ANALYSIS OF THE ROLE
OF THE INTERNATIONAL COMMUNITY
IN RESOLVING CONFLICT IN KOSOVO

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MA THESIS

Advisor: Asst. Prof. Dr. Esra LaGro, Jean Monnet Chair

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Preface

This elaboration has been inspired by my numerous visits in the Balkans, especially in the former Yugoslav states. The year 2006 is assumed to be a crucial year for Kosovo. The final status of province is supposed to be established finally after several years of peace-building process supervised by the international community after its military intervention in the Kosovo conflict in the spring 1999. In my work I have sought to analyse the role of the international community in resolving the Kosovo conflict. My objective was to examine involvement of the entire international community as well as its components, and to explain changing attitudes, aims and tasks, which were undertaken in order to establish peace and stability in the heart of the Western Balkans.

The author of this thesis likes to acknowledge the efforts of those people who contributed to this work.

Firstly and most for all I would like to thank Dr. Esra LaGro from Dogus University for her supervision as well as for invaluable advises and support.

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Finally, special thanks to Isak Gllogovci, Pristine-born current Secretary General of Young European Federalist, whom I interviewed on the Kosovo issue, and who was the first to tell me 'the Kosovo story' a few years ago.

Tomasz Zornaczuk
Summary

The international community plays an essential role in resolving conflict in Kosovo. Military intervention in the conflict was undertaken by the international community in the spring 1999 as a response on violence and ethnic cleanings conducted by the Serbian forces in the province. A peace agreement has been signed after dozen weeks of air operation. From this time onwards the international community have been responsible for the peace-building process in Kosovo. Recently the most essential issue is the question of the final status of the province. This is supposed to be achieved under the supervision of the international community in order to establish peace and security in this former Yugoslav province.

In this study I aim to examine and analyse involvement of the entire international community as well as its components in the Kosovo conflict. In my elaboration I explain changing attitudes, objectives and tasks, which were undertaken by international actors in the course of the conflict.

In order to understand better the contemporary conflict in Kosovo I start with explanation of deep roots of the conflict. I provide with the overview of history of the Serbo-Albanian relations in the province and alternate it with different factors that contributed to the conflict.

In the next chapter, I present theoretical approach to the conflict management and the third party intervention. Furthermore, I illustrate the role of the international community in the conflict resolution process.

Subsequently, I provide with case study on intervention of the international community in the Kosovo conflict. Moreover, I present negotiations on ending the war and present the aims of the international community in the peace-building process.

In the last chapter, I explain the role of the international community in post-war Kosovo. With regard to this I examine the peace-building operation under the international supervision. I conclude with discussion on the issue of the final status of Kosovo and the attitude of the international community towards this question.
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The task before the international community is to help the people in Kosovo to rebuild their lives and heal the wounds of conflict.

UN Secretary-General Kofi Annan

Introduction

Armed conflicts between nations and states have been always shaping the order in the world. In Europe dealing with the diversity of nations, military conflicts play sufficient role in history of the continent. We can easily notice that phenomenon starting from the great battles in ancient Greece and the Roman Empire, through numerous wars in the Middle Ages on the continent, not to mention about Crusades, followed by never-ending wars in the seventeenth century and the Napoleon Era afterwards, concluding with the greatest failure of humanity during the First and the Second World War in the bloody twentieth century.

Although immediately after the World War Two the world leaders stressed that we never want to experience such events again, lots of military conflicts maintained and new rose. At the same time a number of international and regional organisations to prevent and intervene in the military conflicts were established. However, conflicts have been still creating the history of Europe till the end of the twentieth century and did not disappear at the beginning of the third millennium. In the nowadays world we still deal with a number of military conflicts and try to resolve them in a peaceful way.

Nevertheless, the year 1999 certainly will not be written down with pride in the books of the history of Europe. War in Kosovo and military intervention that happened in March 1999 was undoubtedly the determining strategic event of the past years. The war was considered as a result of struggle between Albanians and Serbs at this territory and ethnic cleanings conducted by the Serbian police on the Kosovar Albanians. Although many people had predicted the war, nobody had been able to prevent it from breaking out. Despite the fact, that a number of international

\[1\] Although the term Kosovo is used formally world wide, the full name of the territory is Kosovo and Metohija. The Albanian name for the province is Kosova and the Serbian name is Kosovo.
organisations and regional NGOs were involved in the conflict in order to prevent war, in the spring 1999 the US and its NATO allies launched air strikes against the Former Republic of Yugoslavia. A peace agreement that had been signed after 78 days of war constituted a basis for long and complicated process of peace-building. The problem of what to do with Kosovo remains the top issue of the last years for the European Union. Until now the final status of Kosovo is uncertain. However, it constitutes essential question to be solved as soon as possible in order to sustain peace and security in the Balkans and within entire Europe.

The objective of this elaboration is to examine and analyse the role of the international community in the Kosovo Conflict. With regard to that I illustrate the attitude towards the Kosovo question of the entire international community as well as of its components. Moreover, the objectives and task of the international community throughout the conflict are presented. Furthermore, I argue on why the perception of the conflict has been changing in the course of time. Apart from that, I present what international actors are the main decision makers and how and why it is changing. What is more, I try to prove that the issue of the final status for Kosovo is essential for the entire international community and in particular for the European Union and that its role in resolving the conflict in the province should increase.

In my research I used academic literature from world wide. It enabled to me to confront opinions of both Albanian and Serbian scholars as well as viewpoints of scholars from Europe, from the United States, and from elsewhere. It refers in particular to the first chapter as in different literature different factors are emphasised and it needs deep analysis in order to avoid bias. Furthermore, I supported my study by using numerous reports of international organisations and research institutes. What is more, I utilized position papers of international organisations and also original documents. By doing so, I tried to consider numerous viewpoints and different arguments and confront them among themselves as well as with my own opinion.

I start my discussion with multidimensional analysis of the origins of the conflict, which I provide with in the first chapter. In this part of the elaboration I alternate the history of Serbo-Albanian relations in Kosovo with different variables and factors that contributed to the conflict. Deep roots of the conflict remain of great importance in the contemporary conflict in the province and understanding them may facilitate resolution of the conflict.
In the second chapter, I provide with the theoretical framework for the conflict management and the third party intervention. In respect of this I present firstly the characteristics of both conflict and intervention. Secondly, a discussion on when and how to intervene have been provided. Finally, I present the role of the international community in the conflict resolution. Theoretical framework is essential for the study as the theory constitutes a starting point to the action and the point of reference to the practice.

In the third chapter, I propose case study on intervention of the international community in the Kosovo conflict. Firstly, I discuss the phenomenon of a state sovereignty and confront it with the limits of intervention. Secondly, process of the internationalisation of the conflict has been analysed. Subsequently, I raise the question of why the military intervention in the Kosovo conflict took place and how it was conducted. I conclude with negotiations on ending the war and I present the objectives for the international community in the peace-building process.

In my final chapter, I illustrate the role of the international community in post-war Kosovo. Throughout the chapter I present what is role of the entire international community as well as its components in the security-building process, in democracy building, and in reconstruction of economic and social system. In the second part of the fourth chapter I raise the question of the final status of Kosovo and analyse the attitude of the international community towards this tremendously important issue.

I conclude with the discussion on multidimensional changes that took place in the course of the conflict in Kosovo. With respect to that, I refer to alternations and shifts in involvement of the international community to the conflict. Finally, I illustrate factors that should be taken under consideration by the international community when deciding on the final status of the province and I present multidimensional consequences of such a decision.
1. Analysing the origins of the Kosovo conflict

1.1 Introduction

The shortest phrase describing the Kosovo conflict expresses that ‘the abolition of Kosovo’s autonomous status by President Milosevic in 1989 resulted in the conflict with the Albanians which a decade later was to end in war’ (Leurdijk & Zende, 2001, p.3). The campaign for a Greater Serbia launched by Milosevic at the end of the nineteen eighties turned quickly into a drama of a Smaller Serbia ten years later.

The objective of this chapter is to illustrate and analyse the origins of the Kosovo conflict. I will attempt to look at the conflict from different perspectives and to consider different factors, which contributed to that. A wide range of the literature used as references in the chapter represents both Albanian and Serbian scholars as well as those from across Europe and United States. Revealing viewpoints from different perspectives and academic backgrounds contributes to the diversity of the paper. By doing so, I tried to respect numerous interpretations of the issue and avoid bias in the research.

In this chapter, instead of presenting a pure history of the Serbo-Albanian relations in Kosovo, I alternate it with diverse variables that had their input to the conflict. Presenting more factors that affected the conflict in the province makes the subject easier to understand for the reader. Firstly, I try to find answer the question of the native inhabitants of the region. This constitutes an attempt to examine who invaded whom. Secondly, I present the contribution of Albanians and Serbs to the development of Kosovo during the medieval period when the province belonged to the Great Serbian state. Moreover, the role of the Battle of Kosovo Polje in the Serbo-Albanian conflict is illustrated. I try to answer why this single battle became one of great importance to the conflict. Subsequently, I analyse the relation of the nations under the Ottoman presence in the Balkans. As the violence between both nations increased in that period, I try to find out who was taking revenge on whom.
Furthermore, I present the history of both nations within the multinational Yugoslav state, trying to examine the rights of both the Albanians and the Serbs in Kosovo. What is more, I refer in this chapter to the contribution of the economical situation in the province to the conflict. Yet, the usage of the myth of the Battle of Kosovo Polje has been analysed. Besides, the course of the Kosovo conflict in the last decade of the twentieth century has been examined. Apart from this, I touch upon the role of nationalism and ethnicity in the conflict, putting it into the theoretical framework. Finally, before concluding, I try to answer the question if there is any historical and present truth that would be acceptable by both of the nations within the territory of Kosovo, and which would result in finding a golden mean for the future of the province.

1.2 Who invaded whom? The deep roots of the conflict

Confrontation between Albanians and Serbs in Kosovo is not a new phenomenon as such. Although one of the well known Serbian scholars, Dusan Batakovic, states in the very first sentence of his essay Kosovo and Metohia - a Clash of Civilisations that ‘Kosovo (and Metohia) is the native and ancestral land of the Serbs’ (Batakovic, 1992), the question seems to be much more complicated. Both nations have been struggling in this area for the hundreds of years. Illyrians are considered as the earliest known inhabitants of Kosovo and the Albanians claim today to be direct descendants of them (Jansen, 1999). Nevertheless, it is has not been proved if there is an unambiguous connection between Illyrians and the Albanians. Neither the origins of the Albanian language constitute the answer (Nowak, 1999, p.3). Serbian scholars maintain, by turn, that Albanians appeared on the scene in the early Middle Ages as a result of intermarriage between nomadic shepherds and unromanized remnants of Illyrians and Dardanians from Thrace. Therefore there is discrepancy when determining which nation was the first one to be settled in Kosovo (Jansen, 1999).

However, there is a common agreement that Slavs crossed Danube and moved to the Balkans before the end of the 6th century (Jansen, 1999; Mannic, 1990). Jansen presenting a viewpoint of Serbian scholars states that following trends of migration in the region, Illyrian speaking people, known to their neighbours as the Albanians, moved eastward from the Adriatic into the Kosovo area of the Balkans. Norris presents different approach from the Serbian scholars. By quoting
Alain Ducellier, a leading Western scholar on the Albanian history, he emphasizes that 'In Kosovo, it is evidently the Slavs, or the Slavized people, Bulgarians then Serbs, who occupied, from the seventh century, a region the population of which was solidly Illyro-Albanian since Antiquity' (Norris, 1996, p.10). As a comment to that he claims that by the process of inevitable Salivation of the native population, Kosovo become the principal political and economic centre of the Serbian state, but not earlier then in the thirteenth century. Nevertheless, he maintains unable to define what as the proportion of both nations in the region at that time.

Kosovo became a part of the Serbian medieval state after numerous churches and monasteries were built and bishoprics established in the region. As a result, by the twelfth century almost all arable land in the region now known as Kosovo was in Slavic hands. Since the second half of the twelfth century, when the Kingdom of Serbia was created, Kosovo maintained within its borders (Jansen, 1999; Leurdijk & Zende, 2001, p.4-5; Mannic, 1990).

Noel Malcolm, a professional Western scholar on the Kosovo issue, claims nevertheless, that neither the capital of the Kingdom of Serbia nor the first Serbian monasteries were placed in Kosovo (Malcolm, 1998, p.8). Such a view is widely criticized by Serbian scholars. They emphasize that Prizren, on of the main cities in the present Kosovo, became the first capital of the Serbian medieval empire. Different than Malcolm view presents also Miranda Vickers who maintains that Kosovo become both cultural and administrative centre of Kosovo after the fall of Constantinople in 1204 (Vickers, 1998, pp.7-8).

Although Serbs had come to Kosovo relatively late, in the seventh century, they contributed more than any other nation to the development of civilisation in the region. This is proved by all the geographical names that are in Serbian, though nowadays they have equivalents in Albanian. Furthermore, this territory played in Middle Ages a key role, thanks to its prosperity, and become the cradle of the Serbian statehood and a significant centre of the Christian culture. In the twelfth century Kosovo had become an integrated part of Serbia and two centuries later constituted a central part of the country, full of cities and villages with more than 1300 churches and monasteries built up all over this region. From this moment, without doubts, the soil of Kosovo is considered by Serbs as the cradle of their nation and this seems to be hard to question.
1.3 How did a single battle become the legend? The role of the Battle of Kosovo Polje

Searching for the returning point in the history of Kosovo, many historians refer to the Battle of Kosovo Polje in 1389. It is believed, that the Turkish-Ottoman army supposedly had defeated the Serbian army and stayed in the Balkans for centuries taking native inhabitants under occupation. This medieval battle is often considered as the origin of the twentieth century’s armed conflict in Kosovo. From the Serbian-nationalist point of view the Battle of Kosovo Polje was the beginning of the long and dark period of repression of Serbian people by ‘the Turks’ and not before the early twentieth century Kosovo, the ‘cradle of Serbia’ and the centre of the medieval Serbian Kingdom, was brought back to the Serbian state after being recaptured by the Serbian-Montenegrin army (Leurdijk & Zende, 2001, p.3-4).

Whether Kosovo had constituted the core of medieval Serbia or not, the myth of the Battle of Kosovo Polje in combination with the Balkans’ nationalism had great input on events in the future. Serbian Prince Lazar who had been killed during the battle, was seen afterwards by orthodox Christian Serbs as the Serbian Jesus Christ and Kosovo become ‘the new Jerusalem’ (Vickers, 1998, p.15). Moreover, the oath of Prince Lazar, that it is better to obtain freedom in the celestial empire of Jesus Christ than to live humiliated under the oppression of the earthly kingdom, is indeed derived from the New Testament tradition of martyrdom. During the long centuries of Turkish rule, it became the key thought to Serbian national ideology. Furthermore, Prince Lazar, sacrificed his life for faith and liberty, was canonized as a saint and the date of the battle became one of the central feast days, the day of the Kosovo martyrs (Sotiropoulou, 2002, s.6). For Serbs it was not only the defeat of the nation, but also the defeat of the Christianity and the Serbian Orthodox Church. On the whole, in Serbian-nationalists’ eyes the Muslim population of the Kosovan Albanians, associated with ‘the Turks’, was treated as almost personally responsible for the Battle of Kosovo Polje and the subsequent domination of Ottomans.

All things considered, the defeat of Serbs in the Battle of Kosovo Polje had weakened the medieval Serbia what sixty years afterwards, in 1459, resulted in loss of independence in favour of Turkey for almost five centuries. This event, that for Serbs undoubtedly had been considered as the end of a certain epoch, for Albanians meant the beginning and the birth of their national identity. As a result of the defeat that Serbs had suffered on Kosovo Polje, the ethnic structure of
Kosovo started to alter in favour of Albanians. This was caused by fact that precisely here, in the heart of the Serbian matrix, Turks settled the obedient Albanians who convert to the religion of the Prophet Muhammad. Not before this moment of history have the Albanians lied claim to Kosovo.

After the Battle of Kosovo Polje, for the average Serb the word Kosovo meant the Holy Land, covered with numerous churches and monasteries scattered all over this area that is to be regained some day. It became the ‘Serbian Jerusalem’, from which the Serbs have been systematically expelled and persistently persecuted in the course of the last few centuries until the present day. Hundreds of years after the Battle, its myth had grown to dignity of national trauma that was used in shaping policies in the Western Balkans.

1.4 Who is taking revenge on whom? Serbo-Albanian relations under the Ottoman rule

After losing of independence by the Serbian state, situation in Kosovo changed dramatically. Changes in the ethnic structure were followed by fact, that Kosovo became a land with sacred places also for Albanians. Good examples of that is the Imperial Mosque erected by Mehmed II the Conqueror in 1461 as well as the Great Mosque in Prizren from 1615, funded by Pasha Sinin. The latter one is also known for a fact that, as a revenge for the Serbian national upraise, he had plundered the Mileseva Monastery on the Good Friday in 1594 and robbed the relics of the Saint Sava, the first Serbian patriarch, burning them afterwards (Ryszkowski, 2006, p.89).

