



SPECIAL REPORT

ABOUT THE REPORT

On June 15, 1998, the United States Institute of Peace hosted a second meeting of its Bosnia Working Group to discuss the unfolding crisis in Kosovo. Participants were asked to provide recommendations for how the negotiating process could achieve a viable and acceptable outcome for all parties to the conflict. In addition, members of the working group were asked to critique the international community's role in attempting to mediate, resolve, and simply contain the conflict. This report, prepared by Institute program officer Lauren Van Metre and research assistants Albert Cevallos and Kristine Herrmann, is a working document written to suggest core issues for resolution of the Kosovo crisis—issues that can be used as a basis for further thinking and discussion.

The authors are aware that steps for implementing the recommendations proposed in this report are not provided. These steps must be based on a coherent regional strategy. The purpose of this report, therefore, is to generate comments and responses and encourage reflection on a comprehensive strategy for the long-term stability of Kosovo and its Balkan neighbors.

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Kosovo: Escaping the Cul-de-Sac

Key Assumptions

Working group participants at the June meeting based their discussion and recommendations on certain assumptions regarding the nature of the current crisis. These assumptions, which are described in greater detail in two earlier United States Institute of Peace Special Reports—*The Kosovo Dialogue: Too Little, Too Late* and *Serbia: Democratic Alternatives*, are as follows:

- The international community's response to the crisis indicates that it is significantly behind the pace of events in Kosovo and that any future intervention must take into account new conditions that will affect future negotiations.
 - The Kosovo Liberation Army (KLA), which has emerged as a significant force in Kosovo and which dominates the political landscape. As of the June 15 meeting, it was apparent that the U.S. response did not account for new power dynamics in the region. Recent efforts to engage the KLA, according to working group participants, are key to the resolution of the conflict: Until the KLA supports implementation, any negotiated settlement will not stand.
 - Widespread fighting between Serb police and military and the KLA, which places Kosovo on the brink if not in the initial phase of war. The working group agreed that stopping the violence and containing the conflict are the immediate priorities. Without an immediate ceasefire and separation of forces, prospects for a negotiated settlement diminish.
- Participants believed that neither the KLA nor Milosevic have an interest in a negotiated settlement because it would not further their respective political goals.
 - For Milosevic, a negotiated settlement may jeopardize his political position in Serbia. Continued fighting strengthens him politically inside Serbia and may achieve a *fait accompli* in Kosovo before Western powers or the KLA can respond, enabling Serbia to impose a unilateral (non-negotiated) settlement.
 - Milosevic is the problem in Kosovo and bears responsibility for the current crisis. Because his political career is associated with stripping Kosovo of its autonomy, he will not be part of a solution that restores real self-government to the province. Offering Milosevic "carrots" such as partial or even full relief from sanctions simply consolidates his hold on power in Serbia, enhances his ability to continue the slow burn in Kosovo, and convinces him that he is still able to manipulate Western leaders to his advantage.

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—The KLA, on the other hand, understands that the West will continue to press for autonomy for Kosovo. Through military action and territorial gain, the KLA may be able to obtain de facto independence, forcing Serbia to relinquish its claim to the region.

