pp. 145-147.

giving the latter all features of a national program aimed at territorial expansion to the detriment of non-Serbs and their cultures. The scholarly work in essence deals only with the territorial issues within the former Yugoslav federation, elaborating in detail the 1986 Memorandum's premise 'all Serbs in one State'. This elaboration was based on various grounds. Thus, insofar as the 1986 Memorandum remained clear for the territories of Kosovo and Croatia, this was not the case for the rest of Yugoslavia, especially Bosnia-Herzegovina. This task of the 1986 Memorandum clarified the details in the Serb academic discourse by the end of the 1980s and the beginning of 1990s, so that the later Yugoslav wars spread precisely along the territories discussed in this Serbian academic discourse, first in Croatia then in Bosnia-Herzegovina and elsewhere⁴¹⁴.

At first sight, the 1986 Memorandum seems as if promoted a democratic goals ('one man, one vote'). But with the passing of time, it became obvious that it did promote the opposite goals, that is, the preservation of the Serbian hegemony and dominance over the central state structures of the old (former) Yugoslavia. When Milosevic failed in the task of preservation of the former Yugoslav federation in its centralized form, via the control of its federal organs, he resorted to the second part of his plan for a Greater Serbia, precisely as foreseen by the 1986 Memorandum. This process started in Kosovo in 1987, continued throughout 1991-1992, to culminate in an apparent failure during 1995. He and his staff made careful preparations to achieve Serbia's war aims, that is, the project of Greater Serbia as described so far⁴¹⁵. These war

⁴¹⁴ There was no difference between the academic discourse and Belgrade's official position. Cf. Midrag Zecevic - Bogdan Lekic, *Drzavne Granice i Unutrasnja Territorijalna Podela Jugoslavije* (Beograd: Gradjevinska Knjiga, 1991) pp. 38-44; The Ministry of Information of the Republic of Serbia (ed.), *The Creation and Changes of the Internal Borders of Yugoslavia* (Beograd: Srbostampa, 1991).

⁴¹⁵ In scholarly work, though, there have been various interpretations of Serbia's war aims, claiming that the wars in the territory of former Yugoslavia were civil wars and not wars conducted for Serbia's territorial expansion to the detriment of other non-Serbs living in Yugoslavia. See, more, David Owen, *Balkan Odyssey* (London: Indigo, 1996) pp. 374-403; Susan L. Woodward, *Balkan Tragedy*, pp. 333-374; Miroslav Pecujlic i Radmila

preparations by Serbia started somewhere at the beginning of the 1980s and ended up around 1990, comprising all aspects needed for war preparations: psychological, institutional, economic, propagandistic and military.

Serb intellectuals, during the mid-1980s, created a critical mass of prejudice against non-Serbs, the warmongering and ethnocentrism within the Serbian society. These steps made it possible for Milosevic to easily come to power and direct the public opinion in Serbia against Slovenes, Albanians, Croats and Muslims. An anti-Albanian pamphlet, published by Serb intellectuals in *Praxis* (Belgrade-based journal), represents the most influential paper after the 1986 Memorandum. The paper spoke of Albanians in a very biased way, describing them as a primitive and savage population, worthy of nothing but suppression. The aim of this paper was to prove the discrimination against Serbs, a fact never proved in reality throughout Yugoslavia's existence. For the Belgrade regime, nevertheless, it did suffice that there existed a support from the public opinion, both in Serbia and in the major part of Yugoslavia, showing the alleged discrimination against, and the suffering of, the Serbs living in Kosovo⁴¹⁶. The first test of this psychological preparation for war(s) and conflict was made on April 25, 1987 in Kosovo. During his visit to Kosovo, in the Field of Blackbirds (In Albanian: Fushw Kosovw; In Serbian: Kosovo Polje), Milosevic held a speech promising the Serbs that no one would beat them anymore. His support for the Serbs from Kosovo enabled him to further play the

Nakarada, 'Slom Jugoslavije i Konstituisanje Novog Svetskog Poretka'. In Radmila Nakarada (ed.), *Evropa i Raspad Jugoslavije* (Beograd: Institut za Evropske Studije, 1995) pp. 41-60; Radmila Nakarada i Obrad Racic, *Raspad Jugoslavije - Izazov Evropskoj Bezbednosti*. (Beograd: Projekat 'Evropska Kolektivna Bezbednost Nakon Mاستrihta', 1998) pp. 19-28. There is no doubt, nevertheless, that the conflict and the wars in Yugoslavia (1991-1998) were not of an internal nature (civil wars) but rather a conflict and the wars for territorial expansion, prepared carefully and over a long period of time by the Serb elite. Unfortunately, international reaction to this has not been appropriate one, leaving enough maneuvering room for Serbia to dictate the pace of events on the ground for quite a long time.

⁴¹⁶ Muhamedin Kullashi, *Ese Filozofiko-Politike* (Peje: Dukagjini, 1995) pp. 152-171.

Serbian nationalist game and strengthen his hold to power in Belgrade. The first sign of this was the purge from the Communist ranks in Serbia of the moderates like Dragisa Pavlovic and Petar Stambolic (Milosevic's former protégés)⁴¹⁷. The final phase in these psychological preparations for war(s) and conflict occurred by the end of 1989 when the Serbian Orthodox Church organized, under the auspices of the Belgrade authorities, the reburial of the bones of the Tsar Lazar (Serbian Medieval King, who lost his life in the Battle of Kosovo against the Ottomans in 1389). This reburial was a typical parody of a medieval cult, serving to ignite the nationalist feelings of the ordinary Serbs and was done in the name of the 'real souls of the Serbdom'⁴¹⁸.

Institutional preparations for war(s) and conflict were made around 1998-1990, when Milosevic destroyed in an unconstitutional and unilateral way the autonomies of Kosovo and Vojvodina and continued

⁴¹⁷ Darko Hudelist, *Kosovo: Bitka Bez Iluzija* (Zagreb: Centar za Informacije i Publicitet, 1989) pp. 34-37; 42; 155-157; 165-167; 173-77; 188-199; John Zametica, 'The Yugoslav Conflict'. *Adelphi Paper* No. 270 (London: the International Institute for Strategic Studies, 1992) pp. 25-26. Darko Hudelist has been all the time in company with the leaders leading the so-called anti-beaurocratic revolutions in Kosovo, Montenegro and Vojvodina. These popular rallies against the legally elected governments of these three regions of Yugoslavia made possible for Milosevic to settle scores with his political rivals who eventually resisted the policies of the 1986 Memorandum, already under implementation by Milosevic and his team.

⁴¹⁸ Mark Almond, *Europe's Backyard War. The War in the Balkans*, p. 5. In fact, the campaign with the dead was not Milosevic's invention. This phenomenon had been used in Serbia as far back as 1928. On the eve of Radic's assassination in the Yugoslav parliament (*Stjepan Radic* was an influential Croat leader who strove for Croatian separate state within the Serb-Croat-Slovene Kingdom), the then Prime Minister of Yugoslavia, *Pribicevic*, proposed to the King that the bones of *St. Sava* (the founder of the Serbian Church) be ceremoniously walked all over Croatia in order to boost the nationalist feelings of the Serbs living there. This was meant to secure the votes of the Serbs in the oncoming elections for the Yugoslav parliament. But, the elections were not held because the Croat leader, *Stjepan Radic*, was in the meantime assassinated and the royal dictatorship imposed in January of 1929. See, more, in Tim Judah, *The Serbs*, pp. 109-110.

with the usurpation of the federal state organs paralyzing the normal functioning of the vital parts of the Yugoslav state (the Central Committee of the League of Communists of Yugoslavia, the Federal Presidency of Yugoslavia, Yugoslav diplomatic and consular missions, Yugoslav Informative Agency 'TANJUG', and the Central Bank of Yugoslavia). The Croat Stipe Mesic, who was to be the rotating head of the Yugoslav presidency from Croatia, was blocked by Serbia and its satellites (Montenegro, Kosovo and Vojvodina, who were the supporters of Milosevic after the coups of 1988-89 following the 'anti-beaurocratic revolutions' in these regions). This occurred in May 1991 and marks the end of Yugoslavia's institutional destruction and the institutional preparation for war(s) and conflict⁴¹⁹, which started with Serbia's unilateral alteration of the constitutional position of Montenegro, Kosovo and Vojvodina. These events radically changed the balance of forces within Yugoslavia, giving Serbia an apparent advantage against the others when it came to the decision-making at the federal level.