Before Serbia had been annexed to the Ottoman Empire, Albanians who during the fifteenth century in the great majority were still Christians lived together in reasonable harmony with Serbs. Soon afterwards, they started to move back into Kosovo in considerable numbers and the Ottomans took sovereignty over the region in 1489. Subsequently, Albanians gradually became converted to Islam (Jansen, 1999). In the late seventeenth century a large numbers Serbs left Kosovo as a result of military victories of the Ottoman Turks after the failed Serbian national upraise in 1689-90 (Nowak, 1999, p.9). The displacement of the Serbian population, known in history as ‘the great migration’ caused that the core part of the nation moved northward to the region of Belgrade. Therefore the territory of Kosovo became underpopulated. Albanians, by
turn, attracted by available fertile land, resettled the region moving eastward from the hills of Albania. At this time these Albanians were both Christian and Muslim (Jansen, 1999).

In 1830, as a satellite of the government of the Ottoman Empire, an autonomous Serbian Principality was established. As a result of the Russo-Ottoman Wars four decades later, in the Balkans raised the nationalist movements and, unlike elsewhere, religious division between orthodox Christian and Muslims played an important role in this phenomenon. After decline of the Ottoman Empire, all of Serbia, Bulgaria and Greece rose again as nation-states of the Orthodox Christianity. During the First Balkan War that broke out in 1912, the new Balkans' independent countries pushed Ottomans back to Bosphorus. Serbian-Montenegrin army invaded Kosovo inhabited largely by Albanians. However, the Albanian population was pushed westwards to the mountains. As a result of Albanian nationalism, a new state of Albania was established, with a domination of the Muslim population. Kosovo, where at that time Albanians constituted the great majority of inhabitants, remained within the borders of Serbia after signing international protocols. Albania was dissatisfied complaining that more than half of Albanian population stayed outside the borders of the new state of Albania. According to Leurdijk and Zende, these facts illustrate the real origins of the Kosovo question (Leurdijk & Zende, 2001, p.8-11 and 171). From the Serbian perspective nevertheless, this fact constituted liberalisation of the Serbs living in the province from the Turk occupation (Nowak, 1999, p.13).

The collapse of the Ottoman Empire constituted another turning point in the history of the Balkans and in the relations between Albanians and Serbs. William Hagen from University of California notices that ‘Balkan ethnic strains are neither as ancient as time nor as recent as the rise to power of Slobodan Milosevic; rather, they are about as old as the dissolution of the Ottoman Empire.’ According to him, today's tensions are the result of the region's absorption into the empire, which led to the extraordinary dispersion and inter-mixture of ethnic groups in Balkan (Hagen, 1999). Indeed, the dissolution of the Ottoman Empire opened opportunities for the nations of the Balkans to formulate an independent nation-state. Increase nationalistic attitude that was needed at that time played undoubtedly a key role in this process.
1.5 Kosovo or Kosova? Multinationalism within the Yugoslav state

During the First World War fighting broke out between Serbs and Albanians in Kosovo and in regard with the course of the war, the Serbian army had to leave the region. Nevertheless, immediately after the end of the war, the Serbian units returned to Kosovo and took revenge on the Kosovar Albanians for their actions against the Serbs during the war. Kosovo stayed in Serbian hands in boundaries of the new Kingdom of Serbs, Croats and Slovenes. Shortly the name was turned into Yugoslavia where Serbs dominated. During the period of Interbellum the number of Albanians living in Kosovo constituted almost two third of the entire number of inhabitants in the region, and of these three-quarters were Muslim. Although the colonisation actions were undertaken by Serbs, till the Second World War the proportion did not change dramatically (Jansen, 1999; Leurdijk & Zende, 2001, pp.12-14 and 171-172).

In the time of the Second World War, the great part of Kosovo was added to Albania and both were occupied by Italy. Two of much smaller parts were under protection of Germans and Bulgarians. However, this occupation was considered by Albanians as liberalisation from the Serbian hands (Nowak, 1999, p.15). Collaborating Albanians take revenge on Serbian inhabitants. After the capitulation of Italy in 1943, Germany took over the control over the region. Yugoslav partisans liberated Kosovo a year afterwards. Subsequently the Communist Party of Yugoslavia recognized Kosovo as a part of Serbia. In 1945 Marshall Tito proclaimed the Federal Republic of Yugoslavia (FRY), consisted of six republics: Slovenia, Croatia, Bosnia and Herzegovina, Serbia, Montenegro and Macedonia. A year afterwards the new constitution of the republic assigns Kosovo the status of ‘autonomous region’.

Despite fact that the abilities for Albanian education and press in comparison with Interbellum period increased from the end of the Second World War onwards, discrimination and repression remained. The number of Albanians in Kosovo was increasing gradually through the years of the Cold War. In 1969 the Serbian Parliament approves a new constitution for Kosovo assigning, among others, its own Supreme Court and independent University of Pristina. A few years later, in 1974, according to the new constitution of the FRY, Kosovo was given the status of

\footnote{All the names of the cities and villages in Kosovo are distinguished into Albanian and Serbian names. Pristina is \textit{Prishtinë} in Albanian and \textit{Priština} in Serbian.}
autonomous province with almost the same rights as the official republics enjoyed (Leurdijk & Zende, 2001, pp.12-14 and 171-173).

In 1980 Josip Bros Tito died. He was the great leader of the multinational Yugoslav state. This event is considered as the end of a certain epoch in the history of Yugoslavia. It meant namely the beginning of the end of the multinational Western Balkan state. A simple reason for that was fact that there was no leader that with such charisma would keep the nations together within the unnatural state where differences in inter-ethnic relations were skilfully hidden (Klemencic, 1989, p.230). Meanwhile, the number of Albanian population in within Kosovo borders increased from 67 percent at the very beginning of 1960s to 77 percent at the very beginning of 1980s (SOK, 2003). Nevertheless, it was not granted the right to separate from the federation and never received a status of a Republic.

1.6 How did the economic situation contribute to the conflict?

Apart from all ethnic, cultural, religious and historical differences, there was a clear economic deviation regarding Kosovo. Both the working and the living conditions were much weaker in comparison with Serbia and the entire Yugoslav state. Disappointment of such a situation in province took Albanians to the street (Leurdijk & Zende, 2001, p. 173). First riots broke out in the capital of the region in March 1981. Students were complaining about poor conditions at the University of Pristine, the third biggest university in Yugoslavia at that time. Workers of local factories had joined students before demonstrations declined. The demands were soon broadened into climes that Kosovo should become an independent Yugoslav republic or be unified with Albania (Joffe, 1996, p.92). Following that, the Yugoslav National Army was called to intervene.

Legal rights were weakened as Albanian officials hesitated to charge Albanians for what had been seen by Serbs as ethnic crimes. Thousands of Serbs and Montenegrins began to leave Kosovo. As a result of Serbian emigration from Kosovo, economic hardship within Serbia deepened. To decline and finally halt immigration, the Serbian League of Communists (LCY) of Yugoslavia implemented a series of explicit discrimination measures favouring Serbs who stayed in Kosovo. Among others, it provided automatic admission of Serb students to Pristine.
University, regardless of their qualifications. Moreover, it prohibited the sale of land and buildings by Serbs and Montenegrins to Albanians. Furthermore, it promised jobs, housing, and schooling for Serbs and Montenegrins returning to Kosovo, and it built factories for Serb workers (Crawford, 1998, p.239).

In the first half of 1980s, unemployment in Serbia was about 18 percent, whereas in Kosovo it reached over 50 percent. By 1985 already one million people were unemployed in Serbia (Crawford, 1998, p.229-230). Although Kosovo was potentially one of the richest regions in former Yugoslavia, with 50 percent of the coal deposits and 60 percent of the lead and zinc deposits, economically it was far behind the rest of the country. Average incomes constituted only a third part of the national level. Not to mention that at the end of 1980s only 11.5 percent of the population was regularly employed, comparing to 26 percent elsewhere in Yugoslavia. Although Kosovo contained 8 percent of the Yugoslavian population, its contribution to the Yugoslavian Social Product in 1989 was as less as 2 percent (Joffe, 1996, p.94).

Due to the disastrous economical conditions in Kosovo, the Serbs in a great number were selling their property to the Albanians and trying to find refuge in Serbia proper. Those who stayed were spontaneously organizing their self-defence groups. The Albanian explained that the Kosovar Serbs were leaving the province due to economic factors only and that the Kosovar Albanians were emigrating for the same economic reasons. The Serbian explanation was that there are some economic factors for the migrations but most of the migrations of Serbs were motivated by non-economic reasons. Regardless of the reasons, thousands of Serbs were going to Belgrade, in hope to present there their grievances and to ask for help and protection. Moreover, it resulted in an increase of ‘ethnic homogenization’ for those Serbs who stayed in Kosovo and were confronting themselves with the Kosovar Albanians afterwards (Savich, 2000).

1.7 The usage of the myth

The Battle of Kosovo Polje and the Kosovo itself was given a status of the event and the place that define the Serbian nation. The myths of the past cultivated by the Serbs through centuries of Ottoman rule became part of the Serbian memory during the nineteenth century and were being
transformed by the Serbian elites into ideologies for the fulfilment of their political agendas. Following Sotiropoulou we can state that history can be a weapon and tradition can fuel ethnic conflict (Sotiropoulou, 2002, s.7).

Although the myth of Kosovo Polje had been always of the great importance for Serbs and plays the same role for this nation as Thermopylae for Greeks, not before 1989 a clear political use of the myth had been done. By the occasion of the 600th anniversary of the battle, on 28 June 1989, Milosevic clearly used history in his public address. ‘The moment has come when, staying on the fields of Kosovo, we can say openly and clearly – no longer! Today, six centuries later, we are again fighting battles, they are not armed battles although such a things cannot be yet excluded’, he said.

This influential speech by Milosevic was preceded by voting of the Kosovar Parliament in favour of reducing Kosovo’s autonomy on 23 March 1989 that happened both under pressure from Serbian army and by fraudulent counts. A year later the Kosovar Parliament voted almost unanimously for the establishment of the Republic of Kosovo that was suppose to independent from Serbia but within the Federal Republic of Yugoslavia. In practice nevertheless, the Kosovar Parliament and Government had been dissolved and the Kosovo administration came into Serbian hands (Leurdijk & Zende, 2001, pp.8 and 174). A decade after the speech of Milosevic, the famous phrase that ‘armed battles (...) cannot be yet excluded’ came true and the war in Kosovo became a fact.

Following Vamik Volkan we can say that the Battle of Kosovo Polje constitutes a ‘chosen trauma’ for the Serbian nation. He considers such a phenomenon as a factor that begins and explains collective violence which in Serbian case resulted in hatred to the Albanians and subsequently ethnic cleanings of the Muslims (Volkan, 2004). Indeed, the myth of Kosovo Polje, cultivated by centuries, re-emerged and increased to the great importance in Serbia in the 1980s as a powerful mobilizing tool, often juxtaposed with the supposed ‘genocide’ of Serbs at the hands of Albanians in the autonomous province. After years, the myth was used to commit the genocide by the first nation on the latter one and subsequently to repress and terminate each other within the province.
1.8 With the enemy within one state. From independence of Serbia to military intervention

The conflict between both nations increased already in 1970s and 80s. After series of repressions and imprisonments by Serbs, the Kosovar Albanians abandoned learning of the Serbian language and isolated themselves from the Yugoslav state. The Serbian nationalism reached its climax after Milosevic had become the President of the Serbian League of Communists at the end of 1987. As a result of such a situation, followed by deprivation of autonomy of the province, during an underground referendum on the independence of Kosovo in September 1991, an impressive number 99.87 percent of the Kosovars voted for independence. The declaration of independence was recognized by Albania only. Therefore the province did not split up from the federation after the dissolving of the Yugoslavian state in the beginning of nineties (Leurdijk & Zende, 2001, pp.18-19 and 174).

This actually constituted the last stage of a process that was called afterwards as 'balkanisation'. The term was created to stress circumstances under which the Federal Yugoslav Republic dissolved. The process contained on secession on component republics seceded one by one from the federal republic by declaring independence. It started in late June 1991 and took less than a year. This caused a range of fights which were difficult to halt because of ethnic consistence of the republics. This, by turn, resulted in war in Bosnia in 1995. It seems that the process of balkanisation has still its continuation. In May 2006, after 3-year moratorium on referendum on independence, Montenegrins voted for establishing their own state. It maintains to be seen, if it was the last nation that created a new country on the ruins of former Yugoslavia.

After dissolution of the multi-republican Yugoslav state, Serbia with Montenegro was part of the Federal Republic of Yugoslavia and Kosovo maintained within Serbian borders. In May 1992, after underground elections in the province, Ibrahim Rugova from the Democratic League of Kosovo became President obtaining 99.55 percent of votes. On the one hand, Albanians were boycotting all the state system, from education to hospitals. On the other hand repressions from the Serbian side continued. In 1994 not less than 60 thousands military and police stationed in Kosovo. Rugova became to be a well known and welcomed politician world wide. Nevertheless,
he received no official support for independence. International community saw this conflict as one to be solved within on the line of Pristina-Belgrade (Leurdijk & Zende, 2001, p.21). Meanwhile, in 1993, although with longer tradition, the Kosovo Liberation Army appeared on the scene. The organisation had been seen by the ethnic Albanians in Kosovo as liberator, whereas for Serbs it maintained as a terrorist and occupying force. Savich strongly stresses that the KLA was in fact a proxy army for the United States, armed, trained, and supplied by the American government. He cliimes moreover that because of propaganda support, Washington controlled the media information about situation in Kosovo (Savich, 2000). In the course of time, the number of the KLA activists had been increasing and so were repressions and attacks on Serbian people.

The Dayton Peace Agreement from November 1995 on peace in the Balkans was another disappointment for the Kosovar Albanians. Whereas it gave as equal rights for Bosnian Muslims as for the Serbs in Bosnia and Herzegovina by establishment of separate national republics within the state, it did not touch upon the matter of Kosovo. As a result, it made Milosevic chief negotiator for the Kosovo crisis, enjoying almost unconditional Western support (Batakovic, 1999). In 1996, KLA for the first time claimed a ride on Serbian Targets. It announced that the organisation would fight for the liberation of Kosovo till total victory. In November 1997 the KLA fighters proclaimed the Drenica area ‘Liberated Territory of Drenica’. Although the Serbian police was denied access the territory, it was the first time when Milosevic recognized serious danger of the Kosovar Albanians’ organisation and was threatened with total loss of Kosovo. As a result of that, the Serbian leader decided to the strategy that by many scholars has been seen as the most important factor that caused the coming war. In February 1998 the Serbian parliamentary Police started ethnic cleanings operation in the Drenica valley. Dozens of KLA fighters, including women and children, have been killed (Leurdijk & Zende, 2001, p.22).

This event caused numerous acts of violence from both sides of the conflict. Meanwhile, in the second underground elections in Kosovo, Ibrahim Rugova was elected president in March 1998 with the majority 99.2 percent of votes. The talks between Milosevic and Rugova in order to halt such a situation in Kosovo started in mid-May. This happened nevertheless under the pressure of Western powers. The talks did not result in any agreement as the Albanian demands for independence were not parallel to Belgrade’s view on the Kosovo issue (Rothschild and Wingfield, 2000, p.301). Violence maintained continued in the province as revenge for numerous
murders from each side. After another round of ethnic cleanings, in early 1999, the low-level conflict turned out into another full-scene Balkan war. Within few months the earlier predicted international intervention and NATO air strikes become a fact. The Kosovo war had stared.

1.9 The role of nationalism and ethnicity in the conflict

It maintains absolutely clear that nationalism has been always playing an important role in the mentality of the nations of the Balkans. It played a key role for the nations to distinguish themselves from each other in the multinational Yugoslav state. Those two factors have also an immense input on conflicts that break out between the nations.

To understand better what those two phenomena play in conflict, it is worth to use the theoretical point of view for both the nationalism and the ethnicity. Ernest Gellner, a one of the most important scholars of nationalism, bases his definition of nationalism on a shared, standardised, high culture (Gellner, 1994, p.7). In Anderson’s approach, nationalism has to be understood also with the large cultural system, including language and religion. Talking about cultural roots of nationalism he considers two cultural systems as relevant - the religious community based on common and ordered beliefs on the past and on the future as well as the dynastic realm that appears for the most men as the only imaginable ‘political’ system (Anderson, 1983, p.9-22). In case of Albanians and Serbs ties within the nation maintains strong as there is an unambiguous difference in creed as the first are Muslims and the latter profess Christianity. Yet, beliefs on the past and therefore also on the future of the region of Kosovo are entirely different. Thus, conflict in perceiving the same piece of the land in combination with distinguished creeds turns into conflict between nations.