- Participants did, however, note the significant difference between the international community's response to Kosovo and its actions in the early 1990s at the time of the first Yugoslav crisis. The Contact Group has clearly indicated that Kosovo is an international issue and not an internal Federal Republic of Yugoslavia (FRY) problem. By adopting such a position, the Contact Group has established the international community's obligation to seek a solution to the crisis. While the United States and Europe are far from united in their response to Kosovo, there is no doubt that, unlike the initial days of the Bosnia crisis, they are determined to remain engaged and see a clear mandate for their involvement.
 - Despite this commitment, most participants felt that, unless the international community understood the points described above, it would be unable to respond effectively. Significantly lacking is the recognition that Balkan regional stability depends ultimately on Serbia's democratic transition. Without that recognition and the requisite action, the situation in Kosovo will reoccur in other flashpoints in the FRY, such as Vojvodina, Sandzak, and Montenegro. Furthermore, agreement by the Koshers to some form of autonomy in Serbia or Yugoslavia is more likely if their rights are guaranteed within a democratic framework.
 - Finally, participants noted that Serb oppression and Kosovo's self-imposed isolation from political life in the FRY have left the Albanians fragmented and disorganized. The political parties and the KLA are seemingly unable to organize a joint political strategy with which to negotiate with the Serbs. Most informal political contacts between Serbs and Kosovar Albanians have been severed, leaving both sides with little understanding of the other's interests. While this situation will greatly frustrate Western attempts to mediate a negotiated settlement, the Albanians must be tutored and assisted so that they are able to negotiate effectively with Milosevic. This process will strengthen the position of Albanian political leaders and establish the framework for a post-crisis leadership group. More confident in their ability to negotiate effectively with the Milosevic regime, the Koshers may accept authentic autonomous status within the FRY.
 - At the same time, Milosevic must understand the serious consequences of unleashing another war in the former Yugoslavia. Current actions in Kosovo will not improve but rather hurt Yugoslavia's already poor economic situation and reinforce its political isolation. Unlike in Bosnia, where Serbia fought indirectly through Bosnian Serb proxies, Belgrade will be held directly responsible for the actions of the Yugoslav Army and Serbian internal police.
- Thus, while the fighting in Kosovo is escalating, with both sides convinced of the necessity for further military activity, the Albanians and Serbs must be made to understand that a political settlement (rather than a military one) is ultimately in their best interest. This objective is as much a priority for the international community as achieving a ceasefire and containing the conflict.

Recommendations for the International Community

- Appoint a special envoy to Kosovo whose mandate includes the democratization of Serbia as well as resolution of the current crisis.
 - The special envoy should not deal with Bosnia but focus resources and attention specifically on Kosovo. Additional responsibilities or residual equities in other areas may complicate the ability of the envoy to find a viable solution.
- Understand that there is little incentive for either Milosevic or the KLA to seek a compromise because continued conflict furthers their respective political objectives. The international community must create the conditions that will force both parties to recognize that a political settlement is in their best interest.
 - Continue to cut off Milosevic's access to the hard currency used to fuel his political machine. With his internal control of Serbia in jeopardy, he will seek a settlement to renew hard currency flows.
 - Underline to the KLA that the international community will not act militarily on its behalf and that a Bosnia-level conflict would displace a million Kosovars and kill 100,000. Protracted and extensive violence will devastate Kosovo's political and economic potential. Kosovar willingness to participate effectively in negotiations will help secure the support of the international community for a viable solution to the current crisis.
 - Educate the diaspora community regarding best scenarios for Kosovo's long-term future and economic prosperity; work with them to discuss with the KLA future options for Kosovo. Especially discuss with the diaspora the implications of a protracted conflict such as, the devastation of the current political and social structure, which has thus far produced an energetic and creative Albanian community despite Serb oppression; the emigration of large groups of talented young, who are the next generation's leadership potential, as has occurred in Bosnia; and, an increasing lack of support from the international community for Kosovar political aspirations.
 - Understand the KLA's goals and objectives and keep in mind that any negotiated settlement, if it is to be implemented successfully, must have the KLA's approval.
 - Urge Kosovar leaders to facilitate the emergence of a moderate KLA leadership. Gain knowledge of the KLA leadership and structure, determining the political objectives of the various KLA factions and how they interact.
 - Work with the Kosovars to devise a plan that maximizes their autonomy within Serbia, including control of key "power" assets such as the police, an independent judiciary and media, and competent organs of self-government. Advise them of negotiating strategies to achieve such objectives.
 - Persuade the Kosovars that with maximum autonomy they will have an impact on FRY politics and can affect change; active engagement by Djukanovic and the government of Montenegro has had its benefits. Urge the Kosovars to end their self-isolation immediately, by establishing coalitions and informal dialogue among like-minded regional communities in the FRY and meeting with police and army representatives.
 - Seek agreements at the local level between Serbs and Kosovars that provide for the separation of forces and the supply of humanitarian assistance to Serb and Albanian communities. Include mechanisms in these agreements for fur-