Military preparations (political, strategic and operational) for war(s) and conflict started immediately after Tito's death in 1980. The Yugoslav People's Army (the YPA, or JNA in Serbo-Croatian) intensified its war preparations along Serbia's national aims, especially in the period between 1986-1990⁴²⁰. It was not the communist ideology, as argued by some scholars, the forced the Yugoslav Peoples Army (YPA) to side with Milosevic but the Greater Serbian national program. This fact is seen by the mere fact that since Tito's death, all Serb-inhabited areas of

⁴¹⁹ Eduard Riccuti, *War in Yugoslavia. The Break Up of a Nation*. (Connecticut: The Millbrook Press, 1993) pp. 26-27.

⁴²⁰ Anton Bebler, *The Yugoslav Crisis and the 'Yugoslav People's Army'* (Zurich: ETH Zentrum, 1992) pp. 15-16; Reneo Lukich and Alen Lynch, *Europe from the Balkans to the Urals. The Disintegration of Yugoslavia and the Soviet Union*, pp. 194-185. Long before the war started, the YPA had prepared plans for war along the 1986 Memorandum lines. This fact has been admitted by Yugoslavia's last defense minister, the Serb Veljko Kadijevic. Cf. Reneo Lukich and Alen Lynch, *Europe from the Balkans to the Urals. The Disintegration of Yugoslavia and the Soviet Union*, p.195; See, also, Philip J. Cohen, 'The Complicity of Serbian Intellectuals in Genocide in the 1990s'. In Thomas Cushman and Stjepan G. Mshetrovic (eds.), *This Time We Knew*, p.54.

Yugoslavia were put under direct control of the Belgrade Army. At the time, this fact was not so obvious. It became apparent only in 1990 when all the weaponry belonging to the Territorial Defense (a military structure belonging to the federal units of Yugoslavia, e.g., republics and autonomous provinces of Kosovo and Vojvodina) of Slovenia, Croatia and Bosnia-Herzegovina were confiscated by the YPA. A similar event had occurred in Kosovo after the 1981 riots⁴²¹. When the war started in Croatia (September 1991) and Bosnia-Herzegovina (March-April 1992), the YPA did not hide its intentions, siding openly with Milosevic in their common endeavor to create either a centralized Yugoslav federation or a Greater Serbia⁴²².

Economic preparations for war(s) and conflict have been conducted in Serbia very skillfully. Namely, they started during the mandate of the reform-oriented prime minister of Yugoslavia, the Croat Ante Markovic. His reforms made it possible for the Belgrade regime to collect huge amount of hard currency at the hands of the Central Bank of Yugoslavia. The Serbian banks, at the same time, withdrew most of their cash and transferred it into foreign accounts, in Cyprus above all, but as well in

⁴²¹ New administrative divisions, made by the YPA, had been explained in a military terms, no matter how obvious were the political motives for these divisions. Neither the Federal parliament nor the public at large were being informed about the YPA undertakings. Those who criticized these new administrative divisions following Tito's death have noticed that there had been a considerable coincidence between these divisions and the territorial claims laid down by the Serbs and their Memorandum of 1986. See, Anton Bebler, *The Yugoslav Crisis*, pp. 9-10.

⁴²² Istvan Deak, 'The One and the Many. October 7, 1991'. In Nader Mousavizadeh (ed.), *The Black Book of Bosnia. The Consequences of Appeasement*. (New York: New Republic Inc., 1996) pp. 18-19; Fouad Ajamai, In Europe's Shadows. November 21, 1994. In Nader Mousavizadeh (ed.), *The Black Book of Bosnia*, pp. 52-53; James Gow, *Legitimacy and the Military*, pp. 139-152 at 142; Anton Bebler, *The Yugoslav Crisis*, pp. 6-7; Warren Zimmermann, 'The Last Ambassador. A Memoir of the Collapse of Yugoslavia'. *Foreign Affairs*, March-April 1995 p. 13; John Zametica, *The Yugoslav Conflict*, pp. 42-43. The latter author, Zametica, seems to contradict himself. Namely, he believes that that there were no war aims guiding the YPA in its war campaign. See, John Zametica, 'The Yugoslav Conflict' op. cit. p. 44.

the rest of Europe and the United States⁴²³. The final act of these economic preparations occurred in December 1990, when Milosevic transferred, in his march to war, from the Central Bank of Yugoslavia more than \$ 2 billion. Later, this money served to finance Serbia's war campaign in Croatia and Bosnia-Herzegovina⁴²⁴.

The most interesting part of Milosevic's efforts to create a Greater Serbia, be it in the form of a centralist federation or an ethnically pure Serbian state, had been those concerning the international community. Milosevic's diplomatic maneuvering has been based on a simple logic: the inertia and an apologetic stance of the international community in the first years of the war enabled him to play off one international factor against the other. In this context, he knew well that the old (former) Yugoslavia had played an important role during the Cold War so that this factor would be enough for him to make sure that the same international community needed time to adjust to the new face of Milosevic's Yugoslavia. Tito's Yugoslavia and its role secured Serbia that the international community would be passive for some time until the real aims of Serbia became obvious to foreigners⁴²⁵. Furthermore, the domination of the diplomatic and consular staff by the Serbs and Montenegrins rendered the manipulation of the international community

⁴²³ W. Raymond Duncan and G. Paul Holman, Jr. (eds.), *Ethnic Nationalism and Regional Conflict. The Former Soviet Union and Yugoslavia* (San Francisco: Westview Press, Inc., 1994) p. 205.

⁴²⁴ Mark Almond, *Europe's Backyard War. The War in the Balkans*, p. 15; Warren Zimmermann, the last Yugoslav ambassador to Yugoslavia, admits that there had been an illegal transfer of money from the Central Bank of Yugoslavia by Milosevic, but that the money itself went for Milosevic's election campaign in December 1990 and not to finance his war efforts. Cf. Warren Zimmermann, *Origins of a Catastrophe. Yugoslavia and its Destroyers: America's Last Ambassador Tells What Happened and Why* (Albanian translation by BESA: Tirane 1996) p. 92.

⁴²⁵ Raymond Duncan and Paul Holman, Jr. (eds.), *Ethnic Nationalism and Regional Conflict. The Former Soviet Union and Yugoslavia*, pp. 19-53; Edward Riccuti, *War in Yugoslavia. The Break Up of a Nation*, pp. 26-28, 30; Christopher Cviic, 'Perceptions of Former Yugoslavia: An Interpretative Reflection'. *International Affairs* Vol. 71 No. 4 (October 1995) p. 821.

on behalf of Milosevic's war aims all more easily. Milosevic's foreign policy strategy was based, apart from the above premise concerning the nature of the international system following the Cold War's end, on all sorts of alliances, be they real, historic or based on myths. They were real as far as they were based on ethnicity (Russia), historic when it came to 'traditional friendships' (France) and, lastly, based on myths (Israel) when it came to the manipulation of the Holocaust, portraying the Muslims and Croats as Nazis. Apart from this, in his foreign strategy, Milosevic used the alliances that were based on political interests of those countries fighting secession and the disintegration processes (Great Britain). But, with the passing of time, the events in Yugoslavia showed that Serbian actions in Croatia and Bosnia-Herzegovina mirrored more closely the Nazis rather than the opposite⁴²⁶.