Peter Sugar presents different aspect of nationalism when writing about East European nationalism. He defines the phenomenon as the ideology that justifies the beliefs and actions of any given nation (Sugar, 1997, p.15). Therefore Albanians could justify the revenge on Serbs for no respect for their rights in medieval Serbia and, on the other hand, Serbs could justify the revenge on Albanians for the Battle on Kosovo Polje and subsequent repressions during the
Ottoman period. Following that, this ideology explains the Albanian revenge on Serbs for discrimination in the Yugoslavian state and consequently it creates a vicious circle of the conflict. The phenomenon of destiny of nations, immemorial past and limitless future seem to appear always while creating the nation-state. Those factors are used to legitimate novelty of the state as well as historical heritage of a nation. With Anderson we can assume that if nation-states are widely concerned to be ‘new’ and ‘historical’, the nations to which they give political expression always loom out of an immemorial past, and, still more important, glide into a limitless future (Anderson, 1983, p.11-12). In addition to that, the need for nation-state can be supported by argument that the state is seen to provide framework for the nations. Subsequently the state provides the forum within which the nation by its national identity can be articulated, represented and legitimated (Vincent, 2002, p.38-39). There is no surprise therefore, that Albanians would find themselves to be direct descendants of Illyrians, first known inhabitants of Kosovo in order to establish a nation-state. Thus, the new state of Kosovo would be fulfilled by history and the heritage of the Albanian nation. It would also preserve a national identity of them, which has been always threatened within the Serbian state. Moreover, this endeavour would be legitimized by poets, like Kosovo-born Adem Istrefi, or writers, like Adem Demaci, who as a founder of the ‘Revolutionary Movement for Unification with Albania’ was arrested in 1958 and stayed in prison for 28 years.

Another factor to be examined is the ethnicity. Following Sotiropoulou, ethnicity is the state of being ethnic or belonging to a certain ethnic group that, by turn, is defined as ‘a group of people who are generally recognized by themselves and/or the others as a distinct group, with such recognition based on social or cultural characteristics’ (Sotiropoulou, 2002, s.2). Cultural incompatibility therefore results in the ethnic conflict as it takes place between Albanians and Serbs. In such a conflict, at least one of the groups define its goals in ethnic terms, namely claim that its distinct ethnic identity and the lack of the opportunity to preserve, express and develop it, is the reason that its members do not have the same rights, and cannot realize their interests (Sotiropoulou, 2002, s.2-3). That is what Serbs would complain about during the Ottoman period when Albanians enjoyed its minority rights and what the Albanians would accuse the Serbs of in 1980s and 90s.
With the case of Kosovo we can refer to Smith’s theory of symbolic attachment with a given territory. For Serbs the land was the cradle of their culture and nation to the extent that they considered that as their Jerusalem. By doing so, they were emphasizing their rights on a territory that was threatened by the existence of another ethnic group, that of Albanians. The latter, on the other hand, had also developed strong symbolic attachments with the land by claimed historical rights derived from the ancient Illyrians. Consequently, in Kosovo, the emotional attachment to the land of the two ethnic groups excluded one another (Sotiropoulou, 2002, s.7).

When ethnicity becomes nationalist, the result is the emergence of ethnonationalism. This, in tum, can prove threatening for the existence of the state and lead to ethnic conflict and disintegration, as in the case of the entire Yugoslavia (Sotiropoulou, 2002, s.2). Ghebali refers to the same phenomenon when characterising ethnic conflicts of the post-Cold War era. This combination of concepts of ‘nation’ and ‘ethnie’, where the ethnie is considered as the archaic version of the nation, represents a revival of trends supposedly eradicated by modernity. Secondly, ethnonationalism often presents a high degree of emotionality and non-rationality. Thus, parallell to all of nationalistic reasons for demonization of the Albanians of Kosovo, the conflict between Serbs and Albanians in Kosovo is certainly of an ethnic nature (Ghebali, 1998, pp.5 and 7).

To give more example for the theory, we can refer to the Serb elites that began to retreat from their support for federal institutions and openly encourage ethnic preferences for Serbs in response to Albanian discrimination against Serbs in Kosovo (Crawford, 1998, p.239). Furthermore, the deliberate and strategic nationalistic policies of Serbia’s ruling elites are seen by Schnabel and Thakur from the United Nations University, as a reason for the nowadays’ conflict in Kosovo. Those policies, having the short-term goal of securing the continuation of their own power, shored up the existing power structure that had been showing signs of decay since the mid-1980s (Schnabel & Thakur, 2000).

It became to be clear that Slobodan Milosevic - then head of the Serbian LCY - had responded to the Kosovar Serbs’ appeals for help and supported them in order to enhance his own popularity. By doing so, on the one hand he evidently discriminated the Kosovar Albanians. On the other hand he contributed to the ethnic nationalist that had been rising at that time amongst Serbs.
Consequently, it resulted in the demonstrations to protest Albanian discrimination against Serbs in Kosovo. Taking to the street with small groups in thousands of protesters from Kosovo was gradually expanding to crowds and finally it ended up expanded to as many as one million (Crawford, 1998, p.240).

The riot caused by discontent due to repression of the Kosovar Albanians in combination with the Serbian nationalism resulted in rejection of the autonomic status of Kosovo by the Serbian government in 1989. As a consequence of that, by the summer of 1990 the Serbian government had dissolved the Kosovo assembly and purged Albanians in government posts (Crawford, 1998, p.240; Leurdijk & Zende, 2001, pp.8 and 174). From that time onwards, repressions on the Kosovar Albanians were continued.

As it has been proved above, both nationalism and ethnicity play an important role in conflict between nations. All things considered, the language, the religion and the culture as a whole are those factors that distinguish the Albanian nation from the Serbian. Therefore, the history of Kosovo seen from the Albanian perspective shapes itself different than from the Serbian viewpoint. As a consequence of that, different are beliefs on the past of the province and so are the expectations regarding the future.

1.10 Does the truth lie in between?

It maintains clear that Serbs would consider Kosovo as the land that has been always belonging to the Serbian state when discussing its final status. Perception of the province as the centre of Serbian administration and culture for centuries would be undoubtedly an argument of the great importance. There is no surprise nevertheless, that the perspective of the Albanians, both living in Albania and in Kosovo, is entirely different. As Norris stresses, all Albanians would strongly claim that this area is a part of the Albanian “homeland”.

On the one hand therefore, for Belgrade, the Albanian “homeland” is the “cradle” of medieval Serbia inhabited nowadays by unwelcome national minority. On the other hand, for Tirana Kosovo maintains the centre of Albanian nationalism and constitutes still the region where one
third of all the Albanians live (Norris, 1996, p.16). Apart from distinguished viewpoint on the history and the nativeness of the province which is crucial for the nowadays conflict between both nations, all cultural, lexical and religious differences may only emphasize this inconsistency.

In the region of Kosovo difficult and complex processes of restructuring the nations and irreversible changes in societies have been taking place. On the one hand, the process of Slavization of Albanians was applied. On the other hand Islamisation was experienced by both, Serbs and Albanians, with the greater influence to the latter nation. Whereas the Kosovar Muslims in Serbia, creating separated administrative units, enjoyed religious and ethnic rights during the Ottoman Empire, it became a problem in multinational, but still Slavic and Christian state of Yugoslavia. Therefore the process of de-Slavisation had been put into practice (Norris, 1996, pp.11 and 19-20). All those changes in social structures resulted afterwards in prejudices of one nation to the other.

The twentieth century did not ameliorate the relations between Albanians and Serbs. What for one nation constituted liberation, for the other one maintained occupation. What for one nation was considered as enjoying its own rights, for the other meant one discrimination. Whereas for the Serbian scholars, the history of Kosovo maintains as 'biological and cultural genocide over Serbs' (Jevtic, 1990, s. 11), for the Albanians it became genocide when ethnic cleanings in late 1990s were applied. Kosovo had constituted a timing bomb in the heart of the Western Balkans that finally broke up. In the region, there was no golden mean found that would satisfy both the Serbs and the Kosovar Albanians. On the other hand, event if there was one, in the territory where interpretation of the history was absolutely different by both nations, it seemed that it would not be a long-term solution as long as the human rights were not respected and the final status of the province was not established.

1.11 Conclusions

The history of Kosovo seen by Albanian eyes does not maintain parallel to the history of the region in Serbian interpretation. Competing constructions of history have served to perpetuate a climate of hatred between the ethnic Serb and Albanian communities and triggered the spiral of
conflict. As a result of fact that each side has maintained a perception of history as a fluctuating domination by one or the other side, different nations claim exclusive rights and sovereignty over the same piece of land.

Different scholars mark different historical facts as a hard core and a fundamental of the conflict. Some of them emphasize the battle of Kosovo Polje and even more the myth of the event as the greatest bone of contention among the nations. Others would consider never ending struggle among Albanians and Serbs during Ottoman Empire as seeds of the current confrontation. Others yet point at nationalism and the ethnic character of the conflict as factors that made it break out. Apart from this, some scholars refer rather to the Kosovar Albanians as the only not having their own republic in the multinational state of Federal Republic of Yugoslavia. Neither had they split up from after the dissolving of the Yugoslavian state in the beginning of nineties of the twentieth century. It seems that when doing a research on the deep roots of the Kosovo conflict, everyone can argue on different aspects described in this chapter.

It is not deniable that all of above mentioned factors contributed to the current conflict. At the time of military intervention by the international community in Kosovo and Serbia, the province constituted an integral part of the then Yugoslavia. The existence of numerous disagreements among societies led to the military conflict. In the moment when a military intervention in Kosovo was initiated in 1999, the province with 10,912 square kilometres constituted 12.3 percent of the territory of Serbia. Population of the region stated over two million with almost 90 percent of the Albanians and a few percent of the Serbs if the eve of the 1999 crisis. Kosovo and Metohija constitute two valleys situated in South-Western pat of the Serbian Republic. The province borders Montenegro to the North-West, Serbia to the North and East, Macedonia to the South, and Albania to the South-West. The capital and the largest cities is Pristine, with an estimated 500,000 citizens.

It does not maintain without significance that nationalist movements have always characterized the history of the Balkan people. Religious idealism would just complete the overall picture of the Balkan Peninsula. Constructing a society based on co-operation rather that confrontation, what might have prevented the conflict, appeared as impossible to achieve as violence had been the norm more than the exception in the Serb-Albanian relationship. For all that, difference in
perceiving both the past and the future of Kosovo by Albanians and Serbians seems to be as immense as the difference between the architecture of a Muslim mosque and an Orthodox church that alternates in the Kosovar cities between each other.
2. Theoretical framework of the conflict management and third party intervention

2.1 Introduction

Most of the dictionaries when defining theory refer to contemplation, a speculation, and a mental view. Theory may be defined as 'a conception or mental scheme of something to be done or the method of doing it; a systematic statement of rules and principles be followed (Clements, 2003, p.9). Thus, theoretical approach by implementing its principles, explanations, hypotheses, proposals and ideas reflects in the practical action that is undertaken on the basis on the theoretical framework.

The objective of this chapter is to provide a theoretical framework to the conflict management and third party intervention and to present what we understand by international community and its theoretical role in both management and intervention in conflict. Moreover, I support theoretical notions by short examples of the Kosovo conflict's case, and the more detailed elaboration will be provided in the following chapter. By doing so, I illustrate briefly to the reader the link between theory and practical factors and actions in the case of Kosovo conflict. I attempt to present different viewpoints presented by scholars from worldwide. I also use official standpoints on theoretical framework of international organisations. This contributes to the overall picture of theoretical approach and completes that.

In this chapter I start with the review of conflict, subsequently elaborate on the intervention and finish with the relevance of international community to both of those phenomena. Firstly, I define conflict and provide a general typology of that. The classification I present facilitates putting the characteristics of conflict and intervention in conflict into the theoretical framework that is illustrated subsequently. This constitutes an attempt to clarify the different variables of both conflict and potential third party intervention. Furthermore, I explain the meaning of the timing of intervention. By this notion I seek answer to the question when and how the decision of intervention is being made and what factors are affecting the third-party intervention.
After intervention is decided to be applied, various means that third party may apply when intervening is presented. In this respect I start with negotiations and go through different types of peace operation. Apart from this I describe the consequence of non-intervening. Finally, the definition of international community and explanation of different perception of this phenomenon is provided. Moreover, I present a range the case most implicit international organisations and subsequently attempt to examine what role plays international community as well as organisations creating it in conflict resolution.

2.2 Typology of conflicts

Conflicts between ethnic group, nations and states are not a new phenomenon. Even if such a conflict maintains at the low level, it can turn into an armed action in the course of time. Moreover, it may lead to international intervention into the conflict. To perceive with comprehension what a conflict itself means, we need to look deeply into the theory of that and attempt to understand what the theoretical explanation of this phenomenon is.

A conflict itself constitutes a process characterized by stages of initiation, escalation, controlled maintenance, de-escalation and some kind of termination (e.g., settlement, resolution). What is more, we can distinguish between the latent conflict, the manifest conflict process and the aggressive manifest conflict process. The first type refers to conflicts that are developing but have not expressed themselves in an observed manner, even for the parties. As the second type of conflicts are considered those that have developed to the extent that are observed thought they have not expressed themselves in a violent manner. Conflicts mentioned as the third type have escalated from the previous ones to a violent level of expression: although they are not merely capable of being noticed and experienced, they are destructive to parties, resources, and others as well (Sandole, 2003, p.39-40).

Among a plethora of typologies and classifications of conflicts, the one proposed by Dennis Sandole seems to be the most ordered and of a solid structure. Following his explanation of the conflict, there is a three-pillar framework for analysing and resolving conflict at any level. Any particular conflict including its distinguished characteristics are located in this framework under
pillar one. The second pillar refers to the causes and conditions of the conflict. Pillar number three, by turn, includes intervention design and implementation (Sandole, 2003, p.39).

Conflict, next to cooperation, lies in heart of all communities. Cooperation, when led to malign end, may result in totalitarian and repressive outcomes. Conflict, by turn, when harnessed to benign ends and occurring within agreed rules and frameworks, is capable of generating high levels of creativity and positive change. Therefore, the central objective of putting conflict into theoretical framework is to facilitate understanding of the ambivalent nature of conflict, its capacity to generate creative change and high levels of personal and collective integration, as well as its more malign consequences when conflict becomes vicious and violent. Moreover, having identified characteristics and sources of conflict, it is more likely to resolve it peacefully through the intervention (Clements, 2003, p.11)

2.3 What are the characteristics of conflict?

The first two pillars of the Sandole’s three-pillar typology refer to the nature of conflict. It describes its characteristics as well as causes and conditions. Such a stratification of elements enables clear analysing of the distinguished features. Making use of the second pillar we learn that the more variables at different levels are involved to the conflict, the more complex it is, and consequently, the more difficult do deal with.

To start with the first pillar, illustrating elements of the conflict, it distinguishes between parties, issues, objectives, means, conflict-handling orientations and conflict environments within which conflicts occur. As far as parties are considered, we can distinguish them between individuals, groups, organizations, societies, states and regions. In case of Kosovo we can refer to all of those levels as there had been conflict between Milosevic and Rugova, Serbian and Albanian families, KLA and the Serbian Government, Serbs and Albanians in general and Kosovo itself and Serbia as well as between Albania and Serbia as the previous country supported the Kosovar underground government. There is also different understanding of parties involved in conflict, namely primary, secondary and third parties. Primary parties are those that directly fight, thus the Serbian army and partisans from KLA in this case. Secondary parties are those that are not
directly involved, but support one of the parties. Therefore, Russia can constitute an example of support for Serbian government that controls national army and respectively Albania be considered as a state that supports KLA. There are also interested third parties that are not involved in the conflict when it breaks up, but they are clearly influenced by that. European Union can be an example for this matter.

The issues of pillar one considers the reasons parties claim they are waging conflict with each other. From a plethora of typologies the most meaningful for the Kosovo conflict would be that issues may be suggestive of ‘misattributed’ conflicts, where, for instance, political leaders may go so far as to invent enemies in none already exist in order to stave off internal dissent and remain in power. In this case, Milosevic’s manipulation of the legacy of Kosovo for many Serbs in the late 1980s, culminated in the ethnic cleansings of Albanians in the region during late 1990s, may be considered as a way to hold on to power when, during and after the ending of the Cold War, other communist leaders were falling (Sandole, 2003, p.45-46).

The objectives of the conflict apply to status-quo changing and status-quo maintaining options. There is a question on how a potential third party should deal with a conflict between irreconcilable parties where, like in case of Kosovo, one is for establishing a new state whereas the second one is for maintaining the province within borders of the existing country. Next under the first pillar are means, that can be distinguished between violent and non-violent, we can place fights, games and debates. In fights, parties consider each other as enemies and attempt to destroy each other. In games, the parties view each other as opponents and attempt to outwit each other whereas in debates they view each other as opponents and try to persuade each other. Therefore, in case of Kosovo, we can consider fights as the mean that parties employ to achieve their objectives.

Another feature is the parties’ approaches to conflict handling. Parties may be characterized by competition, avoidance, accommodation, compromise and/or collaboration. We may refer to competition as the feature that characterizes the Kosovo conflict the most meaningfully. Finally, we have conflict environments, distinguished between endogenous and exogenous. Endogenous conflict settings are those where there are mechanisms available for controlling or resolving conflict whereas in exogenous environments are few, if any, mechanisms of this kind. The space
within the conflict unfolds may include multiple environments, like cultural, religious, economic, political, institutional. Analysing the case of Kosovo we can refer to all of those environments as the differences in those variables are clear between both nations and were already mentioned. Thus, the third party assessment may be an exploration of the extent to which the conflict environment is endogenous and then to coordinate who administer the corresponding mechanisms to help the parties reach a cooperative and solid outcome (Sandole, 2003, p.46-48).

Following the second pillar, which considers conflict causes and conditions, we can distinguish between relatively more or less complex conflicts. The complexity of many conflict situations maintain the great importance. It is also implicit to be aware of possible connections between levels, for example between individuals and religious or ethnic groups' organisations and the state. Although conflicts may be expressed at different levels and therefore may be truly different, their aetiology may reflect variables operating in terms of the same set of levels. For that reason conflicts may be structurally very similar, although their sources relate to different needs, interests, values, and ideologies of the parties, institutions and organisations. Nevertheless, if conflicts are caused by factors at different levels, then dealing with them constitute a greater challenge as efforts must also capture that complexity (Sandole, 2003, p.49).