THE USIP BOSNIA INITIATIVE

The Bosnia Initiative of the United States Institute of Peace uses the efforts of various Institute programs to support the peace implementation process in Bosnia. The Institute has conducted training programs for staff of international and local NGOs working in Bosnia to help them in their relief and reconciliation work in the aftermath of this intense conflict. The Institute's Religion, Ethics, and Human Rights Program has supported the efforts of top religious leaders in Bosnia to form an Inter-Religious Council to work "together to replace hostility with cooperation and respect" and to acknowledge their shared moral commitment. It is also working with other members within the religious communities to support their efforts at reconciliation. The Institute also recognizes that, if any measure of reconciliation is to occur for Bosnia, war victims, regardless of ethnic affiliation, must have access to fair hearings and due process. To support citizen participation in the justice process, the Institute's Rule of Law Program has begun to work with a variety of Bosnian officials on a number of initiatives, including establishing protection for trial witnesses, more effective police screening procedures, and programs to improve the efficiency of the International War Crimes Tribunal at The Hague. It is also helping to create a Truth and Reconciliation Commission for Bosnia in response to requests from the country's judicial officials and community leaders. The Institute's Grant Program funds a variety of scholarly investigations of the Bosnian conflict and conflict-resolution projects for NGO and other practitioners in the country. Through these and other efforts, the Institute seeks to fulfill its mandate to find and explore creative solutions to international crises and conflict.

The Bosnia Initiative is under the direction of Harriet Hentges, executive vice president of the Institute.

ther interaction between ethnic groups to enforce, monitor, and expand the scope of these local negotiations in order to implement confidence building measures.

- Cease opposing independence, which in any event must be on the negotiating table, and emphasize to the FRY that it has limited international acceptance so long as the Kosovo issue is unresolved.
- Discuss with the regime in Belgrade options for Kosovar autonomy that include maximum political freedom. This would mean the official establishment of Kosovar organs of self-government, media, educational institutions, internal police functions, and a judicial system, while maintaining FRY sovereignty.
- Recognize the complications of military engagement and the difficulty of using military presence or force to achieve political goals:
 - Air strikes would be sufficient to stop the violence but not to contain the conflict to Kosovo. Troop deployments on the borders will prevent spillover but will not stop the violence within.
 - Troop deployments of sufficient size to stop the conflict from spreading (30,000—50,000) are not likely, given Western “Bosnia fatigue.”
 - Troops on the ground with the goal of restoring Kosovo autonomy will not be supported by the KLA and could be exposed to a Lebanon-type situation.
 - Guarding the borders to prevent arms trafficking may create a Bosnia-type situation, leaving the Kosovars vulnerable to Serb aggression.
 - No fly zones are too difficult to establish, given Serb use of helicopters.
- Recognize that the immediate political goals of preventing conflict spillover and ending the violence are most likely achievable through political means.

To end the violence:

- Reach out to the Yugoslav Army. As it is already reluctant to engage in the crisis in Kosovo, encourage it to withdraw from the fighting by offering eventual rehabilitation, that is, the opportunity to participate in regional exercises, observer status at NATO/Partnership for Peace (PFP) exercises, etc. Discuss eventual membership in PFP, linking it to the outcome to the current crisis.
- Deploy tribunal investigators and investigate atrocities rigorously and systematically. Seek evidence of links to political leaders.

- Seek the separation of forces either territorially or functionally by limiting Serb control to the roads and Kosovar control to the villages.

To stabilize the outlying region

- Use democratization and economic aid programs to bolster democratic regimes in Albania and Macedonia. Dedicate funds for microenterprise and local governance programs in northern Albania and western Macedonia.
- Help Tirana recover from state and social collapse by building up institutions for local governance, professional police forces, etc.
- Encourage Balkan countries that are completing democratic transitions, like Bulgaria, to share with Macedonia and Albania programs to promote individual rights and the successful integration of ethnic communities into political and social life.
- Increase seed money for political parties, democracy training, local governments and courts, and the establishment of local police forces in Kosovo. Emphasize programs for integrating ethnic minorities into local Albanian communities, especially Serb populations.
- Engage Balkan leaders (Bulgaria, Greece, Turkey, Romania, Hungary) in discussions on the status of Albanians region-wide. Seek their official support for democratic regimes in Macedonia and Albania. Encourage them to share expertise on integrating ethnic groups. Bolster regional leaders who seek creative ways to institutionalize ethnic and minority rights and provide a democratic framework for promoting the rights of minority communities.
- Publicly praise Serbs who refuse involvement in or protest the violence in Kosovo. Seek opportunities to communicate that the international community is not anti-Serb; express strong support for the people of Serbia and the hope that all citizens of the FRY achieve the prosperity and freedom that open, democratic societies provide.
- A sustainable solution in Kosovo depends on the creation of a democratic Serbia:
 - Sharply increase funding of programs to establish and nurture democratic institutions.
 - Seek to block recent efforts by Milosevic to recentralize control over the media and universities.
 - Identify and interact with promising young leaders in local governments, the lower tiers of national government, and opposition parties.