The above preparations for war and ethnic aggression against the non-Serbs and their culture, aimed at the ration of Greater Serbia, have most conspicuously been reflected in the cases of Croatia and Bosnia-Herzegovina. The Belgrade regime orchestrated a Greater Serbia policy there by instructing the Serbian leaders living there to declare various Serb entities by ethnically cleansing the non-Serbs from the territories meant for such declared Serb entities. The initial form of these self-styled Serb entities was called 'political and territorial autonomy' (a pure Communist concept regarding the internal form of self-determination), to end up in a 'sovereign and independent republic', both named after the Serbs living in Croatia and Bosnia-Herzegovina respectively⁴²⁷.

⁴²⁶ For a detailed account of the anti-Semitism and fascism in Serbia, WW II included, see, more, in Philip J. Cohen, *Serbia's Secret War. Propaganda and the Deceit of History* 199.

⁴²⁷ It is worth noting here that these self-styled 'sovereign and independent republics' of the Serbian people living in Croatia and Bosnia-Herzegovina were not recognized by none of the sovereign and independent members of the present international community. The 'Republika Srpska Krajina' in Croatia, destroyed by the Croat forces in 1995, was recognized by Transdniestria, which itself is a part of the Russian Federation. See, Zoran Kusovac, 'Zgjedhjet ne Kine Trazojne Kinen Tjeter'. *Koha Ditore* (Prishtine), April 4, 2000, p.10. They were not recognized by FRY either because the Dayton Accords, despite a common public perception at the time of their writing, did not legitimize the 'Republika Srpska'. They have instead marked the first serious blow to the Greater Serbian

It is this route concerning the failure of the Greater Serbian project to which we turn in the next section. The analysis of the Serbian interpretation of the international statehood shall take a prominent place. From this analysis, it can be seen that the Serbs living in these two republics have apparently misinterpreted the very concept of the international statehood and the way to realize the right to self-determination⁴²⁸.

project, denying any international standing on behalf of the 'Republika Srpska'. First article of the Accords recognized only the statehood and the sovereignty of the State of Bosnia-Herzegovina.

⁴²⁸ The Croats living in Bosnia-Herzegovina also carved up their own 'independent and sovereign republic'. There is a difference with the Serbs, though. It stems from the fact that the former did this only as a reaction to the Serbian actions. It became an orchestrated policy only after the Karadjordjevo Meeting between Tudjman and Milosevic (discussed earlier). For an opposite view, see, Kasim Begic, *Bosna i Hercegovina*, pp. 55-69.

4. *Serbian Transformation of the 'Autonomous Entities' into 'Sovereign and Independent Republics': An Arbitrary Interpretation of the International Statehood*

The creation and the transformation of the Serb entities in Bosnia-Herzegovina has been a coordinated process that comprised of not only the territory of this republic but also of the large parts of nonbearing Croatia. Initially, the formation of these Serb entities was connected to the new constitutional changes under way in Bosnia-Herzegovina during 1990. These changes were undertaken for the purpose of regionalization of this republic in order to enable it to become a modern, reform-oriented, state of Europe⁴²⁹. As it is usual elsewhere in this field, the process of regionalization in Bosnia-Herzegovina was to be based on economic and social criteria, enhancing the effectiveness of the whole state of Bosnia-Herzegovina⁴³⁰. Long before the war started, it was becoming clear that the Serbs had no intention to base their concept of regionalization on economic or social criteria but rather exclusively on the principle of ethnicity. Their insistence upon the ethnic principle coincided entirely with their overall manipulation and misinterpretation of the prevailing economic trends in some parts of Bosnia-Herzegovina that were Serb-inhabited (no matter their numbers). This strategy was meant to show the alleged Serb economic discrimination and their economic backwardness in this republic. The strategy covered not only those areas where the Serbs were in majority but other parts where they lived in community with others in a very small numbers as well. The first manifestation of this strategy aimed at the dismemberment of the state of Bosnia-Herzegovina and took the form of an association, named 'the Community of Municipalities of Bosanska Krajina', composed of

⁴²⁹ Ibid. pp. 55-56.

⁴³⁰ See, for example, the Preamble of the European Charter on Self-Government (Rome 1984), which speaks of the same values to be promoted by the local self-governments and the decentralization of powers. For comments, see, Guy Hollis and Karin Plokker, *Towards Democratic Decentralization: Transforming Regional and Local Government in the New Europe* (Brussels: Atkins DGI, European Commission, 1995).

nine to thirty municipalities of Bosnia-Herzegovina⁴³¹. This form was based on an alleged agreement between the municipalities, named as 'the Agreement on the Establishment of the Association of Municipalities' (In Serbian: *Dogovor o Udrzivanju u Zajednicu Opcina*). This association had a legal and separate personality from the organs and the state structures of Bosnia-Herzegovina. This means that it did have the right to exercise all powers otherwise falling within the jurisdiction of the Republic of Bosnia-Herzegovina. On December 16, 1991, this 'autonomous' region was transformed into the 'Srpska Autonomna Oblast' ('the Serbian Autonomous Area')⁴³². The Declaration of the (first) 'Serbian Autonomous Area' was followed by the similar declarations in other parts of Bosnia-Herzegovina (November - December 1991 and January 1992). These actions covered almost eighty *per cent* of the Bosnian territory⁴³³. The new entities exercised the jurisdiction not only of the organs of Bosnia-Herzegovina but also the jurisdiction pertaining to the federal Yugoslavia, regarding the defense and the related issues. In parallel with the creation of the Serb autonomies, there was under way a process of setting up the 'Assembly of the Serbian People in Bosnia-Herzegovina.'. This assembly was constituted on October 24, 1991. It took a decision stating that the Serbs had decided to live in a common state of Yugoslavia (together with Serbia, Montenegro and other self-styled Serb entities in Croatia). This will of the Serbs shall be demonstrated, said the above decision of the Assembly, on November 9 and 10, 1991. In justifying these actions, the Serb leaders openly put

⁴³¹ There were few proposed versions of this document so that the exact number of municipalities remains unknown to date. Cf. Kasim Begic, *Bosna i Hercegovina*, p.57.

⁴³² Both its creation and the transformation into an autonomous area were initially justified on pure economic and social terms, although in practice it was obvious that the ethnic criteria was a driving force behind. This became clear as the time went on, especially following the discovery of a Serb plan designed for the total dismemberment of Bosnia-Herzegovina along ethnic lines. This plan had been drafted in September 1991, in the name of 'science' and 'profession', clearly opting for ethnic principle as the main pillar in the regionalisation of Bosnia-Herzegovina. Economic and social factors were manipulated and misinterpreted to serve the ethnic principle. Cf. Kasim Begic, *Bosna i Hercegovina*, p.58.

⁴³³ Ibid. p. 59.

foreword ethnic rather than economic and social reasons. It was called a 'plebiscite', although its very aim was the dismemberment of the state of Bosnia-Herzegovina. This plebiscite was indeed held on the above dates, making more explicit the idea of a Greater Serbia. In a unique manner, the Serbs printed their voting lists in a blue color, leaving for the non-Serbs yellow ones. This difference in color was followed by different questions as well. Namely, the non-Serbs had to answer the question as to whether Bosnia-Herzegovina shall remain an equal republic, while the Serbs had to answer the opposite, that is, whether they should remain within Bosnia-Herzegovina⁴³⁴.