Moore argues that generally sources of a conflict are either interest-based or value-based. We consider value-based conflicts as those that are less amenable to compromise and integration. This is important when negotiating as mediators should avoid describing disputes in terms of value differences when possible. Values-based disputes can be reframed either by reinterpreting the issues as interests, avoiding the value elements, or by appealing to broader shared values. Interest-based disputes, by turn, can be reframed by either broadening or focusing the issues (Glaster, 2005b). It may be argued, that the Kosovo conflict maintains as the values-based one as its groundwork constitute mainly religion, culture and interpretation of history.

Such a division of the first pillar of analysing conflict comprises a variety of different approaches and insights into different situation. Various perspectives on conflict are not necessarily mutually exclusive and therefore one conflict, as proved above, can be assigned to any of those variables. Different elements may cause conflict at different level what is, by turn, put into the second pillar.
of analysing. By such a stratification of factors we are able to learn more about any given conflict and thus enhance our efforts to respond effectively to it.

Finally, we cannot leave that analysis without additional and important remark. What is very implicit when talking about conflicts is fact that they are dynamics, always changing. The conflict may transform from light to heavy, thus from low level conflict to an international one, like it took place in case of Kosovo. Secondly, the number of issues may increase from small to large numbers. Apart from that, what is also applicable to the Kosovo conflict, issues may also transform from specific, concrete concerns to general, global politics and orientations. Moreover, goals are changing. In addition, the number of participants involved in the conflict grows from few to many, as both parties strive to increase their influence by drawing in others (Pearson d'Estree, 2003, p.69-70).

2.4 What are the characteristics of intervention?

Pillar three, the most implicit for this chapter, considers conflict intervention where a potential third party can engaged. The term 'third party' refers to a person or team of people who become involved in a conflict and attempt to facilitate processes leading to quite different though potentially interrelated outcomes. Third parties might act as consultants, helping one side or both sides, analyse the conflict, and plan an effective response.

As it was already mentioned, the key aim of a potential third party is to prevent conflict from breaking out to the extent of a violent one. As this often fails, there are numerous other options available to them. Among them, there is conflict management to prevent if from spreading. Failing that, by turn, there is conflict settlement. As the next stage we can consider conflict resolution, which in Kosovo is still lagging behind military-based management. Having achieved that, potential third parties may go a step further working on the long-term solution and reaching conflict transformation which is leading afterwards to conflict prevention: the prevention of deep-rooted conflict by eliminating structural violence and other underlying causes and conditions of the conflict (Sandole, 2003, p.49-50).
Lederach expresses a similar opinion, who perceives contemporary conflicts as a cycle of confrontation, negotiations and ceasefires, which are not enough to sustain reconciliation. According to him, the only way to succeed in considering the long-term nature and progression of conflicts while transforming them and addressing the root causes. He argues that conflicts are not static but expressive, dynamic, dialectical and progress through stages from violent to peaceful. Thus, conflict transformation must consist of multiple interventions, roles, and functions depending on the stage of conflict being addressed (Pillay, 2006, p.56).

Following the terminology of Boutros Ghali, who in 1992 tried to make the UN more relevant to the conflicts of the post-Cold War era, as violent conflict prevention we can consider preventive diplomacy, conflict settlement and conflict resolution refers to peacemaking, conflict management constitutes peacekeeping and finally conflict transformation and prevention apply to peace-building (An Agenda for Peace).

Another key set of types here is negative vs. positive peace. In this context, negative peace means nothing more than absence of something, for instance hostilities, that could have been achieved by prevention or cessation of actual hostilities. Thus, negative peace is what most people mean by peace. Positive peace, by turn, deals with underlying conflict causes and conditions to aim for prevention by eliminating structural violence (Sandole, 2003, p.50-51). In case of Kosovo such a structural violence reflected in the Albanian Kosovars having involuntary status of minorities, who were denied access to political, economic, social and other resources enjoyed and controlled by Serbs at the same time.

As we see above, we can put conflicts in order from very general classification to very detailed one. Although they may comprise different variables, they may not necessarily exclude each other. Using the Sandole's three-pillar division we can analyse conflicts from its components through causes and conditions to a potential conflict intervention and third-party objectives. By illustration of an ordered structure it makes easier to explain and understand conflict itself. On the other hand, although there is a clear structure and a number of theories on conflicts, there are also dynamics existing that make often conflict uneasy to prevent by intervention and its course difficult to predict.
2.5 When to intervene? The timing of intervention

Although traditional interstate conflicts are on the decline, internal conflicts such as civil wars or ethnic conflicts are increasing. The latter ones have proven to be difficult to resolve by intervention. Nevertheless, the cost of letting such conflicts go uncontrolled is often very high in both human lives and resources. Effective means of intervention must be developed following changes in the nature of conflicts (Glaser, 2005a). Thus, the question is not if to intervene, but how to intervene effectively.

Having known general division of conflicts, both practical and theoretical problems are then how to prevent latent conflicts from breaking out and manifest conflict process from escalating to aggressive manifest conflict process. Different stages of conflict development as well as different types of intervention at different stages. But first of all, implicit factor is 'timing' of intervention are important here. It is clear to understand that preventing a violent conflict from developing while at the latent stage would be less costly in terms of lives and other resources. Therefore the decision for the timing of involvement maintains of the great importance for the external interveners (Pence, 2002, p.1).

Which factors are affecting the third-party intervention then? The nature and degree of such an intervention can be affected by capacities of the local population for resource mobility as well as social and political dynamics. The lower public confidence in the local administrative authorities is, the more intensive support and assistance are needed. Therefore, in the absence of a reliable political structure, the most implicit elements in the settlement can be defined by an intervener and external, often international, intervention is a key element in managing continuing ethnic tension before the creation of an alternative structure. International assistance is also critical when local organisations do not have technical capacities and material resources to meet both immediate and long-term community needs. On the one hand, international community being involved in intervention supports the implementation of locally initiated program for development and reconciliation. Elections and political reform at a national level require scrutiny of international community. On the other hand, the responsibility for the control of violence falls on international peacekeeping forces (Jeong, 2003, p. 294-295).
All things considered, the Kosovo conflict illustrates how implicit the timing of intervention is. In this case it took eleven years from the time when the Serbian leader Milosevic abrogated Kosovo’s autonomy in 1989 until NATO’s air strikes in Serbia to prevent further ethnic cleanings of the Kosovar Albanians. The structural violence, when Albanians in the province were thrown out of their work and were compelled to either emigrate or create parallel structures for health care, education and others, was often accompanied by psychical violence. This one led to emergence of the KLA and its attacks on Serbian police and other targets that afterwards led, by turn, to Serb policy of ethnic cleanings. The comments made by heads of Organisation for Security and Cooperation in Europe (OSCE) that ‘We all saw Kosovo coming’ clearly prove that violent conflict prevention did not occur in this conflict (Sandole, 2003, p.41).

Therefore apart from questions how to intervene on different stages of the conflict, the question of great importance maintains when to intervene. However, the decision of a potential third party if it is already time to intervene or not often constitutes an immense problem. Except for often lacking of a clear mandate to justify their action, intervention in internal conflicts violates the nation’s sovereignty.

2.7 How to intervene? From preventive diplomacy to peace operations

As it has been already defined, the main objective of a potential third party when being involved into conflict is to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur. This is what we call preventive diplomacy (Doyle, 2001, p.530). Making use of negotiations, which can be perceived as preventive diplomacy, maintains as the first stage. Under the term of negotiations we understand the process whereby two or more parties attempt to settle what each should give and take, or perform and receive, in transaction between them (Druckman, 2003, p.193). It is considered as a form of communication between the opposite parties of the conflict where both parties submit mutual proposals and contra-proposals and the problem is solved when the sides agree on the final consensus (Aronson, Wilson & Akert, 1997, p.396). Thus, there is an ambiguous relation between a process and an outcome.
The role of the third party in negotiation between sides of conflicts reflects in an influential way. A mediator’s presence can induce flexibility if the mediator is viewed as being trustfully and competent, especially when the level of hostility between the parties is high. Mediators succeed more when their suggestions are clear and do not favour one party over the other. Finding a symmetrical compromise becomes thus an implicit factor in order to push sides to an agreement (Druckman, 2003, p.203). If negotiations undertaken by third party fail, there is possibility to apply peace operations.

There is an unambiguous difference between possibly applied peace operations during third party intervention. They differ by objectives, measures, sources and time of operation. Some of them require military intervention whereas other ones refer to diplomacy. Nevertheless, all of them have the same final aim to put an end to conflict, establish peace and prevent from breaking out of a new conflict.

Before starting to talk about peacemaking, peacekeeping or peace-building, it is worth mentioning that there is another similar concept established as the enforcement measure in the Charter of the UN under Chapter VII (UN Charter, art.42). Peace enforcement is authorized to act with or without the consent of the parties in order to ensure compliance with a cease-fire mandated by the Security Council. This mission requires use of force where military forces are composed of heavy armed, national forces operating under the direction of the Secretary General (Doyle, 2001, p.530). The main objective here is to ‘maintain or restore international peace and security’ (UN Charter, art.42). However, the measures applied in this mission may include also economic sanctions against a country which violates the Charter. Unlike in peacekeeping, in peace enforcement those measures do not require the consent of the lawbreaking parties of conflict. Nevertheless, since in the case of Kosovo the Operation Allied Force was a forceful military operation, it does not fulfil the conditions for peace enforcement (Trzeciak, 2003, p.11). Even if there was attempt to apply peace enforcement in Kosovo, it went far beyond the traditional understanding of this concept.

Peacemaking, by turn, is the process of forging a settlement between the disputing parties. This mission refers to either direct negotiation with just the two disputants or, more often, it is done with a third-party mediator who assists with process and communication problems, and helps the
parties work effectively together to draft a workable peace accord (IOTPOIC). By these measures peace making initiatives seek to persuade parties to arrive at a peaceful settlement of their differences (Doyle, 2001, p.530). A characteristic feature of peacemaking is that citizens of the conflict region are getting involved in the process more and more. Although they do not negotiate final accords, citizen diplomacy is becoming an increasingly common way to start the peacemaking process, which is then finalized with official diplomatic efforts (IOTPOIC).

The simplest explanation of peacekeeping can be put in phrase that this process means keeping people from attacking each other by putting some kind of barrier between them (IOTPOIC). Following the Agenda for Peace, we can define peacekeeping as “the deployment of the United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well’ (An Agenda for Peace). Recently, a broader approach is taken and one of them is presented in ‘The Challenges of Peacekeeping in the 21st Century’ prepared by the United Nations Department of Peacekeeping Operations. It involves in peacekeeping operations also such tasks as shoring up basic state services, including the judiciary, civil administration and public utilities, in order for post-conflict societies to return to normalcy as quickly as possible (UNDPO). Nevertheless, in case of Kosovo, the main role of peacekeeping operation was to provide a barrier between the Kosovar Albanians and Serbs. Such a barrier had been made up of neutral soldiers, whose task was simply to keep the two sides apart. Those soldiers acted firstly within the Implementation Force (IFOR) and then with the Stabilisation Force (SFOR) which in case of Kosovo constituted the Kosovo Force (KFOR). At the same time diplomats were striving to negotiate a comprehensive peace and officials attempted to implement agreed rules.

The last stage of peace operations refers to conflict transformation known in international terminology as peace-building. Peace-building constitutes the process of a long-term normalizing relations and reconciling differences between all the citizens of the warring factions (IOTPOIC). The main tasks reflect in fostering economic and social cooperation with the purpose of building confidence among previously warring parties as well as developing the social, political and economic infrastructure. Moreover, building relationships, with the focus on emotional and psychological aspects of conflict, that is a guarantee for preventing future violence and laying the
foundation for a durable peace, also maintains in the central point of conflict transformation (Doyle, 2001, p.530).

Structural transformation that moves a violent conflict towards a durable peace requires devising and implementing various strategies like political, economic, judicial and military measures as well as communications and educational ones. Thus, preventive peacekeeping forces, the creation of demilitarized zones and peace enforcement are listed as some of the military peacemaking measures, whereas development assistance, economic sanctions and humanitarian assistance are considered as economic ones. Moreover, there can be political and governance measures undertaken, such as building political parties and civil society, as well as judicial and legal measures which refer to constitutional, judicial, legal and police reforms. Educational measures, by turn, encompass the training of media systems, peace education and formal education projects (Botes, 2003, p.278).

Abstracting from what we can read above, one can ask if there is possibility of non-intervention. We find the immediate answer in a position paper untitled ‘Leadership and the United Nations’, published by the UN right before the military intervention in Kosovo. We can read there that non-involvement is an illusory option and. Avoiding of intervening to respond to violent ‘upheavals invites those affected, whether neighbouring countries strained by an influx of refugees, or external players with interests in the country, to take matters into their own hands’ (Safty, 1999, p.132). Therefore ‘doing nothing’ attitude in this respect must be never a case.

As it was already mentioned, a characteristic feature of the conflict is its dynamics. Changing situation requires different measures to be undertaken. Therefore the international community applies different peace operations in the course of conflict when intervening. Various peace operations at different stage of the conflict let the international community step by step build peace which has been always a priority of intervening third party when resolving conflicts. Although the discussed ideas are grounded in theoretical frameworks and foundational documents, in practice the peace building process and transformation of civil society must always fit to the particular conflict and therefore such operations may differ from each other in different regions and times.
2.8 What is international community and what is its role in conflict resolution?

It maintains without doubts that Inter-governmental Organisations and International Non-governmental Organisations play a key role in shaping the world order assisting the process of functioning of international political system. Moreover, by cooperation they create a form of global governance. Whereas conflict resolving is considered by some of those organisations as an important objective, for other it constitutes the highest priority. Who are the actors involved in conflict resolution? And what role do they play in this process?

Whether assisting in conflict resolution maintains as the most implicit role of an organisation or not, peace and security are mentioned as the greatest objectives by all recognized IGOs and INGOs. Schimmelfennig argues that in the international realm, the institutions of peaceful conflict management and multilateralist collaboration are shaped by liberal political culture. Moreover, these institutions are established by states having liberal principles of social and political order – social pluralism, the rule of law, respect for human rights and a marked-based economy. Only those states that base its domestic system on these principles may participate in what he calls Western international community (Schimmelfennig, 2003, p.78). In interaction within international community, states perceive each other as sharing the same values, norms and practices. Sharing culture of non-violent, institutionalised conflict management, liberal states are able to develop dependable expectations of each other’s peaceful behaviour.

Apart from shared values that contribute to peaceful behaviour of states, there is also shared power to act. Having this said, Wallenstein proposes to distinguish between different action communities. One of groups of communities he calls UN-focused communities and the other one is considered as based on exclusive values or power. The UN-focused community are particularly concerned by the matter of human right, mass refugee movements, armed conflict and justice-based solutions to conflict. Such a communities include the leading Western countries and the EU organs but also international organisation as UN, UNHCR, UNHCHR as well as associations, media and religious societies. Such a community appears to have been important when setting the agenda for conflict resolution. This group activates the United Nations, particularly its Secretary
General, and gives priority to negotiations and peace agreements, and a reluctant support to humanitarian intervention.

On the other hand there is a group that constitutes a stronger value-based, democratic international community which emphasizes the importance of democracy for peace. Here democracy is considered as an important factor in conflict resolution and prevention as it maintains of common knowledge that democracies rarely fight wars against each other. Therefore, NATO’s intervention in Kosovo in 1999 undertaken in order to stop armed conflict have been seen to many an expression of the ability of the democratic communities. Alternative to that may be a community resting on the power of a few actors, as in organised major power cooperation with the leading role of the United States which is nowadays military unchallenged on a global scale (Wallenstein, 2002, pp.263-267 and 269).

There is also another understanding of community based on cooperation on regional and subregional level. It reflects a ‘security community’ developed by Karl Deutsch which is understood as a ‘group of political units whose relations exhibit dependable expectations of peaceful change, based on the compatibility of the main values relevant to the prevailing political, economic and legal institutions and practice within the constituent units’ (Deutsch, 1957, p.5). The concept refers to situation of close cooperation where states maintain their independence and where they do not expect to use violence among each other to solve mutual conflicts. The Nordic area emphasizes such an alternative where some states joined NATO and others remained outside still maintaining a tradition of solving conflicts without violence.

According to the report prepared by Central European University, the contribution of NATO to the formation of a security community or a conflict-free zone in Central and Eastern Europe should be assessed against its capacity to facilitate, support and enhance political reforms in the region. Furthermore, we read that ‘only democratically consolidated regimes are expected to resolve peacefully their domestic or international differences’ (Bjola, 2001, p.9). The European Union may be considered as an additional expression of the idea of security community although this organisation is more centralised and institutionalized. Yet, if the European Union faces a security challenge, it is related to its security as a community of values - a community whose belonging is determined by a shared set of values (Masse, 2005). Although in the concept of
security community the shared values apply to a narrower group of societies, there are shared experiences of dealing peacefully with conflict among the members and therefore leading to shared values in conflict management (Wallenstein, 2002, p.267).

