

The Solution of the Albanian Question as a Precondition for Fruitful Cooperation in the Balkans

Enver Hasani¹

The Balkan Stability Pact, formulated in 1999 for the reconstruction of the Balkan region, was launched in the wake of the conflict in Kosovo.² Paradoxically, however, Kosovo has so far benefited the least from it. Only very recently has Kosovo managed to have its own representative participate in the pact. This is a sign that the same mistakes are being made now vis-à-vis Kosovo as in the past, namely a tendency to view the region as a bogus or maverick part of far South Eastern Europe.

When the Pact was launched almost three and a half years ago, expectations were high among the poverty-stricken citizens of the western Balkans. It was seen as a remedy for the suffering and the tragedies caused by the Yugoslav wars of succession. Many people, including the Balkan elite, saw the Pact as a new variant of the Marshall Plan for this part of Europe. Alas, it was not, as time proved. The Marshall Plan was different in all its basic aspects. The Marshall Plan was successful, among other reasons, due to the existence of the Soviet threat, a fact clearly missing in the case of the Stability Pact. The cohesiveness both created and enjoyed by the Marshall Plan is very unlikely to ever be achieved by the current parties to the Stability Pact, donors and recipients alike, for the reasons just mentioned. This is not to say that the Pact does not have the same premises as those enshrined in the Marshall Plan, but that the context is entirely different. Among the primary differences I have in mind are those related to the concept of a “nation-state,” particularly regarding the concept of recognizing decisions that have been made at different levels and places than those of the nation-state. This very premise was pushed to its extreme by the leaders of the Pact, although their position has changed slightly over time.³ The current leader of the Pact,

¹ Dr. Enver Hasani is Professor of Public International Law and Director of the Human Rights Centre at the University of Pristina.

² Cf. UN Security Council Resolution No. 1244, adopted on 10 June 1999. The Resolution “[w]elcomes the work in hand in the European Union and other international organizations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation.”

³ “II. PRINCIPLES AND NORMS: 5. We solemnly reaffirm our commitment to all the principles and norms enshrined in the UN Charter, the Helsinki Final Act, the Charter of Paris, the 1990 Copenhagen Document and other OSCE documents, and, as applicable, to the full implementation of relevant UN Security Council Resolutions, the relevant conventions of the Council of Europe and the General Framework Agreement for Peace in Bosnia and Herzegovina, with a

Erhard Busek, seems to have realized that the strictly state-centered approach of the Pact is not fruitful in all cases, including that of Kosovo. In fact, if this rigid and legalistic approach is not abandoned, then it will surely render ineffective the main mission of the Pact—the reintegration of the whole region into Europe and the wider global context.⁴ This is the point and the very cause of the failure of other political projects of the previous century, a failure that has nowhere been more obvious than in the case of the Albanians living in the Balkans.

There is a superficially attractive theory according to which economic development and prosperity will by themselves resolve the ethnic problems in the Balkans. In fact, this is the very logic that is developed and encouraged by the international community administering Kosovo at present. However, no economic progress has thus far been recorded in Kosovo, or any other kind of progress that could support the viewpoint of those who believe that economics is the main remedy for the region's ethnic troubles. Even if there had been such progress, I very much doubt that the ethnic situation would be much different from the one prevailing at present. I believe that economics is only one piece—and a tiny one at that—of the problem, and is certainly not the principal remedy for the region's ethnic woes. Ethnic questions are not created by economic conditions, nor will they be settled by economic means. The same flawed premise was held by the former Communist regimes in the region that believed that economics were the basis of everything, national questions included. Having said this, I will offer here a new approach to the Balkan situation that has as its focal point the political nature of the existing ethnic problems. That is to say, it is an approach that believes that ethnic problems are essentially political in nature. Albanians living in the region are no exception to this.