The next step following the November 1991 'plebiscite' was to make use of the utmost the results of the 'plebiscite', both domestically and on the international plane. The latter consisted of the efforts made by Serbs to represent themselves in relation to the legal organs of Bosnia-Herzegovina as a 'separate party' and to make representations on their behalf before the representatives of the EC Conference on Yugoslavia already under way in the Hague. Domestically, the Serb leaders were using the results of the 'plebiscite' to foster the final proclamation of the 'Republic of the Serbian People of Bosnia-Herzegovina', which in fact they did proclaim on January 9, 1992. This transformation of the previous autonomous entities into a single 'republic' was done in a hope that it would be internationally recognized as a federal unit within the still existing Yugoslav federation and, in case that failed, as an independent and sovereign state⁴³⁵.

Well until the outbreak of the open war in Bosnia-Herzegovina, the Serb leaders there relied on their rhetoric on the option of 'remaining within Yugoslavia'. This was in essence nothing but a cover up for the realization of the Greater Serbian project. In fact, as noted, Yugoslavia, for the Serbs, meant nothing but a centralized and Serb-controlled

⁴³⁴ Ibid. pp. 60-61.

⁴³⁵ This 'republic' recognized its counterpart in Croatia. Ibid. pp. 63-64. This shows that the Serbs believed that only entities of the type of a republic would be recognized internationally. This view relied upon the November 1991 legal opinion of the 'Badinter Commission for former Yugoslavia'.

federation. If that failed, next to it came the open and brutal realization of the Greater Serbian project. None of the ways were to be excluded from the process of realization of the Greater Serbian project, which became clear following an earlier statement by Dobrica Cosic (the most influential intellectual among the Serbs in Yugoslavia and one of the drafters of the 1986 Memorandum), who stated that the project would be realized either peacefully or manu militari⁴³⁶. Taking into account the ethnic mixture in Croatia and Bosnia-Herzegovina respectively, it is logical indeed to assume that the project of Greater Serbia could not have been realized by peaceful means⁴³⁷.

The Badinter Commission for the former Yugoslavia in its January 1992 pinion opted in favor of the recognition of Slovenia and Macedonia. For Bosnia and Croatia, the Commission set out some conditions that these two Yugoslav republics were to fulfill before any international recognition shall be extended to them. For Bosnia-Herzegovina, the Commission asked that a referendum be held in this republic and that the minority rights be respected in Croatia⁴³⁸. This was used by Serb leaders

⁴³⁶ See, more on this, Philip Cohen, 'The Complicity of Serbian Intellectuals in Genocide in the 1990s', pp. 39-64.

⁴³⁷ Father Sava, one of the most influential Serb religious leaders, once stated that the project had a chance to be realized through peaceful means. See, 'Father Sava Talks to RFE/RL'

⁴³⁸ '3. The Arbitration Commission considers that:

- I. The Constitutional Act of December 4, 1991 does not fully incorporate all the provisions of the draft Convention of November 4, 1991, notably those contained in Chapter II Article 2 (c), under the heading 'Special Status' ;
- II. The authorities of the Republic of Croatia should therefore supplement the Constitutional Act in such a way as to satisfy those provisions ; and
- III. Subject to this reservation, the Republic of Croatia meets necessary conditions for its recognition by the Member States of the European Community based on the Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union, adopted by the Council of the European Communities on December 16, 1991'. *Opinion no. 5 on the Recognition of the Republic of Croatia by the European Community and its Member States*. Text provided by the Albanian Foreign Ministry,

as a pretext to boycott the referendum, held on February 29 and March 1, 1992. Following this, Serb leaders openly threatened that they would declare their own independence in case Bosnia-Herzegovina was recognized as a sovereign and independent state. In this way the Serbs justified in advance their military actions undertaken in the months to come with the sole purpose of creating the Greater Serbia by ethnically cleansing from their entities all non-Serbs and their cultures. The Serb interpretation of the international statehood was an arbitrary one. They believed that only the republic-type entities would be recognized internationally, notwithstanding the manner in which they were created. In line with this, Serbs declared their own 'independent republic', following the recognition of Bosnia-Herzegovina (April 6 and 7, 1992). This time, however, the Serbs put aside the idea of 'remaining within Yugoslavia'. In a matter of months following the declaration of this 'independent republic', the Serbs managed to ethnically cleanse almost 70 *per cent* of the territory of Bosnia- Herzegovina, thus securing the

Tirana. Also reprinted in Snezana Trifunovska, *Yugoslavia Through Documents*, pp. 489-490. '5. The Arbitration Commission consequently takes the view:

- that the Republic of Macedonia satisfies the tests in the Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union and the Declaration on Yugoslavia adopted by the Council of the European Communities on December 16, 1991;
- that the Republic of Macedonia has, moreover, renounced all territorial claims of any kind in unambiguous statements binding in international law;
- that the use of the name 'Macedonia' cannot therefore imply any territorial claim against another states; and
- that the Republic of Macedonia has given a formal undertaking in accordance with international law to refrain, both in general and pursuant to Article 49 of its Constitution in particular, from any hostile propaganda against any other State; this follows from a statement which the Minister of Foreign Affairs of the Republic made to the Commission's request for clarification of Constitutional Amendment No. II of January 6, 1992'. Opinion No. 6 on the Recognition of the Socialist Republic of Macedonia by European Community and its Member States. Paris, January 11, 1992. Text provided by the Albanian Foreign Ministry. Also reprinted in Snezana Trifunovska, *Yugoslavia Through Documents*, pp. 491-495.

territorial base for their new 'state'. Hoping to gain international recognition for their *fait accompli* policy, the Serbs left behind the old idea of Yugoslavism and focused instead on the Greater Serbian project based entirely on the policy of ethnic cleansing of the non-Serbs and the destruction of other cultures. The first reactions of the international community, mainly the EU, went along the Serb argumentation of the international statehood. This meant open support for ethnic division of Bosnia-Herzegovina. Only the Dayton Peace Accords (1995), reached under the US leadership, managed to defeat this ethnic principle. Other peace plans, such as Cutiliero Plan, Vance- Owen and Owen-Stoltenberg plans, were drafted along ethnic principle⁴³⁹. This does not mean that the EU foresaw ethnic principle as a basis for self-determination within the territory of former Yugoslavia (in both forms, internal and external self-determination). In its documents, the EU relied instead on the principle of territoriality, taking the Yugoslav republics as a reference point. The rule of law, democracy, respect for human and minority rights were put foreword as a precondition to be fulfilled by the new states in the process of consolidation of their international statehood. The problems arose in practice when these conditions, or corrective mechanisms (criteria), had to be applied alongside the self-determination based on territory. Then, the policy prevailed over law favoring (or at least tolerating) the Serb policy of ethnic cleansing. These and other related issues shall be discussed again in the VI chapter of this work, when the matter of international recognition is taken up. There is on another issue that is in a close connection with the Greater Serbian project. This issue deals with Kosovo. The discussion of this issue is needed for the sake of ascertaining whether the Greater Serbian project has failed in the Kosovo case or if opposite is true.

⁴³⁹ For a detailed account of the five proposals on the peace in Bosnia-Herzegovina, especially those based on ethnic criteria (all but the Dayton Accords) over the years 1992-1995, see, Kasim Begic, *Bosna I Hercegovina*, pp. 100-197; Aleksander Pavkovic, *The Fragmentation of Yugoslavia*, pp. 155-193.