Ethnic Albanians in Southern Balkans



- Reach out to members of Milosevic's inner circle who have accumulated the resources and capabilities to make them effective leaders and administrators of state.
- Analyze effectively (without stereotyping) Serb nationalism with an eye to identifying and engaging those interested in and committed to a more democratic Serbia.

- Quickly implement the recent agreement with Milosevic to allow observers from diplomatic missions in the Balkans into Kosovo. Follow-up with additional international observers (first International Committee of the Red Cross (ICRC)/European Community Monitoring Mission (ECMM)/United Nations High Commission on Refugees

(UNHCR) and later Organization for Security and Cooperation in Europe (OSCE)), provided adequate security guarantees are given by both Belgrade and the KLA. If OSCE observers are deployed, request their expertise on establishing political and civil societies rooted in the rule of law, efficient local governments, etc.

- Seek creative solutions to the Kosovo crisis by considering nontraditional concepts of sovereignty such as: extra-territorial status to protect Serb historical areas or "entity" status for Kosovo.

Recommendations for the Kosovars

- Assure the participating international community that Kosovo is willing to engage in negotiations that are open-ended and unconditional, seeking opportunities for engaging the Serbs. Insist firmly on the presence of an international mediator acceptable to both sides. Ensure that adequate preparations have been made for talks, including a unified Kosovar negotiating team that has carefully analyzed Kosovar Albanian interests.
- Request that additional international observers (first ICRC/ECMM/UNHCR and later OSCE) monitor the situation in Kosovo and are provided with adequate security guarantees by both Belgrade and the KLA. If OSCE observers are deployed, employ their expertise in establishing political and civil societies rooted in the rule of law, efficient local governments, etc.
- Begin systematic documentation of Serb violations of Albanian rights, the denial of which legitimates Albanian efforts to seek self-determination.
 - Invite foreign journalists to work with an indigenous, independent, credible media team to report objectively on atrocities. Broadcast findings early and accurately through such media as the internet and the international press. Exchange information with international human rights and aid organizations on the ground to ensure accurate reporting to outside organizations and Western governments.
 - Organize an indigenous nongovernmental organization to work with human rights organizations, refugees, and citizens to establish a database of those who have disappeared or are displaced. Publicly request that Serb authorities account for the missing.
 - Hire a competent public relations firm and legal representative to discuss with international leaders the situation in Kosovo, the Kosovar perspective on events, and acceptable outcomes to the crisis from the Albanian point of view.
- Address the international perspective that regards an independent Kosovo as an unstable end state that is likely to foster Greater Albanian nationalistic movements in Albania and Macedonia.
 - Acknowledge Western concerns regarding the formation of a Greater Albania.
 - Suggest that a democratic Kosovo, Albania, and Macedonia—states that would support political pluralism and open societies—are the best vehicles for protecting the rights of ethnic Albanians.
 - Emphasize that Kosovo will not be a destabilizing factor in the region, but will have good relations with neighboring states.
 - Express support for the territorial integrity of Albania and Macedonia and for the democratic transitions currently under way in those countries.
 - Applaud leaders in Montenegro and Macedonia who support political systems that protect ethnic rights and who have worked to incorporate Albanian citizens and groups into civil and political systems.
 - Denounce leaders who are using the current crisis to fuel nationalism and their own political objectives.
- Actively support the democratization of Serbia. No matter what status Kosovo achieves as a final outcome, Serbia must be democratic, if Kosovo is to exist securely and in peace.
 - In any negotiated outcome to the current crisis, incorporate measures that will ensure Serbia's further democratic development: that is, more independent media outlets, autonomous universities, etc.
 - Reach out to political forces in Montenegro and Serbia that are seeking a democratic transformation of the FRY.
 - Encourage the international community to implement democratization programs in Serbia.
- Consider creative ideas for negotiating the status of Kosovo that allow Serbs to meet their needs while Kosovars meet theirs. These ideas should include sovereignty and protection for Serb historic sites, the rights of successor states, protection of human rights, avoiding an exodus of Serbs from Kosovo, and the conditions for the establishment of a professional police force.
- Seek to reassure Serbs in Kosovo that protection of human rights continues to be a priority of the Kosovar leadership. Find ways to integrate local Serbs, and to learn about and understand their concerns regarding any change in Kosovo's status.
- Consider arrangements for local Serbs that enhance their political status, provide substantial protection for minority status, including consideration of "Serb" municipalities in areas of Serb concentration; electoral laws which encourage the formation of minority parties and assure their representation in parliament; guarantees for the establishment of Serb language schools, newspapers, and television programs. Protecting and promoting Serb rights will legitimize Kosovo as a responsible, democratic entity; undermine local Serb loyalty to Belgrade (which is currently weak as Serbs in Kosovo are predominantly refugees from Bosnia); and encourage Serb communities to remain in Kosovo on the basis of extensive political and economic freedom.