As the very title of this essay suggests, the solution of the Albanian question is a precondition for long-lasting peace, stability, and cooperation in the region. Any solution to this question will have many modalities, some of which are at this point unknown. Nevertheless, in my view the main issue at stake is that any

view to promoting good neighbourly relations. 6. In our endeavours, we will build upon bilateral and multilateral agreements on good neighbourly relations concluded by States in the region participating in the Pact, and will seek the conclusion of such agreements where they do not exist. They will form an essential element of the Stability Pact. 7. We reaffirm that we are accountable to our citizens and responsible to one another for the respect for OSCE norms and principles and for the implementation of our commitments. We also reaffirm that commitments with respect to the human dimension undertaken through our membership in the OSCE are matters of direct and legitimate concern to all States participating in the Stability Pact, and do not belong exclusively to the internal affairs of the state concerned. Respect for these commitments constitutes one of the foundations of international order, to which we intend to make a substantial contribution.”

⁴ “*III OBJECTIVES*: 9. The Stability Pact aims at strengthening countries in South Eastern Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity, in order to achieve stability in the whole region. Those countries in the region that seek integration into Euro-Atlantic structures, alongside a number of other participants in the Pact, strongly believe that the implementation of this process will facilitate their objective.”

solution should be perceived by the Albanians as fulfilling their demands and self-determination claims. This is especially important when it comes to the solution of the Kosovo issue, but it also relates to the rest of the Albanians living in Serbia, the Former Yugoslav Republic of Macedonia (FYROM), and Montenegro.

The approach so far has been state-centered. Until very recently, this was a position that the international community insisted upon. This, however, is gradually changing. An alternative approach is taking shape that stresses not the state-centered approach but one that sees the Balkans simply as a troubled region that needs to be calmed down. The inclusion of Kosovo within the Pact's programs and activities in the form of a "*corpus separatum*" that does not take into account the niceties of international law is a courageous step worthy of praise. It shows that people can perceive and implement different realities in a variety of ways. However, these different perceptions do matter. They have an impact on reality and can gradually change it. Those who are familiar with theories of decision-making within the field of international relations will recall that perceptions did matter a great deal in the period leading up to the First World War, during the Cuban Missile Crisis, and the like.

In the past, Kosovo drew no attention from the Stability Pact. This was, in my view, due to the state-centered policies pursued by its leader, Mr. Bodo Hombach. This approach has been and still remains that pursued in Kosovo by its international rulers, the UNMIK. This attitude remains a hindrance to cooperation in the region as a whole, since it leaves Kosovo—one of the major hot-spots in the region—on the margins of the main regional activities, political and otherwise. UNMIK should, in my view, follow the more flexible path recently chosen by the Pact leaders. This would definitively facilitate a satisfactory resolution of the Kosovo question, a task that rests with UNMIK under its mandate given by UN Security Council Resolution 1244 (1999). Or, to put it another way, the UNMIK authorities should try to facilitate the regional integration of Kosovo through the strategy chosen by the Stability Pact, since this is the only way that paves a secure road towards the resolution of the final status of Kosovo. So far, UNMIK policy has been quite the opposite, pushing Kosovo into an isolated corner in much the same manner as was done over the past decade.

The strategy of the Pact as it stands at present allows for wider opportunities for cooperation among the Balkan people, and this should be further encouraged. Such overall cooperation helps create an environment of possibility that would enable the international community to tackle the ethnic issues.⁵ Only through the

⁵ In fact, the Stability Pact is the first serious attempt by the international community to replace the previous, reactive crisis intervention policy in South Eastern Europe with a comprehensive, long-term conflict prevention strategy. The Pact is a political declaration of commitment and a framework agreement on international cooperation to develop a shared strategy among all partners for stability and growth in South Eastern Europe.

In the founding document, the EU, which has assumed a leading role in the Stability Pact,

exchange of information among peoples can there be a fruitful dialogue leading to international peace and security. No ethnic trouble has ever been solved through military or other violent means and, I presume, it never will be. The same applies to other problems facing the modern world, such as international terrorism. The phenomena of international terrorism and terrorist-like activities can be neutralized through military means, but only on a temporary basis. Their final eradication depends entirely on other, non-military means.