5. *The Dayton Model for Kosovo*

When the Dayton Accords were reached in November 1995, very few people, both scholars and the public at large, believed that there might ensue an equal treatment in terms of the final status of the 'Republika Srpska' in Bosnia-Herzegovina and Kosovo. Very few saw that both entities would in the future be treated as parts of two sovereign states, Bosnia-Herzegovina and FRY respectively. It did not matter that the former was a result of a policy of ethnic cleansing and genocide against an entire nation, while the latter possessed its clear territorial base and a population who were constantly an object of the same Serbian policy of ethnic cleansing. These efforts to ethnically cleanse Kosovo from its non-Serbian population were prevented by NATO's military action undertaken during March-June 1999. However, Kosovo remained since then a part of FRY, which renders dubious the fact as to whether the project of Greater Serbia has been defeated in Kosovo. Or, it might well be the case, the Belgrade regime has been successful in the preservation of the formal sovereignty over a vast areas not inhabited in majority by Serbs, thus leaving the international community with no choice but to take on the role of a care-taker of the Greater Serbian project, the brutal and violent realization of which is postponed for a later date when the international balance of forces changes in favor of Serbia. In order to try to answer this precarious situation, the sections to follow are divided into two parts, one dealing with the Kosovor Albanians' way pursued in their search for self-determination before the conflict and war in Kosovo began (1998), while the other section is concerned with the results that followed after the March-June 1999 events.

5.1. The Kosovo Albanian Way Pursued for the Achievement of Self-Determination

Compared with other territorial entities in former Yugoslavia (federal republics and the autonomous province of Vojvodina), Kosovo did not control its own territory and population because the Kosovo organs and institutions that were set up on the eve of Yugoslavia's dissolution had been paralyzed in this regard. Although acting under the provisions of the 1974 Yugoslav constitution, these organs were stripped of any real power by the Belgrade regime long before the process of Yugoslav dissolution started. The so-called Territorial Defense of Kosovo and its Police Forces had been disarmed and put under Belgrade's tight control as far back as the mid-1980s. Furthermore, this process of the disarming of Kosovo's legal organs and institutions accelerated in 1987, when the Serbs and Montenegrins living in Kosovo were being armed public ally. When the Yugoslav dissolution began in 1990, Kosovar Albanians chose a peaceful way as a reaction to the abolition of their autonomous status by Serbia (1989) and Milosevic's repressive policies were well under way. This was, for Yugoslav conditions, a very specific manner to challenge Serbian rule and sovereignty over Kosovo. By boycotting entirely the Serbian installed system in Kosovo since 1989, the Kosovar Albanians managed to put Serbia in the eyes of the internationals in a position of the occupying power, noticeable to foreign visitors at first sight⁴⁴⁰. This challenge to the Serbian rule and sovereignty over Kosovo was very successful and effective throughout the first years of the Yugoslav wars of dissolution, and well beyond that until Milosevic's repressive policies reached unbearable proportions for the local population.

As a means to channel their peaceful policy (1990-1997), Kosovar Albanians used the policy of parallel institutions *vis-à-vis* those installed by the Belgrade regime. This policy of parallel institutions started in Kosovo ever since Kosovar autonomy was abolished by Serbia in 1989. The first step in this direction had been undertaken on July 2, 1990,

⁴⁴⁰ Mark Balla et al. (eds), *Mediterranean Europe on a Shoestring* (London: Lundy Planet, 1993) p.1093.

when the Assembly of Kosovo, a lawful organ according to the 1974 Yugoslav constitution, declared Kosovo as an equal and independent unit within the still existing Yugoslav federation. The Belgrade regime's reaction was brutal. It closed down the Kosovo Assembly, which went into hiding and continued its work without Serb and Montenegrin deputies. The Assembly went a step further by declaring Kosovo a federal republic within Yugoslavia and, following this, announced its intention to hold an independence referendum, held from September 26 to September 30, 1990. In this referendum, 87 *per cent* of the population of Kosovo took part (Serbs and Montenegrins boycotted), of whom 99.87 *per cent* voted for Kosovo's independence⁴⁴¹.

In trying to keep up with the pace of events occurring elsewhere in the Yugoslav territories, the self-styled Government of Kosovo in exile handed over to the European Peace Conference on Yugoslavia the application for an international recognition of Kosovo's independent statehood (December 1991)⁴⁴². Although Kosovo had always had, as it does at the present, its own territorial base and the population, the application for international recognition of Kosovo's full independence did not meet with a positive response from the international community. This was due to the fact that parallel organs and institutions (the self-styled Government of Kosovo and the equally self-styled President of Kosovo) were not able to effectively control their own territory and population living within Kosovo's borders. This further meant that the above organs and institutions had no coercive powers and authority with which to impose their own will upon the others: the Kosovar government living in exile had neither army nor police to assert themselves both internally and on the international plane. Their powers and authority, if any, rested on moral rather than political grounds and

⁴⁴¹ Fatmir Sejdiu, 'Baza Juridiko-Politke e Republikës së Kosovës'. In *Instituti i Historisë së Kosovës dhe Shqipërisë* (eds.), *Çështja e Kosovës - Një Problem Historik dhe Aktual* (BESA: Tirane 1996) pp.371-379.

⁴⁴² For the full text of this application, see, The Academy of Arts and Sciences of the Republic of Albania (ed.), *The Truth on Kosovo* (Tirana: Encyclopedia Publishing House, 1993) pp. 341-343.

considerations⁴⁴³. The first such military force of the Kosovar Albanians was set up only during 1998-1999, under the name 'Kosovo Liberation Army' (KLA) or (in Albanian) 'Ushtria Clirimtare e Kosoves' (UCK). The process of its formation has been a long one and was connected to two factors, one internal (the repressive policies of the Belgrade regime) and other external (the reluctance of the international community to take concrete steps to reward the peaceful way pursued by the Kosovar Albanian leadership until then, including the geostrategic shifts that followed after the Dayton Accords (1995)⁴⁴⁴. The lines of the section to follow are devoted to these issues, in order to be able to close this chapter and put the whole discourse of this dissertation into a proper context.

⁴⁴³ Michael Salla, 'Kosovo, Non-Violence and the Break Up of Yugoslavia'. *Security Dialogue*. Vol. 26 No. 4 (December 1995) pp. 434-435; A. V. Lowe - C. Warbrick, 'Current Developments in Public International Law'. *International and Comparative Law Quarterly* Vol. 41 Part 2, 1992, pp. 478-480; Compare also the reasons for positive answer to the former Yugoslav republics presented in the following papers: Martha Rady, 'Self-Determination and the Dissolution of Yugoslavia'. *Ethnic and Racial Studies*. Vol. 19 No. 2 (1996) pp. 382-384; Payam Akhavan, 'Self-Determination and the Disintegration: What Lessons for the International Community?' In Donald Clark and Robert Williamson (eds.), *Self-Determination. International Perspectives* (New York: St. Martin Press, 1996) pp. 227-28; 233-35; 240-42; Malcolm Shaw, 'State Succession Revisited'. *Finnish Yearbook of International Law* Vol. V (1994) pp. 36-37.

⁴⁴⁴ See, more, on this, the eloquent analysis by Jansuz Bugajski, 'Close to Edge in Kosovo'. *The Washington Quarterly*. Vol. 21 No. 3 (Summer 1998) pp. 19-23.