NGOs are fast becoming a vital component of the international response to humanitarian crises, especially in situations of conflict, what can be explained by growing numbers and resources as well as the variety of functions they fulfill. Although they cannot be expected to solve all the problems associated with humanitarian intervention, they can assume four fundamental roles during these types of crises reflected in the relief and rehabilitation function normally associated with NGOs, a preventive function through early warning, human rights monitoring, and conflict resolution activities, such as mediation and reconciliation (Aall, 1996, p.436). By contrast, Anderson argues that the NGOs' actions and attitudes can also exacerbate conflict. He notes that NGOs must choose to employ some people (and not others), purchase goods from some (and not others), and target their aid toward some people (and not others). These decisions may result in separation of group identities, inequalities, and jealousies (Anderson, 1996, p.348). Moreover, publicizing human rights abuses can provoke both increased outrage and a defensive response in the perpetrators, and so further harden their opposition. Such publicity can also promote a dehumanized image of the perpetrators.

Although the UN, NATO and the EU are seen as the main players in conflict resolution, there is a range of different international and regional organizations involved in this phenomenon. For the European continent an important NGO in the field of conflict resolution maintains the Organization for Security and Co-operation in Europe (OSCE) that is the world's largest regional security organization. By its politico-military dimension of security, OSCE includes a number of commitments by participating states and mechanisms for conflict prevention and resolution. OSCE aims not only in engagement in conflict prevention activities violence threatens to break out, and in brokering cease-fire in outgoing conflict, but also in promotes democracy building as a long-term mean for conflict prevention, and in building security in post-conflict situation (Hopmann, 2002, p.8).

Nevertheless, the United Nations maintains still as the only organisation that is capable to legitimate peace operations. Its peacekeeping operations demonstrate the ability of an
international organisation to perform on the world stage with a certain degree of independence and with an effectiveness not always matched by state actors (Archer, 2001, p.81). Like in the Kosovo conflict, it is often the case that military intervention has been done through NATO and the civil administration is turned over to the UN. Subsequent peace missions have been done in a multilateral framework with NATO, the OSCE, the EU and the UN (Wallenstein, 2002, p.269).

2.9 Conclusions

Peace and security maintains as the highest priority for the democratic world in the 21st century. After the end of the Cold War survey in the field of conflict management and international involvement in the issue developed increasingly. Effective and ‘on time’ intervention play a key role in conflict resolution and applying peace. The ideas on conflict management are increasing as well as the number of organisations that would be potential third party interveners in conflict is growing.

Nevertheless, most scholars perceive conflict as a normal part of life, as an inevitable thing. It maintains for them as a process and therefore existence of the theoretical framework on dealing with conflict is both needed and important. Having established theoretical principles to be followed makes facilitated dealing with the phenomenon in non chaotic and comprehensive manner. Furthermore, a structured theoretical framework provides clear and understandable means to third party intervention in order to turn a violent conflict into long-term solution in form of peace.

The international community that comprises a great number of IGOs and INGOs has been seeking for the possibly most effective peaceful resolution of the conflict. Although the components of the international community are diverse, all of them claim that peace and security constitute a guarantee for the welfare of the societies. Therefore the question if to intervene or not maintains not as a key one any more – it is to be considered when to intervene and in what manner to intervene effectively. Consequently, the division of roles that respective organisations play in the third party intervention maintains as a one of the great importance.
3. Intervention of the international community in the Kosovo conflict – case study

3.1 Introduction

The conflict in Kosovo maintained without reaction of the international community for relatively long period of time. Uncontrolled repressions of the Albanian Kosovars and violence from the Serbians did not remain without a revenge of Albanian partisans from KLA. A low-level ethnic conflict turned into international issue. Finally, this conflict in the heart of the Balkans made to the top of international agenda. The international community was from that time onwards facing with the problem of resolving the conflict and settling the Kosovo question.

The objective of this chapter is to illustrate the role of the international community that it played when dealing with the conflict since it become an international issue. Firstly, I provide a discussion on the limits of sovereignty and the limits of international intervention into conflict. In my analytical approach I attempt to compare state sovereignty and responsibility for its population. Furthermore, I try to find a borderline between those phenomena and the international responsibility that reflects in intervention of the international community. Secondly, I explain how the Kosovo conflict occurred on the top of the international agenda. In addition, I illustrate how different international fora got involved into conflict and what were its roles and positions.

Subsequently, I explain how the international community made decision on undertaking military measures in its intervention and why such a decision took place. Firstly with this regard, the international law applying to the armed intervention is illustrated. Secondly, I try to answer the question who was the decision-makers in this case. For better understanding of such a decision, the preventive diplomacy measures that preceded the military intervention are provided. In my explanation I argue on why negotiations in order to prevent war in Kosovo failed. Apart from this, the objectives of the international community when negotiating the end of the air campaign are presented. Moreover, I illustrate factors that contributed to signing an agreement on ending the war. Next, the settlement of the conflict and its status after the war are considered. Finally, I provide the main objectives to be implemented when peace building as well as the role and aims of respective components of the international community during this process.
As the role of the international community in intervention in the Kosovo maintains as the highest objective of this chapter, the details regarding the air campaign from the technical point of view are omitted. Instead of that, in my conclusions I compare the legal framework of military intervention in conflict with the case of Kosovo. In my explanation I attempt to argue that even if the intervention of the international community in the Kosovo conflict has been not legitimized, it may be justified.

3.2 The limits of sovereignty and the limits of intervention

Among a number of attributes of a state, sovereignty maintains undoubtedly as a one of great importance. Sovereignty is considered as the exclusive right to exercise supreme political authority over a geographic region, group of people, or oneself. The idea of sovereignty refers not only to independence of the state authority in when making decisions in the scope of acting within the state, but also to independence from different states and institutions when making both internal and external decisions regarding a given state. Therefore the territorial specification illustrates that the limits of this authority are indeed based upon boundaries between clearly demarcated units. On the other hand the legitimate part of the definition reflects the recognition of sovereignty, as the concept ultimately has to be accepted by the international community of states and understood in the context of the world whose actions it governs (Djurancvic, 2002, p.6).

As Djuranovic rightly notices, the first clear conclusion that can be drawn from a review of literature on state sovereignty and intervention is the following: ‘no serious scholar in the field of political science actually believes that state sovereignty is absolute and the territorial boundaries of a state inviolable’ (Djurancvic, 2002, p.5). This assumption may be considered as an important starting point for a discussion of sovereignty and military intervention as it demonstrates unambiguously the impact of a changing world order on the norms that affect international actors’ behaviour.

Changes in the world order cause changes in the traditional understanding of sovereignty as well as in the definition of humanitarian intervention. In order to find a proof for that we may follow a
report to the United Nations prepared by the International Commission on Intervention and State Sovereignty (ICISS), sponsored by the Canadian government. Under the title ‘The Responsibility to Protect’ it asserts that ‘the emerging principle in question is that intervention for human protection purposes, including military intervention in extreme cases, is supportable when major harm to civilians is occurring or imminently apprehended, and the state in question is unable or unwilling to end the harm, or is itself the perpetrator’ (ICISS, 2001, point 2.25). Although such an approach clearly violates the rule of state sovereignty, it provides a moral duty, of even further by calling it of responsibility, to protect human rights and promote peace.

Paradoxically, a responsibility to protect the basic human rights of the country’s population may be also incorporated into definition of sovereignty. Moreover, it can be perceived as a factor that constitutes legitimate internal authority. Defining this internal authority factors into deciding what comprises a legitimate violation of a state’s territorial boundaries have always constituted a dilemma. Therefore, the attempt to establish the role of intervention in international affairs is a trial to discern the exact limits of state sovereignty (Djurajnovic, 2002, p.6-7).

Humanitarian intervention might thus indeed stop human rights abuses violating a state sovereignty in the name of moral responsibility. This can be easily used as an argument in the case of Kosovo. There is another paradox in this respect. Although this operation had stopped Slobodan Milosevic’s ethnic cleanings, it did not halt the Kosovar attempting to drive out the remaining Serbs. Therefore Ignatieff asks: ‘What is the point of assisting people to be free if they use their freedom to persecute their former persecutors?’ (Ignatieff, 2003, p.51-52). Peter Pham also argues that that intervention can exacerbate, rather than reduce, the humanitarian crisis by intensifying the level of violence within a conflict and thus increasing the domestic security threat and spreading regional instability (Pham, 2006, p.26).

Apart from the above mentioned critic of Pham, he presents a range of challenges, dilemmas and weaknesses of intervention when analysing this phenomenon. All of those features of intervention have irreversible results for a state sovereignty. Maintaining aware of that, international community may treat those factors as limits of intervention. Firstly, he claims that ‘since most violence is perpetrated more quickly than commonly realized, an intervention will almost inevitably come too late for many, if not most, victims’. Nevertheless, even if it was the
case in Kosovo conflict, instead of answering to this hypothesis we can simply ask the question: how many would-be victims did it save? Secondly, he is critical about interventions that address symptoms rather than underlying causes. He argues that a humanitarian intervention is capable to stop human rights abuses, refugee flows, and material insecurity, but it cannot secure societal transformation as the ongoing tensions like those between Albanians and Serbs in Kosovo demonstrates.

Moreover, he mentions that intervention opens the political space to new, often unexpected, actors. Outside intervention, by displacing the old political order, allows new forces to emerge. Having this said, he presents an argument against common responsibility by presenting own and various interests of third parties when intervening. Another drawback, intervention may foster criminal ‘warlordism’ and that has afflicted Kosovo since the NATO intervention drove out Serbian forces. Furthermore, intervention constitutes the starting point for a complex political process whose eventual end point cannot be predicted. Apart from that, economic progress will be difficult if the intervention distorts pre-existing incentive structures. In addition, he says that although Interventions may have significant impact on trust, social capital, and the character of society, it is difficult to produce positive effects directly. Finally, international commitment to an intervention will wane over time. When interventions are multilateral, it is inevitable that the contributing parties will necessarily be acting under the influence of different motivations, even if they all refer to humanitarianism as a reason of involvement (Pham, 2006, p.23-27).

All things considered, a great number of present foreign policy enjoys such international consensus as humanitarian military intervention despite plenty of limits. Military intervention and other types of superiority of international community overwhelmingly based on the Western states, especially the US, easily appear in particular in the underdeveloped countries where humanitarian crises usually occur and where the sovereignty maintains weak. Nevertheless, it is not the case that sovereignty is no longer sacrosanct. However, the whole concept has been experiencing a range of redefinitions in order to remain applicable and relevant to the increasingly global problems of most nations. Thus, debates over what state sovereignty means in practice and when intervention is legitimate, gain additional importance when they are viewed through prism of our own morals, interests and views on what kind of a world we would like to live in.
3.3 How did the Kosovo issue make it to the top of the international agenda? Internationalisation of the conflict

Many argue that the internationalisation of the conflict that broke up in Kosovo came too late and it is relatively easy to agree with such an assumption. For the very first time the Kosovo conflict was put on the international agenda by the Contact Group in September 1997. The group consisted of the United States, France, Germany, Britain, Italy and Russia (Arbatov, 2000, p.15). It maintained as a supervisor of the implementation of the Dayton peace agreement. The institution was busy with implementing agreement in Bosnia and Herzegovina and not before that date the situation in Kosovo was discussed as a separate issue.

In the statement issued on 24 September, the Contact Group warned for the outbreak of Kosovo violence in the province and insisted on a peaceful dialogue on Kosovo status. The group expressed itself that it neither supported independence, nor did it support maintenance of the status quo. It presented its support for an enhanced status for Kosovo within FRY under condition that such a status will fully protect the rights of the Albanian population in accordance with OSCE standards and the UN Charter. International organisations that subsequently expressed itself with regard in the Kosovo issue supported a solution for the future status of the province within the political structure of the FRY with ‘greater degree of autonomy ad meaningful self-administration’. The viewpoint that Kosovo should maintain within the FRY borders was shared also by Milosevic. Nevertheless, short after the first weekend of bloodshed in early March 1998, he against internationalisation of he Kosovo problem and stated that the province was an internal affair of his country, in which the international community had no right to interfere (Leurdijk & Zende, 2001, p.28-29).

Not before January 1998, NATO applied the issue of Kosovo in its agenda. Sixteen ambassadors of the NATO countries devoted their weekly meeting at NATO Headquarters in Brussels to Kosovo. In March they stated already that ‘NATO and International Community have legitimate interests in development in Kosovo inter alia because of their impact on the stability of the whole region which is of concern to the Alliance’ (Leurdijk, 1999, p.9). This statement laid the basis for further involvement of the part of the international community with the situation in the province,
and subsequently became the main issue of diplomatic and military involvement, where a wide front of international institutions would participate with aim at a political settlement of Kosovo’s future status. At the same time various international fora started getting involved in discussion of the issue of Kosovo: the United Nations Contact Group (CG), NATO, the United Nations Security Council (SC), the G8, the EU, and the OSCE (Leurdkj & Zende, 2001, p.27).

Meanwhile, since in the beginning of March 1998 when the Serbian police had started excessive violence against the civil population in Kosovo, attempts of the international community to halt it maintained unsuccessful. Firstly, the CG ordered Milosevic to take ‘within ten days’ series of steps such as withdrawal of the special police units from Kosovo, access to Kosovo of the Red Cross and of other humanitarian organisations, to start dialogue with the Kosovar Albanians and to enable international community a more active involvement in dealing with the situation in Kosovo. To the same demands referred the UN Resolution 1160 accepted on 31st of March, which calls also for a peaceful solution by dialogue as well as for accepting ‘a mission by the personnel representative of the OSCE chairman-in-office for the FRY’ and ‘facilitating a mission to Kosovo by the UNHCHR’ (UN Resolution 1160).

Those statements of the international community maintained without any reaction from the Serbian side. Not only Milosevic did not implement the steps suggested by international organisations, but the bloodshed in Kosovo did not stop. From this time on the international debate on potential use of military measures became lauder and lauder. Not because the first measure reflected in preventive diplomacy in form of negotiation failed, but so far there was no one to negotiate with.

3.4 How the decision of military intervention in Kosovo conflict has been made?

Article 2(4) of the Charter of the United Nations states as follows: ‘All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations’ (UN Charter). The only two exceptions from this rule are ascertained in the Chapter VII of the Charter and refer to self-defence in Article 51 and to enforcement measures
ordered by the UN in articles 43-47. Therefore according to the international law no military action apart from those two cases must be undertaken.

A failure of international community's attempt to halt the violence in Kosovo resulted in raising a debate on potential military intervention by NATO in the province and different possible options to be applied there. The question regarding the international legal basis for such an action was also whether an explicit authorization by the Security Council would be needed. A similar debate took place on the fundamental relationship between NATO and the UN Security Council. Simultaneously, in June 1998, Madeleine Albright, the US Secretary of State, expressed her position during NATO's ministerial meeting in Luxembourg. She stated that 'NATO's fundamental mission will always remain collective defence against aggression'. She added that 'if joint military action is ever needed to protect vital alliance interests, NATO should be our instrument of choice' (Leurdijk, 1999, p.9).

Having this said, the US Secretary of State clearly questioned a need for a UN authorization for NATO to act in Kosovo. The US Secretary of Defence, William Cohen, shared the same view, emphasizing NATO's own autonomy in taking decisions. Nevertheless, the US position was not in line with all within NATO. Others claimed that they would not approve of the use of force by NATO without a UN mandate firstly because of fear the risk of alienating the Russians, among others, and secondly, the consequences such a precedent could set for others, like the Russians again, in the future. Those concerns were substantiated as Russia and China expressed its objection in regard with using NATO forces in Kosovo.

Meanwhile, at the beginning of June 1998, the United Kingdom circulated a draft of United Nations Security Council Resolution (UNSCR) authorising 'all necessary measures' to stabilize situation in Kosovo and halt ethnic cleanings. Few days before that Russian Foreign Minister Primakov announced that the deployment of the NATO troops in the region must not be undertaken without authorisation of the UNSC. This point is hared by China. President of Russia Boris Jeltsin, by turn, responding to the British proposal went a step further saying that his state will block moves at the UNSC to authorise use of NATO military measures in the province. France has also reservation about a NATO military intervention in FRY. Meanwhile, the EU
announced a ban on new investments in FRY and a regulation on the freeze of funds (Leurdujk & Zende, 2001, p.177-178).

On 12 June, the Contact Group again called on the FRY to implement its suggestions again referring to apply the dialogue between Serbian and the Kosovar Albanians leaders as well as to facilitation the safe return of refugees and displaced people to their home, what should be in agreement with United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). Those two institutions, along with the World Trade Organisation, were denied by the Serbian police access to a couple of main cities in Kosovo, having medical supplies confiscated. During the meeting with Jeltsin in Moscow, Milosevic agreed on fulfilling those two points made by CG, namely full and unimpeded access for humanitarian organisations and facilitation the unimpeded return of refugees. He also promised to resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo.

Not later than within few days, Serbia moved additional troops to the province, such as police buses and armed trucks with heavy artillery. CG in its statement from 8 July urged Belgrade to do more to facilitate the return of refugees and displaced persons to their homes, although there has been some improvement in the access to Kosovo for international humanitarian organizations such as UNHCR and ICRC. It noted nevertheless, that neither withdrawal of security forces used for civilian repression has been carried out, nor rapid progress in the dialogue with the Kosovo Albanian leadership has been achieved (Contact Group Statement, 1998). Meanwhile, in August, NATO conducted a five-day military exercise in neighbouring Albania to show its readiness for action.