- Establish an informal Serb/Albanian dialogue on a regular and continuing basis, apart from any official negotiations.
- Seek to understand the goals and objectives of the KLA and engage those elements that enjoy broad public support and are willing to consider negotiation and compromise.
- Include the KLA at the negotiating table as part of an umbrella team which includes various groups in Kosovar society. Pluralism is not a luxury but an essential ingredient for managing the conflict in a way that will reduce Albanian casualties and ensure a democratic outcome. Do not isolate the KLA as they represent a broad section of opinion and are instrumental to the implementation of any negotiated settlement.
- Develop with the KLA a democratic political strategy to accompany its military strategy. Try to unite political and military objectives in order to negotiate from a position of unity, and always remain open publicly to negotiations.

Recommendations for the Serbs

- Recognize that the regime in Belgrade has not represented the interests of Serb citizens and has denied their fundamental human and democratic rights. Seek a political system and leadership that is responsive to the people, guarantees economic prosperity, and ensures individual liberty for all citizens of the FRY.
 - Work to reverse Serbia's isolated condition as a pariah state within the community of nations. Adopt programs and policies that guarantee basic democratic rights for all citizens of the FRY, encourage transparent and good relations with Balkan neighbors, and establish Serbia as a regional force for stability and economic cooperation and growth.
 - Employ Serbia's substantial regional power in ways that benefit citizens of the FRY and the Balkans by increasing regional economic ties, providing stability to enhance economic growth and regional dynamism, and initiating regional integration with Europe.
 - Seek ways to limit autocratic extragovernmental power by legislating substantial checks on the executive branch. In seeking ways to remove the current regime or limit its power, emphasize democratic, nonviolent, constitutional means.
 - Reverse recent government attempts to centralize control over the media, universities, and the judiciary.
 - Solicit international support for Serbia's transition to a democratic state, including funding for democracy programs, political party development, institution-
- building, and increasing the capacity and reach of existing nongovernmental, social, and independent media organizations.
 - Cease all offensive operations and prohibit further atrocities by the police and military in Kosovo; such atrocities legitimize the position of the KLA at the expense of the more moderate Rugova faction and undermine any hope for a political (rather than a military) solution to the crisis—a solution that is in Serbia's best interest.
 - Take advantage of renewed relations with the OSCE to learn about programs for democratization and social development. Request international observers who can also advise civil and political society on implementing a political transition that is as peaceful and smooth as possible.
 - Seek advice from countries in the region that have undergone the transition from communism to democracy, and try to incorporate "lessons learned" into any transition strategy.
 - Allow full access into Kosovo for humanitarian organizations to assist internally displaced persons, refugees, and others in urgent need of attention.
 - Grant international monitors unconditional access in Kosovo as a first step in verifying the structure and organizational capacity of the KLA and allowing greater influence over KLA military activities.
 - Understand that a negotiated settlement regarding the status of Kosovo is the best outcome for the FRY. Past attempts in Slovenia, Croatia, and Bosnia to use force to maintain the integrity of the former Yugoslavia resulted in its further dismemberment. These efforts not only failed in their political objective, but resulted in substantial loss of life, Serbia's political and economic isolation from the international community, and economic hardship for the Serb people.
 - Absolve the Serb people of responsibility for violence against citizens of the former Yugoslavia by condemning Milosevic's handling of the crisis in Kosovo. Organize protests and continue acts of nonparticipation in the crisis, such as the recent boycott of involvement in Kosovo by 100 Serb police. Encourage "responsible nationalism," which promotes pride in Serbia's culture and heritage without denigrating other nations or peoples.