5.2. *The End of a Sad Chapter: NATO Intervenes to Impose (an Internal-Type of) Self - Determination for Kosovo (March - June 1999)*

In the aftermath of the Dayton Accords (1995), Dragoljub Micunovic, one of the most influential Serbian opposition leaders, told the media that Serbia felt relaxed because the international community recognized its frontiers as international borders, the territory of Kosovo included within them⁴⁴⁵. The same opinion prevailed within the Serb regime circles and has ever since been very frequently reiterated in public⁴⁴⁶. This state of affairs, coinciding almost entirely with the international community's stance over the issue of the potential internationally recognized borders, as opposed to the Kosovar Albanian view on the same subject matter, reveals two things that are crucial for an understanding of NATO's actions against FRY (March-June 1999) and possible ramifications of the future developments in and over Kosovo, its final status included. The first such an issue is related to the international community itself, while the second is related to Kosovo and its possibilities for the achievement of statehood, separate from that belonging to FRY and Serbia itself.

⁴⁴⁵ Five years later, however, Micunovic was not sure about this. Criticizing plans to secede by June 2001 (the deadline set out for holding a referendum for the independence of this republic), Micunovic said that Montenegro's secession from FRY (Serbia and Montenegro) would make highly probable the secession of Kosovo as well, thus putting into danger the very survival of the FRY. Cf. *Radio Slobodna Evropa*, 04/01/2001. 10.00h CET (In South Slavic Languages).

⁴⁴⁶ In referring to the so-called Kumanovo Agreement which made possible for NATO troops to enter Kosovo in June 1999 and the promulgation of the 1244 UN Security Council Resolution on Kosovo (June 12, 1999), the Chief of the General Staff of the Yugoslav Army, Nebojsa Pavkovic, told the press in Belgrade that they (the Serbs) held the deeds over Kosovo because both of the above documents recognized and guaranteed the integrity and sovereignty of the Federal Republic of Yugoslavia. Cf. *Radio Slobodna Evropa* (In South Slavic languages), 17 Decembr 1999, 10:00h p.m. CET.

The above attitude of the Serbian circles, both position and the opposition, speaks of nothing but a certain political profile prevalent within the Serbian society at large. This profile takes the state, not the citizenry or the ordinary individuals, as a reference point. Regarding the issue of borders and self-determination in general, this has well coincided with the approach taken by the international community following the end of the Cold War. This by no way means that the international community *per se* has created this Serbian political profile. The current profile within Serbia stems rather from the very nature of Serbian nationalism (already discussed in Chapter III). All we argue is that the international community's stance over the (inviolability) of the former administrative borders has further cemented the Serbian myths over Kosovo and their *a priori* right to unquestionably rule its majority population⁴⁴⁷. Why the Belgrade regime was given these assurances as to the (unconditional) inviolability of Serbia's borders? Was it a matter of principle or a pure *realpolitik* that took into account other geopolitical/geostrategic factors? We shall try to answer these questions in the following paragraphs.

Two dilemmas emerge when discussing the NATO intervention against FRY (March-June 1999). The first, the *realpolitik* dilemma based on geopolitical/ geostrategic considerations, means that the inviolability of (former republican) borders was not an aim in itself but a side effect of NATO's concern over peace and stability in the Balkans and wider. Next to this comes the dilemma based on humanitarian considerations, publicly stated aim of NATO officials both before and after the

⁴⁴⁷ For identical views, see, Noel Malcolm, *Kosovo. A Short History*; Tim Judah, *Kosovo. War and Revenge* (New Haven and London: Yale University Press, 2000); Steven Schwartz, *Kosovo. Background to a War* (London: Anthem Press, 2000); Julie A. Mertus, *Kosovo. How Myths and Truths Started a War* (California: University of California Press, 1999); Greg Campbell, *The Road to Kosovo*. (Boulder and Oxford: Westview Press, 1999); Warren Zimmermann, 'The Demons of Kosovo'. *The National Interest* No. 52 (Spring 1998) pp. 3-13 at 5-6; Aleksa Djilas, 'Imagining Kosovo'. *Foreign Affairs* Vol. 77 No. 3 (September/October 1998) pp. 124-131; Shlomo Avineri, 'The Future of Kosovo' *East European Constitutional Review* Vol. 8 No. 3 (Summer 1999) pp. 1- 4 (internet version, only at <http://www.law.nyu>).

intervention against FRY⁴⁴⁸. The then NATO Secretary General, Javier Solana, also put foreword humanitarian considerations on the last day

⁴⁴⁸ This aim was expressly stated by NATO's Council in its special statement on Kosovo on December 8, 1998, arguing that 'NATO's aim has been to contribute to the international efforts for stopping the humanitarian crisis in Kosovo, to put an end to the violence there and to assure a permanent solution to the crisis in Kosovo'. Full text in 'Kosovo Information Center', *Daily Report* No. 2264 B (Prishtina), December 8, 1998 (Albanian version only). On the other hand, scholars have been disunited over this. The most influential ones, such as Thomas Franck or Antonio Cassese, have favored humanitarian considerations. See, Antonio Cassese, 'Ex Injuria Ius Oritur: Are We Moving Towards International Legitimation of Forcible Humanitarian Countermeasures in the World Community?'. Comment on Bruno Sima, 'NATO, the UN and the Use of Force: Legal Aspects' *European Journal of International Law* Vol. 10 No. 1 (1999) pp. 23-31; Louis Henkin, 'Kosovo and the Law of 'Humanitarian Intervention' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 824-828; Ruth Wedgwood, 'NATO's Campaign in Yugoslavia' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 828-834; Richard Falk, 'Kosovo, World Order and the Future of International Law' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 847-857; Thomas M. Frank, 'Lessons of Kosovo' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 857-860. Others have as well supported NATO actions against FRY on humanitarian grounds but with some reservations put foreword. These authors have argued that Kosovo case should not set a precedent for the future but should instead be taken as an exception due to the regional considerations (Kosovo, they say, belongs to Europe where gross human rights violations cannot be tolerated). Cf. W. Michael Reisman, 'Kosovo's Antinomies' *American Journal of International Law* Vol. 43 No. 4 (October 1999) pp. 860-863; In fact, majority of the authors take more or less the stance that Kosovo's location within Europe has played important role in NATO's calculations to strike against FRY (Serbia and Montenegro). The last group of authors, quoted below, do not support NATO actions in Yugoslavia, stressing the sovereignty rule and the principle of non-intervention in internal affairs of sovereign and independent states. Cf. Bruno Sima, 'NATO, the UN and the Use of Force: Legal Aspects'. *European Journal of International Law* Vol. 10 No. 1 (1999) pp. 1-23; Jonathan I. Charney, 'Anticipatory Humanitarian Intervention in Kosovo' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 834-841; Christine M. Chinkin, 'Kosovo: A 'Good' or 'Bad' War?' *American Journal of International Law* Vol. 93 No. 4 (October 1999) pp. 841-847; Mary Ellen O'Connell, 'The UN, NATO, and International Law after Kosovo' *Human*

before the air strikes began on March 24, 1999⁴⁴⁹. In fact, concerning the use of the air strikes against FRY, NATO officials referred almost exclusively to the humanitarian considerations. This was not the case, as we shall see below, during the early stages of the Kosovo conflict (February-March 1998 and after). Be as it may be, the case remains that the end result of NATO air strikes was the preservation of FRY' territorial integrity and, by consequence, the imposition on Kosovo in a long run of a certain internal-type self-determination. This is supported

Rights Quarterly. Vol. 22 No. 1 (February, 2000) pp. 57-89. As for NATO itself, its officials have been explicit that the decision to go into Kosovo did not set any precedent for its future actions elsewhere, despite what some Russians fear and what some East Europeans clearly hope when Russia is in question. See, Paul Goble, 'Another Precedent From Kosovo?' *RFE/RL Newsline*. November 9, 2000 (also available in internet at <http://www.rferl.org>).