After fruitful cooperation between international community and the FRY had not been noted, the violence had not been halted, and some 200 to 300 thousand displaced Kosovars hiding in the mountains had been reported, the international community took another steps. At the end of September the UNSC adopted resolution 1199 under Chapter VII, announcing further action and additional measures if demands of UNSCR 1160, a ceasefire in Kosovo, and a safe return of the refugees, would not be met (UN Resolution 1199). By mid-October, President Milosevic and Holbrooke, the US Ambassador to United Nations, reach an agreement on full compliance of
with UNSCR 1199 and forming the Kosovo Verification Mission (KVM) by the OSCE to supervise elections and other tasks in the future. This agreement was reached after informal meetings of NATO Defence Ministers and after NATO SG Solana expressed an agreement between NATO Ambassadors on sufficient legitimacy for military intervention without an explicit mandate of a UNSCR (Leurdijk & Zende, 2001, p.184).

Facing no reaction on withdrawal the Serbian forces from Kosovo, on 15 October NATO urges Milosevic to reduce his forces in the province within two days under a renewed threat of air strikes. The period before execution of air strikes until evening on 27 October. Meanwhile, UNSC adopted resolution 1203, where among others it approved the deployment of unarmed observers in Kosovo in framework of KVM and air supervision of unarmed NATO planes in order to monitor the withdrawal of Yugoslav armed forces and the Serbian police (UN Resolution 1203). Milosevic had agreed to cease fire and partial withdrawal of the FRY forces on the very last day. Therefore air strikes were called off at the last minute. OSCE had deployed KVM to monitor the agreement and NATO developed operation on a potential evacuation of KVM when needed (Leurdijk & Zende, 2001, p.185).

The year 1998 ended with unsuccessful negotiations that which took place already from June onwards. At the beginning of the 1999, situation in Kosovo changed dramatically. First armed incidents between civilians in Kosovo broke up. Massacre of 45 Albanians in the village Rucak took place. Having this condemned, the Head of KVM had been recognised by Milosevic as 'persona non grata' and ordered to leave the country. Under those circumstances, NATO had decided to increase its readiness and reinforced its air assets preparing it to the air strikes. The vision of NATO troops in Kosovo was under discussion in the US and Europe as a way to halt violence and urge both sides to negotiate. European allies, however, were balking at supporting air strikes against FRY unless the US agreed to be part of multinational ground force in Kosovo. At the end of January, the Ministerial Contact Group issued a proposal for peace talks between FRY and the Kosovar Albanian leaders. It was scheduled to start not longer than before 6 February in Rambouillet. Meanwhile, the violence did not stop in the province and NATO announced its full readiness to undertake military action (Leurdijk & Zende, 2001, p.186-187).
As we learn from the coming subchapter, the negotiations under international mediations had failed and while the violence was continued. SG Solana had directed NATO forces to start the air attack on FRY that happened the following evening. Analysing the decision that had been taken on initiation of military intervention in conflict in Kosovo, we can conclude that it had been made by the NATO with the US leadership, with big support of the Great Britain and France. The UN is the only organisation to authorize such an intervention and among resolutions that it adopted in regard with this conflict there was no resolution authorising the military intervention. I will analyse later in this chapter if such an authorisation was required in the case of Kosovo conflict.

It maintains nevertheless obvious that NATO played the most implicit role in this intervention by the character of the intervention itself. Judging regional organisations that were involved in the Kosovo conflict, we see that their ability and authority to intervene are widely different. The EU represents a very potent economic and political force and by those measures intervenes in conflict. Other organizations like the OSCE are better suited for auxiliary support during peacekeeping missions, monitoring and supervision of undertaken humanitarian actions, and as general agents of conflict prevention. A simple reason for that reflects in fact that most of these organizations cannot wield an armed force capable of intervening. Therefore organisations like the OSCE usually work within the framework of the United Nations, either working on preventative measures before the armed conflict erupts, or entering the scene after much of the political and military uncertainties have been resolved (Djurancic, 2002, p.25-28).

3.4 Why did preventive diplomacy in the Kosovo conflict fail?

Before the decision of military intervention has been made by international community, the negotiations took place. An objective of mediators during negotiations is to make parties of conflict signing such an agreement that enables to prevent the conflict from breaking out or to halt spreading it. But first off all there must be will of the parties of the conflict to undertake negotiations. First attempts of international community reflected in numerous visits of European politics in Belgrade that took place before June 1998, when both KLA and Milosevic were urged to start negotiations in order to stop violence in province as well as driving thousands of Albanians from their homes.
The position of the major powers at that time was that there cannot be independence for Kosovo taken under consideration and therefore the Kosovar Albanians should leadership should enter talks with FRY to obtain greater autonomy for the province (Leurdijk & Zende, 2001, p.175-179). Representatives of the U.S. Administration, Slobodan Milosevic, and Ibrahim Rugova shared an interest in preventing the legitimating of the KLA by excluding its representatives from the negotiations. It became obvious soon that it could not be the case any more after the KLA had effective control of the countryside and substantial funding from the Albanian diaspora community and became the driving force in the region (Special Report 33, 1998). Therefore KLA was now considered as a party of negotiations next to Milosevic and Rugova and the KLA itself considered international mediation as a condition to negotiate.

In July, Holbrooke starts his shuttle diplomacy by meeting Milosevic in Belgrade, without any results. This initiative came nevertheless after a long period during which the Kosovo issue was ignored by international community (Special Report 33, 1998). At the beginning of September the US Envoy Christopher Hill meets with Milosevic in order to urge him to stop violence in Kosovo. At the end of the month the EU appoints the Austrian Ambassador in Belgrade Wolfgang Petritch a Special Envoy for Kosovo, who will assist the US negotiator. Diplomatic mission by Hill failed to reach agreement on greater Kosovo autonomy in December 1998 (Leurdijk & Zende, 2001, p.179-186). Meanwhile, violence in Kosovo maintained continued and plans of international military intervention into conflict by UN and NATO were under preparation.

After armed fights between civilians and massacres of Albanians in Kosovo from the very beginning of 1999, the key negotiations start on 6th of February in Rambouillet. At the same time NATO was fully ready to take military action to stop further violence. The main objective of the Peace Conference was to reach agreement on a three-year interim period settlement based on Hill's proposals. It contained 'a substantial autonomy for Kosovo', while maintaining the territorial integrity of the FRY with stationing of the international force under NATO-command and disarmament of the KLA. In the course of negotiations, NATO, Russia and FRY agreed to four basic principles: the territorial integrity of Yugoslavia, its sovereignty over Kosovo with the granting of broad autonomy to the province, the withdrawal of the major part of the Serbian
army, and return of refugees under international protection and humanitarian relief (Arbatov, 2000, p.10-11).

The key point of disagreement between parties was the deployment of NATO forces in Kosovo. Although Hill visited Milosevic to convince him to accept the stationing of NATO troops in the region as well as the US and European allies tried to urge both sides to accept a peace accord to Kosovo in order to avoid NATO bombing, no agreement has been signed by 23 February, when the conference finished. After the peace talks were resumed in Paris 3 weeks later, the Albanian delegation signed the Rambouillet Agreement. At the same time Milosevic made move in opposite direction, building up his troops in Kosovo that makes the peace talks suspended (Leurdijk & Zende, 2001, pp.34-35 and 176-189). We can conclude the failure of negotiations by recalling a dialogue between Holbrooke and Milosevic from 22 March during the final warning talks. Holbrooke was quoted as telling the Serbian president, 'I want to be clear with you, it [the bombing] will be shift, it will be severe, it will be sustained'. To that, Milosevic replied, 'There is nothing more I can say' (Kaufman, 2002, p.185). On 23rd of March, after meanwhile two rounds of Holbrooke-Milosevic talks without results, the NATO Secretary General Solana directs its forces to initiate air operation in FRY that becomes fulfilled on the evening next day.

The Rambouillet negotiation talks were perceived as a deadline to obtain a peaceful solution for Kosovo. However, Chomsky, basing on reports, claims there were two proposals on the table on the eve of the bombing. Apart from the Rambouillet accord, presented to Serbia as an ultimatum, there was also Serbia's position, formulated in its 15 March 1999 'Revised Draft Agreement' and the Serb National Assembly Resolution of 23 March 1999. The resolution had been kept from the public eye and there was little indication even of its existence, let alone its contents. Supposedly, the Resolution, except for condemning the withdrawal of the OSCE monitors, called also on the United Nations and OSCE to facilitate a diplomatic settlement through negotiations 'toward the reaching of a political agreement on a wide-ranging autonomy for Kosovo, with the securing of a full equality of all citizens and ethnic communities and with respect for the sovereignty and territorial integrity of the Republic of Serbia and the Federal Republic of Yugoslavia'. Moreover, it considered the possibility of an international presence of a size and character to be determined to carry out the "political accord on the self-rule agreed and accepted by the representatives of all
national communities living in Kosovo'. It maintains hard to admit whether these proposals had any substance, since they were never considered, and remain unknown (Chomsky, 2000).

As we see above, neither striving of the international negotiators for a peaceful solution nor the peace conferences let avoid of air strikes of NATO in FRY. For some, like Tim Judah, the failure of negotiations was entirely surprising. He claimed that ‘at that time it seemed almost a foregone conclusion that Rambouillet would succeed’. As arguments he presents alternatives that for Serbs would reflect in risking NATO bombing and for the Albanians it would mean leaving them to the mercy of the Serb forces (Judah, 2000, p.197). Some argue the main reason for which negotiation did not succeed was the fact that the Kosovo problem had been for a long period largely ignored by the international community in favour of focusing on Bosnia and Herzegovina (Special Report 33, 1998). The emergence of the KLA has changed the situation in Kosovo rapidly and dramatically and so did ethnic cleanings applied by Milosevic. This left the international community well behind the curve. Therefore we can argue that the international involvement in the Kosovo conflict was to less to prevent it from armed intervention and the idea of implementing preventive diplomacy came too late.

The Rambouillet agreement, by turn, is sometimes thought of as a model for a loose association of Kosovo linked to Serbia as an alternative to independence. Even thought, Albanians have considered the agreement to be obsolete as it provided limited though significant presence of Serbian troops in Kosovo. Having maintained responsibility for Kosovo’s defence and external relations, Belgrade would retain an important role the affairs of the province (Sell, 2000, p.12). All things considered, the negotiation failed as ‘give’ and ‘take’ in transaction between parties attempting to establish the status of the region, had been seen by them at unequal level. Moreover, third-party mediators could not establish a compromise accepted by both sides of the conflict thought they did not favour clearly of any of those sides. Nevertheless, the proposed agreement expressly intended as a transitional one, not as the permanent solution to the issue of the Kosovo’s status.
3.6 What to do with Kosovo? The settlement of the Kosovo question

On 24 March NATO air strikes initiated a military operation that ended after 78 days. Whereas NATO forces were hitting Serbian targets, the FRY forces were driving the Kosovar Albanians from their houses, what resulted in 118 thousands displaced Albanians after one week of the operation. It grew to more that 1.5 million displaced people reaching 93% of population of Kosovo, in the eve of on agreement to stop attacks at the beginning of June 1999.

Although Russia condemned attacks on the very first day of the operation, few days afterwards air strikes were increased after no reactions on halting violence by Serbia. Nevertheless, Russia played a key role in negotiation talks afterwards. It took more that two months to find a consensus on the final agreement. There was a number of proposals prepared in this time and all of them called for cease fire and halting violence and repressions in Kosovo, establishing an agreement that would approve presence of international peacekeeping forces, enabling a safe return of the refugees and assistance of international humanitarian organisations. Since the beginning of May, when Russia took a role of mediator between Belgrade and NATO, any attempts to resolve the problem were failing as Milosevic would not accept NATO forces in Kosovo (Leurdijk & Zende, 2001, p.190-198).

On the 28 May, during a meeting between Chernomyrdin, the Russia’s Representative for the Kosovo crisis, with Milosevic, the latter one agreed on the general conditions proposed by international community. Although the proposal for the peace plan submitted by the G-8 did hardly differ from the previous drafts, the main reason why Milosevic changed his position were changed circumstances under which he found himself. Firstly, Russia had accepted not only NATO’s demand of complete withdrawal of the Yugoslav-Serbian forces from Kosovo, but had also indicated that stationing of a peace support force under NATO supervision, that was so far not acceptable for Russia, would not be vetoed any more. No longer Milosevic was dealing with divided international community and realised his international isolation was complete. Secondly, he was facing with a possibility of the deployment of the ground forces that has been wide discussed within NATO. Thirdly, although there was no formal cooperation between the KLA and NATO, the Albanian partisans must have passed information on possible targets for the air
strikes, as the effectiveness for hitting armed vehicles and artillery of Serbia was growing increasingly.

Furthermore, there was internal opposition. Not only there were occurring the Serbian soldiers fleeing from Kosovo, but also Montenegrin president Djukanovic, who openly opposed to the Milosevic’s regime, threatened with a peaceful secession of his republic from the Federation. Finally, a day before talks with Chernomyrdin, Milosevic had faced indictment by the International Criminal Tribunal for the Former Yugoslavia (Leurdiék & Zende, 2001, pp.88-95 and 198-200). All those factors contributed to achieve the final agreement on 3 June signed by Ahtisaari, Finnish President representing the EU, Chernomyrdin and Milosevic. The Parliaments of FRY and Serbia adopted it the same day and agreed on all demands of international community including an international security forces with a substantial participation of NATO, under unified command and control (Zwanenburg, 2004, p.46). FRY started to withdraw its forces from Kosovo what would finish within seven days and then NATO officially ended its air campaign.

This agreement let the UN adopt the Resolution 1244 on 10 June 1999. The resolution was adopted with 14 in favour and with abstention of China. The document authorised the UN Interim Administration Mission in Kosovo. It contained interim civil administration to be led by the UN, humanitarian affairs under supervision of UNHCR, the EU-led reconstruction, and institution building to be led by OECD (UN Resolution 1244). This document paved the way for the entering of a new stage in the conflict that would reflect in implementation of the interim phase envisaged in the demands package. The objective of the package was to establish an international protectorate in Kosovo with military and civilian involvement of the international community under auspices of the UN.

The interim agreement for Kosovo constituted an attempt at ‘post-conflict peace building’. The Military Technical Agreement, by turn signed on 9 June, constituted a basis for KFOR that entered Kosovo three days later. The main objectives of international security forces contained in the agreement supposed that KFOR will ‘operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission’ (Art. 1(2) of the Military Technical
Agreement). KFOR was also ascertained to monitor as well as to verify and when necessary, enforce compliance with the agreements that ended the conflict, and to provide assistance to the UNMIK. The safe environment was a necessary condition for the return of refugees and displaced persons as well as for the deliverance of humanitarian aid and for the activities of the international civil organisations. Among military tasks of KFOR were the enforcement of a cease-fire and the withdrawal of Serbian military and police units (Art. 2 of the Military Technical Agreement). After the NATO-KLA Agreement on 20 July, the task of KFOR was also the supervision of demilitarisation of the KLA partisans (Art.3-7 of the NATO-KLA Agreement). KFOR troops come from NATO and non-NATO nations and include Russian soldiers.

The military presence in the province was needed to enable unimpeded action to be undertaken by international community under supervision of UNMIK. On the website of the mission we read that it was unprecedented and that ‘no other mission has ever been designed in which other multilateral organizations are full partners under United Nations leadership’ (UNMIK, 2003). Already in June 1999, during his speech in Vienna, SG Kofi Annan claimed that ‘we are involved in a long-term proposition’ and ‘we will be on the ground at least for several years. But the reconstruction of Kosovo in the region, in my judgement, will take at least ten years’ (Kofi Annan, 1999). One can conclude that Annan was right at least in first point - international community indeed maintains already for six years in the province and in this year is supposed to hand in the authority over Kosovo to the local authorities. This will happen when the final status will be established after the long process of implementation of the assumed objectives. Nevertheless, how long the process of reconciliation of inhabitants of the region will take, maintains to be seen.

3.7 Conclusions

In the case of Kosovo conflict, the international community was forced to use military measures in order to stop violence in the province after the negotiations for a peaceful solution failed. The air campaign that was conducted by NATO resulted in Yugoslavia’s acceptance of peace conditions laid down in a previous conference. After the end of the air strikes a NATO-led force, KFOR, was stationed in the province. Although Kosovo remained technically a part of Serbia,
international regime was created for the province. The Albanians could return to the region. The Serbs remaining in the area could stay under international protection. However, many chose to leave.

NATO recognizes this armed intervention in Kosovo as 'most effective air operation in history' (USDDR). The final resolution reaffirmed Yugoslavia's territorial integrity and sovereignty under the auspices of the UN by changing the status of Kosovo and restoring its autonomy for the first time since 1989, and mandating the deployment of an armed peacekeeping force in the province under the international supervision. Nevertheless, the war in the province triggered an important legal debate on the legality of international community to intervene in a conflict that broke up in a sovereign state considering that there was no authorization of the UN for undertaking such an action. By contrast, the role of responsibility of the international community was under discussion. Prof. Legault explains that while NATO's action is 'objectively illegal, there are nonetheless certain bases for that action that are not legal, but justified' (Legault, 2000, p.64).