Albanians in the FYROM have signed an agreement with the Slav authorities of this Republic, the so-called Ohrid Agreement. This document sets the stage for a political solution of the outstanding problems between these two groups. The tragic conflict in FYROM seems also to have had an effect in terms of increasing mutual awareness of the necessity of being able to live together. Parties to the conflict should not miss this opportunity. There exists at present a very favorable environment for a full implementation of the Ohrid Agreement. Both sides see that regional cooperation works to the benefit of all, although the FYROM authorities still hold to old methods of restricting the freedom of movement among its own Albanian population and others living in Kosovo and Albania. The program of the Pact can be of tremendous help in solving this problem as long as the parties to the Balkan Stability Pact take on the task of greater involvement in the implementation of the Ohrid Agreement, whose full implementation is a precondition for securing the position of the FYROM Albanians and the stabilization and integration of this country into the broader Euro-Atlantic structures.

One of the main reasons for the instability and disorder that has plagued Albanian society has been the unresolved status of the Albanians living outside the state's borders, almost the same number as those living within Albania, despite the

undertakes the attempt to draw South Eastern Europe closer to "the perspective of full integration . . . into its structures," including eventual full membership. The European Union and its member states are collectively the most important donors in the region.

Without democratic institutions that work effectively and the democratic development of a state under the rule of law there can be no long-term economic development and prosperity. Equally, democratization and non-discrimination are also fundamental preconditions to guaranteeing internal and external security, since the June 2001 Regional Table, Working Table I focuses on four priority areas. In addition to refugee matters, the media, and education and youth, inter-ethnic dialogue and cross-border cooperation take a prominent place. This area builds on achievements by, *inter alia*, the Human Rights and Minorities Task Force that has drawn up a comprehensive program for the promotion of multi-ethnic coexistence and for the protection of minorities. Human Rights Centers have been established. Legislation reviews, awareness campaigns, and promotion of the status of the Roma population are important activities. The Good Governance Task Force has focused on the development of local governments and the establishment of ombudsman institutions and the reform of the public administration. In the framework of the Enhanced Szeged Process, a mechanism that had originally been established to support democratic forces in the FRY at the time of the Milosevic regime, more than forty partnerships have been concluded with cities and local authorities governed by opposition parties in Serbia. In March 2001, the partnership program was extended beyond the original beneficiary FR of Yugoslavia to FYR Macedonia, Bosnia & Herzegovina, and Albania.

fact that Albania has played a very constructive role in the Balkans in recent years, applying an appeasement policy towards Kosovo and the region as a whole. No Albanian government has ever encouraged violence and war over the last decade. The same constructive approach was shown during the conflict in the Preshevo Valley and the FYROM. However, in the eyes of Albanians on both sides of the divide, there is a perception that no reward was forthcoming in exchange for all of their constructive efforts. Moreover, a new phase of the Association/Stabilization agreements with the EU seems to be out of reach for Albania. Only a double-track strategy, one with the EU and the other with the Pact, can keep Albania on board—that is, encourage it to further play a constructive regional role.

The last question to stress is, which task should take priority for Albania: the Stability/Association approach or regional integration? To put it another way, are the EU and the Stability Pact mutually exclusive, or are they interlocking mechanisms and endeavors? Seen from the realist perspective of an international relations scholar, the regional approach would encourage the regional balance of power logic and regional hegemony, as seen during the history of the region throughout the twentieth century. At present, however, I think that the central-level approach as foreseen by the Stabilization/Association approach is more appropriate for the Balkans compared with the regional-level approach. The latter has always provided fertile soil for regional bosses and hegemonies who have constantly obstructed the trends for equality within and among the peoples of the Balkans.