⁴⁴⁹ See, Statement by the Secretary General, date March 23, 1999. (also available in internet: <http://www.nato.com>). When the air campaign started, NATO leaders referred more explicitly to humanitarian considerations as a basis for their actions against FRY. See, Bill Clinton, *Ne Luften, Ju Pagen. Masazhe, Artikuj, Konferenca Shtypi, Intervista dhe Fajline per Kosoven*. (Tirane: Gazeta 'Albania', 2000). In terms of success or failure of the air campaign against FRY, an important thing is to understand the previous goals set by the Alliance. These goals have varied during the air campaign. Thus, at the outset, the Clinton administration circulated three goals of the bombing campaign against FRY: a) to 'demonstrate the seriousness of NATO's opposing to aggression'; b) to deter Milosevic's 'continuing and escalating attacks in Kosovo'; and c) to 'damage Serbia's capacity to wage war in the future'. Cf. R.W. Apple, Jr., 'A Fresh Set of US Goals'. *New York Times* (March 25, 1999) p. A1.; See. also, Barton Gellman, 'Allies Facing the Limits of Air Power'. *Washington Post*. March 28, 1999, p. A1. The same goals were reflected throughout in the NATO statements over the crisis in Kosovo. The statements required that Milosevic ended repression in Kosovo, withdrew his forces from the province, agree to an international military presence there, as well as to the safe return of refugees and displaced persons, and provide assurances of his willingness to work toward a political framework along the lines of the Rambouillet Accords. Cf. Statement issued at the *Extraordinary Ministerial Meeting of the North Atlantic Council*, NATO Headquarters, Bruxelles, April 12, 1999, and *Statement on Kosovo*, issued by the Heads of States and Governments Participating in the Ministerial Meeting of the North Atlantic Council in Washington, D.C. April 23-24, 1999. (also available in internet at <http://www.nato.com>).

unambiguously by the provisions of the UN Security Council Resolution No. 1244 (June 12, 1999).

The question we put forward, standing at the same time for our second dilemma, cannot be answered solely through a reliance on humanitarian considerations as a basis for the NATO air campaign against FRY. Our argument is based on the events preceding the air campaign and after that (January - June 1999). The commitments NATO made through its public announcements on the crisis in Kosovo unambiguously referred to the full endorsement by NATO of the until then UN Security Council resolutions on the Kosovo issue. This means that humanitarian considerations in these UN documents do not take precedence over other issues, such as borders and related issues (most notably the preservation of the international peace and stability and the solution of the final status of Kosovo). This attitude of NATO is best reflected in two documents of this period: The Rambouillet Peace Accords (February - March 1999) and the UN Security Council Resolution on Kosovo No. 1244 (June 12, 1999). The latter document serves at present as the only legal foundation on which the current international administration over Kosovo is based (both civilian and its military components).

When the Contact Group on the former Yugoslavia issued a statement on January 19, 1999, agreeing to summon representatives from FRY and Serbian governments and representatives of the Kosovo Albanians to Rambouillet (Southwest of Paris, France), it connected the then humanitarian situation in Kosovo to the issues of peace and stability and the territorial integrity of FRY and the neighboring states, as the only viable solution to the crisis in Kosovo⁴⁵⁰. This statement was fully endorsed by NATO on January 30, 1999⁴⁵¹. In both cases, the previous UN Security resolutions on the matter were taken into full account,

⁴⁵⁰ 'Big Powers Demand a Deal on Kosovo Within Weeks'. *Kosovo Information Center*. Daily Report No. 1677, Prishtina, January 19, 1999; 'Contact Group Sets Deadline for Kosovo Agreement'. *Radio Free Europe/RL Newslines*. Vol. 3 No. 31 Part II, February 15, 1999.

⁴⁵¹ See, 'NATO Statement on Kosovo'. January 30, 1999. *Kosovo Information Center*. Daily Report No. 1679. January 31, 1999.

reinforcing in this way even further the international community's commitment to FRY's territorial integrity and to the preservation of regional and wider peace and stability⁴⁵².

The above stance of the international community permeated the whole negotiating process held at Rambouillet from February 6 to February 23, 1999⁴⁵³. The so-called non-negotiable principles put foreword for signature before any discussion on the Rabouillet Accords stressed the inviolability of the FRY's borders, implying that any solution had to be found within FRY's sovereignty and territorial integrity. In terms of self-determination, this practically meant that Kosovo and its majority population would have to remain satisfied with the internal right to self-determination. This was nothing new for Kosovor Albanians. Such a right to internal self-determination had earlier been labeled by the international community as 'a substantial autonomy for Kosovo'⁴⁵⁴.

⁴⁵² For the previous UN Security Council resolutions, see, Rsolution No. 1160 (March 31, 1998); Resolution No. 1199 (23 Septembr 1998); and Resolution No. 1203 (October 24, 1998). (also available in internet at <http://www.un.org>).

⁴⁵³ The *Rambouillet Peace Process* ended with the signing of the *Rambouillet Peace Accords* in Paris on March 19, 1999.

⁴⁵⁴ In essence, regarding the autonomy of Kosovo there were put foreword various models in the past, albeit not specified. The models were proposed by the international community as well as by the parties themselves. They have usually followed the lines taken by the international community. Cf. Dimitros Triantophollou, 'Kosovo Today: Is There No Wat Out of the Deadlock?' *European Security* Vol. 5 No. 2 (Summer 1996) pp. 291-292; Zoran Lutovac, 'Options for the Solution of the Problem of Kosovo' *International Affairs* No. 1056. Belgrade, May 15, 1007 pp. 10-14. The first model consisted on granting Kosovo the 1974-type of autonomy. This was proposed most frequently by the international community's circles. For the first time, its version was made public by the Special Group on Kosovo (acting within the Working Group on Ethnic and National Minorities of the International Conference on Former Yugoslavia) and remained in option well until the conflict in Kosovo began in February 1998. This model, drafted by the chairperson of the Special Group on Kosovo, German ambassador Gerht Ahrens, foresaw an autonomy solution for Kosovo based on the 1974 Yugoslav Constitution and the experiences of South Tyrol, Spain, Aaland Islands, Bosnia-Herzegovina and Croatia (the so-called 'Plan Z4' drafted on behalf of the Serbs living in Croatia). Cf. Hugh

However, apart from the vague comparison with other existing autonomies, no precise document had been produced showing its full content, at last not before the Rambouillet Accords. It was this paper that for the first time specified the content of Kosovo's 'substantial autonomy', albeit for an interim period of three years⁴⁵⁵. This document provided for a democratic self-government, peace and security for everyone living in Kosovo. Democratic self-government included all matters of daily importance to people in Kosovo, including education, health care, and economic development. Kosovo would have a President, an Assembly, its own courts, strong local government, and national community institutions with the authority needed to protect each community's identity. Security was meant to be guaranteed by international troops deployed on the ground throughout Kosovo. Local police, representative of all national communities in Kosovo, was foreseen to provide routine law enforcement. Federal and Republic

Poulton, 'The Rest of the Balkans'. In Hugh Miall (ed.), *Minority Rights in Europe. The Scope for a Transitional Regime* (London: Royal Institute of International Affairs, 1994) pp. 71-72. The second model dealt with the re-federalization of the FRY (Serbia and Montenegro). It meant a supplemental or new federalization of FRY, making Kosovo, in addition to Serbia and Montenegro, a separate federal unit, that is, a third republic. This was exactly what the Kosovar Albanians demanded in the 1981 riots. Since the dissolution of Yugoslavia, however, this solution had been considered as an obsolete solution. On the Serbian side, this proposal was supported by the so-called Serbian Resistance Movement leader, Momcilo Trajkovic. Cf. Carl Bildt, 'Kosovo Should Have the Same Status as Montenegro' *Kosovo Information Center*. Daily Report No. 1736 (June 3, 1997), Prishtina (Albanian version only). M. Trajkovic has in several occasions asked for Kosovo to be a third republic within FRY. In one case, Trajkovic has even threatened that if Kosovars do not accept this, it should be followed by a military campaign against Kosovo. Cf. *Kosovo Information Center*. Daily Report No. 1945 (January 20, 1997), Prishtina. (Albanian version only).