Analysing intervention of international community in this conflict, Wallenstein claims truly that 'in Kosovo the US chose together with the UK to act entirely outside the UN framework in a US-led air campaign against targets in Kosovo and the rest of Yugoslavia'. Air strikes constituted an attempt to prevent an outgoing violence in Kosovo from turning into another protracted Balkan conflict. Nevertheless he proposes a range of argumentations to justify this intervention. It might be possible to argue that NATO was acting in self-defence on behalf of the Albanian population that was driven out from their homes in Kosovo as they could not defend themselves. This explanation refers to Article 51 of the UN Charter. Another argument mentioned by him is the fact that situation in Kosovo was extreme and military actions were the last resort after negotiations has failed. Yet another argument can be that humanitarian concerns now are as legitimate as others for intervention in another country, even against the will of an internationally recognized government. Therefore, he concludes that although the intervention in Kosovo was not in accordance with the letter of the Charter, it may have been in accordance with the spirit of humanitarian priorities (Wallenstein, 2002, p.259-260).
Trzeciak goes even further in his analysis of the behaviour of international community in the case of Kosovo conflict. He argues that ‘humanitarian intervention takes place when there is a threat to international peace and security, in particular when there is a risk of conflict spreading to other states or an exodus of refugees that threatens political and economic stability in the region’. Therefore although on the one hand intervention violates sovereignty, on the other it may be considered as an effort to protect the state’s sovereignty, namely its populace from the effects of civil war or a renegade government. He distinguishes also of confusing peacekeeping and intervention. While the first one is directed towards maintaining peace, peace enforcement tries to enforce it, the purpose of humanitarian intervention is to relieve the suffering resulting from a situation of conflict or anarchy. For this reason peace operations should be examined separately as humanitarian intervention can not be regarded as a part of the peace-building process (Trzeciak, 2003, p.11-12).

The dilemma of whether to intervene or not maintains nevertheless by occasion on every conflict of this type. However, it may be easier to answer the question if the role of international community as a guarantee for peace and security was fulfilled rightly and if the decision of armed intervention in the Kosovo conflict was wise when we consider what would be a result of not undertaking such a measure. Job claims that the alternative was to let massacres, ethnic cleanings and acts of genocide run their appointed course, spreading war in the region (Job, 2002, p.238). It may be also argued that the conflict in Kosovo changed both notion of sovereignty and humanitarian intervention. We may say after Djukanovic that ‘sovereignty comes with responsibility and that states who do not fulfil these responsibilities can expect to face increased pressure to do so from the international community, in some cases even culminating in military intervention’ (Djukanovic, 2002, p.21). However, is still up to the international community as a whole to decide whether responsibility entails providing a country’s citizens with basic human rights affirmed in the UN Charter.
4. The role of the international community in post-war Kosovo

4.1 Introduction

The intervention of international community in Kosovo conflict and subsequent agreement on ending the war, constituted a beginning of its involvement in the Kosovo issue. A challenging mission came when the peace-building process was supposed to be applied. International community was aware that the task it had been facing did not seem easy. Although many predicted its difficulty, international community was not able to manage the problem in its all aspects.

The objective of this chapter is to illustrate the role of the international community in the peace-building process in Kosovo. Firstly, the security-building is illustrated. With this respect different tasks and measures undertaken by international actors as well as effectiveness of such a process are presented subsequently. Apart from that, I analyse involvement of the international community in the process of building democracy. Also in this case different objectives and ways to achieve them by respective actors are distinguished. Subsequently I refer to the international community and its role in reconstruction of economic and social system in Kosovo. With this respect I illustrate main components of the international community and their contribution and arrangement in this process.

In the second part of the chapter I analyse the question of the final status of Kosovo. Firstly, I present general trends regarding the problem as well as the options that had been taken under consideration. Furthermore, I illustrate strengths and weaknesses of such options. Subsequently, I refer to involvement of international community in this issue. Moreover, I present different attitudes and behaviours of international players that took position in regard with resolving problem of the final status of Kosovo.
4.2 International community and security in Kosovo

Shortly after KFOR entered Kosovo, the international community created a local administration under its control and, in July 1999, established the Kosovo Transitional Council (KTC), which played an exclusively advisory role. Subsequently, in December 1999, the UNMIK, headed by the Special Representative of the UN Secretary General, signed an agreement with Albanian parties considerably expanding the composition of the KTC and establishing the Interim Administrative Council (IAC), a quasi government subordinated to UNMIK (Balcer, 2003, p. 50).

The UN in its position paper from 2003 stated that the level of politically motivated violence has significantly decreased over the previous two years. Nevertheless, crime continued to be a problem, with the levels of housebreaking increasing. It claimed that international workers were not being targeted not necessary because of what they stand for, or their particular organisation, but because the criminal element has identified them as having substantial assets that are worth stealing. Further in paper we read that there were still a substantial number of weapons in the province. KFOR and UNMIK police continued to make regular seizure of weapons and ammunition as a result of organised searches, or stop and search operations (UNMIK, 2003, p.17). Arms control, including confidence and security-building measures in Kosovo, has demonstrated also an important role that the OSCE plays in post-conflict stabilisation in the province (Dunay, 2006, 43-44). Police numbers on the street continued to increase steadily, with the new Kosovo Police Service appearing in much more significant numbers than before. It stated also that increasing number of Police and a substantial KFOR presence minimalized the risk to personal safety (UNMIK, 2003, p.17).

Events from the spring and summer of 2004 confirmed that stabilisation in Kosovo is by no means yet assured. Ethnic riots in the province erupted in March, leaving 19 dead, about for thousands of the Serbians minority driven from their homes and substantial damage to property, including the destruction of 730 houses and 29 religious buildings (Batt, 2004, p.116). UNMIK and KFOR failed in their mission to preserve other and protect citizens' security, undermining the credibility of the international community and its objectives. Since that time onwards it was clear...
that Kosovo's uncertain status has become the key challenge to the stabilisation not only of the province itself, but of the whole region (Batt, 2004, p.9).

Those events, however, for the first time in the contemporary Balkans, constituted popular hostility and violence that was clearly directed towards representatives of the international community, from both UNMIK and KFOR. Albanian leaders have expressed fears that they would not be able to control a repeated outbreak of violence. It was clear for the international community that it must never let such events erupt again as it would be a strong possibility not only of breaking out violence between ethnic groups, but also violence directed against international workers. (Butt, 2004, p.87-88). In early July of 2005, a series of bomb attacks in Pristina were directed against UN and OSCE facilities. This event again questioned the effectiveness of international community in keeping security in the region. Rugova had been stating for a long time already that 'NATO should stay in Kosovo forever' (Sell, 2000, p.17).

The international community has officially stuck to the concept of a multi-ethnic Kosovo in which non-Albanians would be treated as equal to the Albanian majority, and not as national minorities in an Albanian Kosovo (Balcer, 2003, p. 51). This position, which the international community has been taking since the beginning of the Kosovo crisis, is nevertheless under criticism of Gllogovci. He sees it as the biggest mistake of the international community since it has been involved in the crisis. He says that trying to create a multi-ethnic society is pointless as such a society already exist in Kosovo since centuries. The problem and the conflict are in-between two ethnicities Serbs and Albanians this is the point where focus should me made, and on very concrete problems that people in Kosovo face (Gllogovci, 2006).

4.3 International community and democratisation process in Kosovo

When talking about democratisation we can break the term down into two dependent variables: transition and consolidation. The first one, a democratic transition, refers to a move from a non-democratic regime to a democratic one. It encompasses the creation of new rules regarding political participation, which, in turn, are not subject to a review by a non-democratic group or an institution. As far as a consolidation of democracy is considered, it connotes a longer and a more

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complex process and entails the 'legitimation' of these new rules, that is, a moment when 'all politically significant groups adhere to democratic rules of the game'. Vucetic claims that if one refers to the Balkans, the buzzword has been balkanisation, not democratisation. These two can be seen as opposites: democratisation may be considered as a move towards stable, centripetal political systems that allow for peaceful alteration in government, whereas balkanisation often refers to violent, petty-minded fragmentation and polarisation (Vucetic, 2004, p.116).

This regularity regarding Balkans does not facilitate the mission of the international community. Neither does it fact that Serbia's democratic revolution was never going to be a 'velvet' one. The country is emerging from the decade of ethnic war that entrenched the excessive power of politicised military and security apertures (Batt, 2005, p.57). The objective of the international community was nevertheless to face the problem in spite of murky past of the Serbians.

In October 2000, Kosovo Serbs boycotted municipal elections. Nevertheless, the elections were seen as a test of the ability of the Albanians - to play by the rules of the democratic game. It seemed it was a test that they passed as on the day of the elections as about eighty percent of registered voters turned out, many waiting patiently in line for hours thanks to unnecessarily complicated voting procedures. What is more, after the election, both winners and losers behaved responsibly: Rugova said he would move cautiously in exploiting his victory while Thaci promised to respect the results of the election.

Sell highlights that the inability of international community neither to include Serbs in the administrative structures established in Kosovo, nor to protect them properly, has been the international mission's biggest failure in Kosovo. However, Kosovo Serbs have not made it easy for the international community to help them in process of democratisation. This assumption can reflect in the fact when at the same time boycotted the elections in Kosovo, they participated in the September FRY electrons, voting heavily for Milosevic. These elections nevertheless led to Milosevic’s downfall (Sell, 2000, p.8). This downfall of was implicit not only for Serbia and Kosovo, but also for the entire region. With the democratisation of Croatia following the death of Franjo Tudjman in November 1999 and the victory of democratic forces over Milosevic in September 2000, all the countries in the Balkans had democratic governments. (Batt, 2004, p.113)
Following the objectives of the international community, in May 2001, after consultations with Albanians and Serbs, UNMIK adopted the Constitutional Framework, which came into force as of the date parliamentary elections were held in November 2001. This new law established the president’s office and a government whose competencies included the economy, health care, infrastructure, public administration and education. Subsequently, the chief of the UN mission was supposed to gradually transfer most of his competencies in the economic sphere to local authorities. This process commenced in early April 2003 and was immediately criticised by the Serbs as being premature. On the other hand, the Albanians were dissatisfied with the absence of a guarantee that the other competencies reserved for the head of UNMIK would be transferred as well (Balcer, 2003, p. 50).

As far as democratisation and governance building is considered, the OSCE was appointed to take the lead role in this process (Leurdijk & Zende, 2001, p.108). Pal Dunay stresses that although the organisation can not intervene effectively during the 'acute' phases of a conflict due to available means, it well equipped on post-conflict rehabilitation. Therefore, even if the silent diplomacy or democratisation building process is less visible, this role maintains of great importance. Dunay claims that especially process of building confidence and security hold by OSCE succeed in the region and transparency of the process was significant there. It is sufficient to mention that in 2004 almost half of the field resources of the organisation have gone to South Eastern Europe where a big percentage of that was destined to Kosovo. Nevertheless, the OSCE could not take a proactive stance in the forthcoming resolution of the final status for the province. This is caused by the fact that no decision could be agreed upon on Kosovo at the OSCE Ministerial Council meeting in December 2005 (Dunay, 2006, pp. 23 and 64).

Essential for the process of democratisation of Serbia, within which Kosovo existed, was cooperation with International Criminal Tribunal for the former Yugoslavia (ICTY), which in the case of Serbia was lacking. Although the international community expected Serbia to be ready to cooperate with the ICTY in order to break with the past, Serbian politicians have seen it as a destabilising threat to a fragile democracy. Actually this situation only begun to change recently, in the spring of 2005, when Kostunica's government finally decided to move, and more than a dozen long-awaited indictees were included to surrender 'voluntarily' to The Hague. Nevertheless, Radko Mladic, the key indictee charged with responsibility for the massacre over
seven thousand people in Srebrenica in July 1995, and few other remaining Serbian indictees, are still at large (Batt, 2005, p.58).

One need to remember that democracy is a learning process, not an 'off-the-shelf' product. Gillogovci suggest nevertheless, that the attitude of the parties that are governing Serbia now did not show serious efforts for reforms. He claims that opposition is even worse, cooperation with the Hague tribunal in Karadzic and Mladic case does not exist. This fact have left an immense impact not only on Montenegrins, who had good relationship with Serbia for centuries and in May 2006 decided in referendum on 'velvet divorce', but the situation is also essential for the Kosovar Albanians (Gillogovci, 2006).

Indeed, in Serbia progress in transition is burdened by additional tasks in a country whose borders are ill-defined and whose sovereignty over its territory is not yet assured. As an example for lacking of serious efforts for reforms, mentioned by Gillogovci, may be the fact that the Serbian Parliament voted to change the emblem, flag and anthem of the republic only in August 2004 – until then Serbia still had an emblem with by the red star (Batt, 2004, p.42). It clearly illustrates that changes have been slow and difficult. It is nevertheless due to the magnitude of the agenda. A new Serbian constitution, to replace the existing one forced through Parliament by Milosevic in 1990, is still in the making.

4.4 International community and reconstruction of economic and social system

According to assumption of Resolution 1244, the EU was responsible for the process of reconstruction of economic and social system (Leurdijk & Zende, 2001, p.109). At the very beginning it is worth mentioning that the EU enjoys the trust of more people in Serbia than any other international organisation. When asked whether Serbia should join the EU, a very high percentage of Serbians in recent years regularly say 'yes' – around 72-76 percent, as compared with 8-13 percent who would say 'no'. Moreover, although only half of them trust the EU, it is nevertheless a much higher proportion of support than for any of Serbia's own national political institutions (Batt, 2004, p.66)
Kosovo is included in the EU's Stabilisation and Association Process. The province benefited from the various instruments of this policy framework, including trade preferences, the European Commission assistance as well as reform monitoring and recommendations. The Commission devised the Stabilisation and Association Process Tracking Mechanism for Kosovo (STM) in 2002 so as to provide technical assistance and political guidance on Kosovo's path to implement EU-compatible practices and regulations. This confirmed further deepen involvement of the EU in the province in order to boost EU-compatible structural reforms there. What is more, between 1998 and 2002, the European Community committed over 1.2 billion Euro assistance in favour of Kosovo. The Community is the largest donor with this respect (EC Occasional Paper, 2004, p.74).

But still, in comparison to the EU average, per capita GDP calculated at the official exchange rate for Kosovo stands at only 4 per cent. Nevertheless, since the year 2000 there has been an average real growth in GDP of 4.5 percent per year, but it is worth noting that the starting point was extremely low. Moreover, this can be explained by fact international donations and remittances from the Kosovar Diaspora during the first years after the 1999 conflict were maintaining on the high level. This is nevertheless not the case any more. Meantime, contributions have already decreased from 975.7 million Euro in 2000 to 120.2 million Euro in 2003. There are no long-term resources for public investments, nor is there a strategy for generating investments from available financial resources. UNMIK, by turn, and specifically Kosovo Trust Agency, which is supposed to handle the privatisation, is hesitating and the Provisional Institutions of Self Government, namely the Kosovar government, do not have the authority to undertake major privatisation steps. This is still because they would very probable neglect Serbian claims (Butt, 2004, pp. 70 and 83).

In order to make the situation in Kosovo stable, and to resolve its status question in the future, there is also immense need to implement reforms in Serbia itself. It is also under responsibility of the EU to continue to search for ways to help those reforms and future-oriented democrats to address the challenges that confront them. This involves not only more substantial funding, that can be comparable to the pre-accession funds, but also much more intense international interface and interaction at all levels to accelerate the dynamics of integration, maximize Serbia's potential to make up lost ground, and thus finally secure stability of this troubled region of Europe (Butt, 2004, p.52).
The attempts of implementation of Europeanisation are seen as a useful process for this purpose. Nevertheless, the prospect of the EU membership is relatively, as well as realistically, much too long. Initiatives coming from Serbia are absolutely necessary, apart from great efforts from the UE side. Among required reforms, Serbia needs to improve the quality of the legal framework and combat corruption (Batt, 2004, p.87). However, the international community, in particular the EU, must provide substantial economic development aid. In this respect, the continued absence of any long-term solution to the Kosovo issue that both Albanians and Serbs can live with, threatens to do immense damage for Kosovo and Serbia. If the union is to be remained, the EU position has been always that it would only negotiate with a functioning union of the two led to paralysis.

Not only has the EU supported economic and social reforms in Kosovo. In autumn 2003 the Contact Group in cooperation with UNMIK, attempted to turn the 'mantra' of 'Standards before Status' into an operational policy. Standards Implementation Plan, adopted at the end of March 2004 by UNMIK the Provisional Government, obligated the latter to offer a 'road map' to ambitious reforms (Batt, 2004, p.117). But the violence in the province that happened at the same time, constituted a severe setback for Kosovo. Nevertheless, 'Standards before Status' remains at the core of the international community's strategy. It has become clear that it needs to be complemented by a proactive approach to some of the key problems, such as security of minorities, effective local government, the empowerment of Kosovo's fledgling institutions and the urgent economic and social problems.