⁴⁵⁵ The Rambouillet Peace Accords contained also the so-called non-negotiable principles (already mentioned), in which the issue of FRY's territorial integrity and sovereignty takes precedence. See, *Interim Agreement for Peace and Self-Government in Kosovo*. Text reprinted in Thanos M. Veremis and Dimitros Tzaintaphyllou (eds.), *Kosovo and the Albanian Dimension in Southeastern Europe: The Need For Regional Security and Conflict Prevention* (Athens: ELIAMEP, 1999) pp. 261-330.

security forces would have to leave Kosovo, except for a limited border protection presence. The final issue was that concerning the mechanisms for the final settlement. In this regard, the Rambouillet Accords foresaw an international meeting to be convened after 3 years to determine a mechanism for a final settlement for Kosovo. The will of the people was conceived as an important factor to be taken into account at that international meeting.

Despite the guaranties given to the FRY's territorial integrity and sovereignty, Belgrade authorities refused to sign the document. Milosevic's regime, instead of negotiating the peace terms of Rambouillet, continued its war campaign throughout Kosovo expelling hundreds and thousands of Albanians out of their homes. The humanitarian situation in Kosovo by the time the Rambouillet Conference ended was becoming a real threat to regional peace and stability so that NATO had no choice but to act in the way it stated in its statement of January 30, 1999. However, by the time the air strikes began on March 24, 1999, the language of NATO leaders changed. The stress was now put on the humanitarian reasons rather than on other considerations connected to regional peace and stability⁴⁵⁶. This was not, however, the language of the UN Security Resolution No. 1244 of June 12, 1999. The order of issues ranked according to their importance differs in this document as compared with the above ones. In this resolution, as in other previous ones concerning the crisis in Kosovo, the preservation of regional peace and security and the FRY's territorial integrity and sovereignty took prominence. Next to these come the humanitarian issues (the return of refugees and the displaced persons)

⁴⁵⁶ In fact, apart from FRY's territorial integrity, regional stability and security, and the humanitarian situation in Kosovo, there had been only one case where NATO expressly referred to a political aim if it intervened in Kosovo. Namely, the then NATO Secretary General, Javier Solana, said on January 22, 1999 that NATO's political aim was to restore Kosovo's autonomous status it enjoyed according to the 1974 Constitution of Yugoslavia. This practically meant that military intervention would have as a result, if not a direct aim, the imposition on Kosovo a status of autonomy (internal self-determination), it enjoyed previously during Tito's times. Cf. *Kosovo Information Center*. Daily Report No. 2308 B (Prishtina), January 22, 1999.

and the final settlement of the status of Kosovo, the implementation of a temporary regime of self-government being included as well⁴⁵⁷. In practical terms this meant that NATO air strikes, in terms of self-determination, have resulted in the preservation of the regional peace and stability, FRY's territorial integrity and sovereignty, the protection of the Kosovar Albanian population, and, finally, setting they set the stage for a political solution of the Kosovo issue *via* granting a 'substantial autonomy' for the region⁴⁵⁸.

⁴⁵⁷ Two international mediators, one on behalf of the EU (Martti Ahtisari) and the other on behalf of the Russian Federation (Victor Chernmerdin) have later revealed that Milosevic had accepted NATO's conditions for surrender when he was given by them assurances that the international mission in Kosovo would be under the UN auspices and, above all, that the same community guaranteed FRY's territorial integrity and sovereignty over Kosovo. Cf. *The UN Document: S/1999/699* (dated June 2, 1999). For the comments of both international mediators, see, Victor Cheromerdin, 'Nismo Izdali Srbiju'. (Interview). Balgrade-based weekly *NIN* (Belgrade), October 14, 1999; Martti Ahtisari, 'Nuk e Kam Kercnuar Milosevicin'. Prishtina-based daily *Kosovo Sot*. July 26, 2000, p. 8.

⁴⁵⁸ Apart from NATO's pronouncements on political issues, such as that regarding the status of the 1974 autonomy enjoyed by Kosovo during Tito's times, some Western officials have at an earlier stage of the conflict in Kosovo made statements regarding the Western commitments to FRY's territorial integrity. Thus, in his visit to Prishtina in early March 1998, the US Special Envoy for Kosovo, Robert Gelbart, unwittingly underscored the validity of the peace option by revealing American and others' support (mainly NATO countries) for 'Yugoslav integrity'. This, in turn, gave Milosevic free hands to expel almost entire population of Kosovo, kill innocent civilians and apply the policy of scorched earth. See, for the critics of this Western stance, in Miles Pomper, NATO Readies Strike Plans Against Serbia. *CO Weekly*. 07/25/98, Vol. 56 Issue 30, p. 203; James Brady, 'History Proves again Balkans Bite is Worse than its Bark'. *Advertising Age*. 07/13/1999, Vol. 69 Issue 28 p. 25; Roland Steel, 'Hijacked'. *New Republic*. 07/13/1998, Vol. 219 Issue 2, p.10; Johnatan Landay, 'NATO's Drums Beat Louder Over Kosovo'. *Christian Science Monitor*. 09/25/98, Vol. 90 Issue 212, p.1; Justin Brown, 'Living Cross Hairs of NATO'. *Christian Science Monitor*. 10/07/98, Vol. 90 Issue 230, p.1; Mark Dennis, 'Locked and Loaded'. *Newsweek*. 10/09/98. Vol. 132 Issue16, p. 50; Michael Hirsch et al., 'Holbrooke's Nervy Game of Chicken'. *Newsweek*. 10/26/98, Vol. 132 Issue 17, p. 50; Richard Newman, 'NATO's Patience is Wearing Thin'. *US News and World Report*. 10/09/98. Vol. 125 Issue 15, p. 40; Justin Brown, 'Uncomfortable Peace in

The 1244 Resolution recalls and fully endorses the previous UN Security Council resolutions on the crisis in Kosovo. These resolutions, as well as the present one, call for the preservation of the FRY's territorial integrity and the integrity of the neighboring states to FRY. The 1244 Resolution further codifieds the G-8 formula for the political solution of the Kosovo conflict, adopted on May 6, 1999⁴⁵⁹. The formula is more or less the one expressed in the 1244 Resolution which says that it 'reaffirms the call in previous resolutions for a substantial autonomy for Kosovo'. Among the responsibilities of the international civil presence in Kosovo is to 'facilitate a political process designed to determine Kosovo a future status, taking into account the Rambouillet Accords'. The end result of this is that, at least in its formal sense, the policy of Greater Serbia has not been defeated in Kosovo, at least not as long as the international community treats it as an integral part of the Serb-dominated FRY. In this formal sense, again, there is a striking similarity between the position of Kosovo and the 'Republika Srpska' in Bosnia-Herzegovina.

Kosovo'. *Christian Science Monitor*. 10/14/98 Vol. 90 Issue 224, p.1; Jansuz Bugajski, 'Act Now in Kosovo or Regret Later'. *Christian Science Monitor*. 03/11/98. Vol. 90 Issue 72, p. 19 (these articles are available in internet at <http://www.gwz.epnet.com>).

⁴⁵⁹ See, *the UN Document S/1999/516*. (also available in internet at <http://www.un.org>).