4.5 A final status of Kosovo – the essential problem to be solved

Before starting discussing involvement of the international community in the question of the final status for Kosovo, I want to stress one essential fact: although the unsolved status of Kosovo is now the key issue for Serbia, region and the international community, there is no visible development in resolving the problem since the very beginning when it occurred. The position of Pristina and Belgrade did not change. The previous one would not accept anything but independence for the province, the latter one claims that it will not sign Kosovo away.
A number of scenarios on the Kosovo final status question have been already presented, but none of them is acceptable for both sides. A status of an autonomous region of Serbia is completely unrealistic because such a situation, as once was already experienced, would led to the increased tensions between Kosovo Albanians and the Serb government and finally ended in a state of war. An autonomous region in the Republic of Yugoslavia, so then status form 1974-89, which de facto would not provide a right to secession, and in result for future independence, is not acceptable by Albanians. None of those options makes sense any more as Montenegro decided on secession from the Republic. For the same reason, the status of the third republic within the common Yugoslav state is not taken under consideration any more. Neither canonisation non partition solves the problem as it would create separation and with high probability again violence (Triantaphyllou, 2001, p. 26-27; Sell, 2000, p.12-14).

As long as independence is considered, there is clear scenario for that: referendum in which the population will be asked whether it is for or against full sovereignty of Kosovo as a new state. Any alternative for independence in form of loose association is not acceptable by Pristina. Belgrade states opposite and referring to events from March 2004 argues that 'if the international community is not capable of protecting them we shall have to do it ourselves (Batt, 2004, p.109). Such a situation caused a number of problems that the international community is facing with this respect. Belgrade claimed that if Kosovo becomes independent against will of Serbia, the same procedure may be implemented in Srpska Republika in Bosnia and Herzegovina (Batt, 2004, p.95-96). This is undoubtedly not to be accepted by the international community. Another problem constitutes fact that political crisis in either Kosovo or Macedonia would see the Kosovar leadership again reassert political primacy over the Macedonian Albanians. Neither this is what the international community wants to see.

In spite of many attempts of the international community to find a golden mean for the Kosovo status, positions have not changed. The Kosovo parliament threatened to declare independence in the spring of 2003, while in August 2003 the Belgrade parliament adopted a resolution maintaining that the only acceptable future for Kosovo was within Serbia and with Serbian troops present there. Therefore although the negotiations have started already in October 2003 in Vienna, little progress was achieved and formal contacts came rapidly to a halt (Batt, 2004, p.109).
4.6 The international community and the question of the final status for Kosovo

After events from March 2004, the US and the EU concluded that the status quo was unsustainable. Russia also came round to this opinion. (Batt, 2005, p.37). Following that, in spring 2005, Serbian President Boris Tadic and Prime Minister Vojislav Kostunica, realising the real situation in Kosovo, formulated their position regarding the issue as 'more then autonomy, less then independence' (Batt, 2005, p.40). Although the international community saw a room for negotiations in this attitude, in practice it meant nothing more than confirming Belgrade's disagreement for full independence for the province.

The international community is itself divided in opinion regarding the future of Kosovo. The United States as a first international player had a clear view on the future of Kosovo. Pro-American sentiments of Albanian political elites, as well as its support for Washington's policy following the attacks of 11 September 2001 and during the Iraqi crisis resulted in fact, that the US is calling for independence for Kosovo (Balcer, 2003, p.57). On May 2005 the US, expressing itself about the future of Kosovo, called upon the EU to come up with a 'courageous and creative' deal which would give Serbia requisite incentive to engage constructively in the upcoming negotiations over Kosovo (Reljic, 2005b, p.3). At the same time the US, after many meetings of the Contact Group, presented for the first time the timetable for the negotiations and deliberation process. Burns, the US Undersecretary of State for Political Affairs, said that Kosovo’s status should be determined by the end of 2006. (Altmann, 2005, p.1)

The United Nations appeared to be ready to approve Kosovo's independence more than any other organisation (Balcer, 2003, p.58) Although the UN's decision from 2002, that precise standards for democracy and human rights must be met before negotiations begin, has in the meantime watered down, the UN Secretary-General's Special Representative Soren Jessen-Petersen claimed the fulfilment of the basic standards in Kosovo in his special report that was presented to the Security Council on 27 May 2005 (Altmann, 2005, p.1; Reljic, 2005a, p.1)

The European Union is believed to approach Kosovo’s independence aspirations with more scepticism than the United States and the European Community is divided itself (Balcer, 2003,
The EU from its side is uneasy to take over responsibilities in Kosovo after the end of the UNMIK mandate. It is also against transforming UNMIK into EUMIK, in other words turning Kosovo into an EU protectorate. An argument from Brussels is that the EU lacks the administrative capacity to do so (Altmann, 2005, p.6; Reljic, 2005a, p.2). It is not yet prejudged, what would be the opinion of France, Spain and Turkey on the Kosovo issue, as these countries also face separatist movements.

Russia in this process is expected to convince Belgrade to make necessary concessions. This creates the situation in which Moscow, in the UN Security Council, can only give its content to one of Belgrade's results. Russia cannot vote against a solution proposal that Belgrade has already accepted. By doing so, it would only make it clear that it is acting in its own interests regarding Chechnya and Abkhazia, where it fundamentally rejects any kind of separation. The same goes to China and the question of Tibet (Altmann, 2005, p.6; Reljic, 2005a, p.2.)

The US is clearly showing its impatience. Although it leaves the question to be resolved by Europeans, a relatively active pro-Albanian lobby in Washington is making the most of this position, arguing that the creation of an independent Kosovo is the most important contribution for an ultimately stable order in the Balkans (Altmann, 2005, p.6). In response on that, the private US think tank International Crisis Group (ICG) argued that the US should take unilateral action in recognizing Kosovo's independence and willing European countries should be asked to follow. Such an alliance should be prepared to ignore all oppositions in Belgrade, Moscow and Beijing. According to the ICG it is the only alternative to renewed violence in the region. Nevertheless, such a position can be problematic if we refer to current situation in Iraq: by support for the independence of Kosovo it makes precedence for the dissolution of Iraq (Reljic, 2005a, p.2.).

General conclusion is that the international community, represented in negotiations by the UN Security Council and the Contact Group, has so far avoided clear position regarding the question of the final status for Kosovo. Nevertheless, the international community has defined four clear premises for the negotiations. Firstly, there will be no return to the pre-March 1999 status, so then under the Serbian role. Secondly, the partition of Kosovo into ethnically pure Serbian and pure Albanian parts will not be accepted. Thirdly, immediate and unconditional independence is not
on the table. Finally, there will be no union of any kind between independent Kosovo and other Albanian-populated areas, or with Albania itself. (Altmann, 2005, p.3)

4.7 Conclusions

The chapter illustrates the difficulty of the task of the international community that it is fulfilling in Kosovo. Peace-building process, although with great efforts, is very slow. Implementation of objectives faces numerous obstacles in spite of immense investments and financial contributions. Taking over subsequent responsibilities by the local authority causes unhappiness in Belgrade. Any interventions from the Serbian side are not welcomed in Pristina.

Multilateral international community is in great measure effective in building stability and security in Kosovo. Nevertheless, memory about the past war is still alive in multi-ethnic population in the province. This factor does not facilitate the task the international community is facing. Therefore single acts of violence in the region remain. There is no wonder nevertheless that democracy in Kosovo matures slowly. By definition, democracy is not the phenomenon that can be implemented to the society without its will, or by force. Moreover, without support from society, there is no possibility to build institutions that would work effectively. However, this seems to be the case in Kosovo as the society itself is divided. There is no common attitude of the Kosovar Albanians and the Kosovar Serbs. What is seen as help by one ethnic group as an international help, for the others constitutes 'foreign occupation'.

Economic situation remains in very bad condition. A big rate of unemployment alternates with very low GDP. In spite of great financial contribution that had been done by international community, and in particular by the EU, there is still a lot to invest in. Decreasing financial support in recent years may only contribute to deputies in the region, not to combat them. Although stable economic situation in the Kosovo society would not be a guarantee for achieving entire security, it would undoubtedly increase it.

Still unknown final status for Kosovo is another, and now the most important factor, that contributes to strained relations between the Kosovar Albanians and Serbs, both in the province and in Serbia itself. Although the year 2006 was supposed to be seen as a 'decision time' for the
question of Kosovo, it is not yet prejudged if this will happen. On February 17, the President of the European Commission, Jose Manuel Barroso, called for compromise regarding the question of the final status of Kosovo to be found between Serbs and Albanians. The negotiations were launched soon afterwards under auspices of the UN, but no compromise was found. Neither was any concrete conclusion done after the negotiations in March. This clearly illustrates that the situation in Kosovo is still far for normal and that further involvement of the international community is necessary.
Conclusions

This paper constitutes a discussion on involvement and the role of the international community in the Kosovo crisis. With the course of time, the attitude of the international community towards the Kosovo issue, as well as the actors involved, has been changing. Therefore, there were also changes in objectives, tasks, and in the proposed solutions for the conflict resolution. In my conclusions I would like to illustrate multidimensional changes which have been taking place and my proposals for objectives and tasks that international community should focus on with regard to those changes. I will also argue that the European Union should take a leading role in dealing with the Kosovo issue.

As it was emphasised in my elaboration, the international community still in mid-1990s took a position that the problem of Kosovo should be solved on the Belgrade-Pristine line. The internationalisation of the conflict took place in late 1997, just on the eve of the ethnic cleanings conducted by the Serbian police on the Albanians in Kosovo in February 1998. An actual internationalisation of the issue, the consideration of the conflict in NATO agenda, and the first UN resolution on that issue occurred afterwards in March 1998. The international mediators became involved in the summer this year and talks on a peace agreement took place in February the following year. Considering the ethnic character of the conflict, as well as it impetus, all those initiatives came too late. This nevertheless could have been caused by the fact, that relatively few people from outside of Kosovo, even journalists and politicians, had a clear picture of the reality in the province. As a result, the international community had reacted too less and too late. Judgements were therefore difficult and hasty, wrong conclusions were drawn and wrong solutions were suggested.

Changes within the province caused by violence had become irreversible and therefore an armed intervention was unavoidable. The US took the leading role in NATO’s air operation that took place without authorisation of the UN, thought it adopted a resolution confirming the peace agreement. Russia was entirely against military intervention, albeit it played an essential role in negotiations on ending the war. Apart from appointing a mediator who contributed to those negotiations, the role of the EU at this stage of the conflict was neither clearly visible, nor was...
there a common position of the Community. Some states, like the Great Britain and France, supported NATO's air strikes, whereas other countries, like Greece, stayed in opposition to that and were calling for ending the war. Nevertheless, it became to be clear that the role of the EU in the peace-building process will be a leading one.

Such an attitude of the EU towards the issue may be nevertheless easily explained by the fact that, in the time when the contemporary conflict in Kosovo broke up, not only the determination, but also capability of the EU was lacking. Therefore the direct decisions to threaten and then to use force in order to halt violence came from the US. The conditions for ending the conflict, although formally proposed by the Contact Group, were originally drafted in Washington. Nevertheless, after the intervention, the EU had been gradually taking over the initiative in the peace-building process, though the peacekeeping operations are still conducted nowadays by the KFOR soldiers, coming from 35 NATO and non-NATO nations.

The year 2000 can be considered as a turning point in the EU-Balkans relations as the policy of the Community towards the region became more coherent and proactive. Although at the time of dissolution of Yugoslavia in early 1990s there had been little expertise of the Balkans in most European Foreign Ministries, in the course of the intensive work on the Balkan issue throughout the 1990s, the EU had developed a common analysis and conclusions regarding the general approach to the region. All the EU Member States had learned lessons from the Balkans and, as a result, shared interests in the stabilisation of the region gradually came to the fore. The EU's abilities to respond rapidly to new developments and to cooperate with local actors and international partners increased after the position of the High Representative for the Common Foreign and Security Policy had been established. Apart from that, the Community had also developed its operational capacity in civilian and military crisis management. The EU deployed the new instruments for the first time in the Balkans and there was no coincidence in that. In the spring 2003, the EU took over the police operation in Bosnia and Herzegovina from the UN. Furthermore, in December of the same year, the EU established the police mission in FYROM, which was formed after the military presence of NATO had been taken over by the Europeans. Meanwhile, in June 2003, the EU-Balkans summit took place in Thessaloniki. In the concluding document of the summit, the Community clearly expressed its position that the future of the Balkans would be in the EU.
Different attitudes of the international actors towards the conflict in Kosovo may only confirm the specificity and the difficulty of the conflict. In their attitudes, organisations and individual states often refer to the theory regarding conflict management. Although we have the entire theoretical framework for understanding conflict and resolving it, as well as for the third party intervention, every conflict is unique and there are also factors that cannot be predicted, what reflects among others in dynamics of conflicts. Different interpretation of the sum of variables that constitute a conflict results in different approaches on its resolution. Consequently, lessons learnt from one conflict can be used it the other. Therefore, I deem that perception on conflict management and resolution constitutes also a process, a kind of continuity as theory effects practice, albeit practice brings factors that have been not predicted in the theoretical framework. Those factors afterwards create theory, which is again used by the actors as a base for practical actions. I can admit therefore that theory on conflict management and third party intervention will evaluate as long as the world will deal with conflicts, though it will remain as a starting point for that process. Thus, theory will not be always implemented in practice as factors happening in practice cannot be always predicted by theoretical framework. This has been proved in the case of the Kosovo conflict.

Changes in perception of Kosovo and the whole region by the international community, especially by the EU, have been affected by multidimensional changes that took place on the Balkans itself. Increased involvement of the EU in the region was caused in great measure by the fact, that after the death of Tudjman in late 1999, Croatia became independent. Moreover, after the downfall of Milosevic in the following year in democratic elections, all the countries in the Balkans established democratic governments. The situation in the Balkans has been still changing. It seems that in January 2007 Bulgaria and Romania will become the Member States of the EU. Even if the European Commission will decide to delay the accession, those countries will join the Community at latest in January 2008. In such a situation the Western Balkans will constitute an enclave in united Europe. Thus, the EU will either succeed in absorbing this region successively into its own structures or will risk importing instability in various forms, including uncontrolled migration and illegal trafficking. Therefore, the EU should pay an immense attention on the situation in the region and focus on cooperation with it.
Furthermore, there are essential changes in the federation of Serbia and Montenegro, and in the Serbian state itself. As the Montenegrins decided in May 2006 in democratic referendum on creation a new independent state of Montenegro, there is nothing what remains after the Former Republic of Yugoslavia any more. This was preceded by the fact that in March the same year Slobodan Milosevic died. Along him, the ideology of great Serbia as well as the symbol of ethnic cleansings in Kosovo has been buried. Nevertheless, the political culture and democratic reforms in Serbia are far from the European standards, although the great majority of the Serbs would see the future of their state in the EU. On the other hand, critics from Belgrade and elsewhere in Serbia claim that the perspective of the Membership watered down after France and the Netherlands had rejected the Treaty establishing a Constitution for Europe. They argue that it will slow down the process of integration of the Balkans with Europe as Brussels will focus on deepening the European cooperation, not on widening it. If this is what the EU will do, in my opinion such an action would be wrong.

There is immense need for cooperation with Serbia as the situation in the country as well as its position on the international arena is still uncertain. But Serbia itself does not help the EU with this respect. Officials in Belgrade express their will to join the EU in the future, whereas at the same time they do not want to cooperate with ITCY and deliver the criminals from the war time in front of the court. According to the ITCY, the Serbian authorities have information on place of staying of Radko Mladic but they do not want to pass the information to The Hague. It resulted subsequently in the fact, that the EU rejected the association talks with Serbia in May 2005 after the April deadline for delivering Mladic had passed. Such a situation will not help in finding a common solution of the final status of Kosovo that, although under international protectorate, still remains within the borders of the Serbian state.

Finally, all those alterations are visible also in Pristine. But the situation in Kosovo itself is changing as well. Partisans from KLA are not a major national military force any more. What is more, Ibrahim Rugova, the indefatigable fighter for independence of Kosovo and the former informal president of the province, died at the beginning of 2006. This creates a situation that none of main players from negotiations in Rambouillet will be by the table when negotiating the final status of Kosovo any more. In order to stabilize situation in the province, the international community, again especially the EU, has been investing in great state in enhancing democracy
and security in Kosovo, what would contribute to the future negotiations on its final status. Such an attitude is caused by the fact, that the criminality in the province is still very high and the events from March 2004 constitute an example for that. What is more, very recently, in last day of May 2006, a young Kosovo Serb was killed by the Albanians when coming back from the town of Zvecan to the village where he lived. This illustrates the situation of Kosovo that the international community is facing. Moreover, Marek Antoni Nowicki, a former Ombudsperson in Kosovo, when leaving the province at the beginning of 2006 after five years of service, claimed that what he had left behind was a state of affairs in which the protection of human rights were still at pitifully low levels, far below even the minimum international standards. Therefore the security in the province remains of the essential importance and the final status of Kosovo must be established as soon as possible. If it international community waited for too long, deadlock at best and confrontation at worst might be a result. Moreover, in combination with persistent economic crisis it might well lead to a new crisis.

In comparison with all those alternations, I have to admit that the changes do not apply to one question: there is no change in negotiations regarding resolution of the Kosovo conflict by establishing its final status. When working on this study I was asking myself every day what will I state when expressing my own opinion on the final status for Kosovo. The question is one of the most complicated and risky problems in Europe, not only in the Western Balkans. Although some form of independence seems to be the most suitable solution, I have to admit that a clear and certain answer is still lacking. But it seems that any other solution than independence, in any form, would have to be implemented in Kosovo by force. Whatever the status would be, one side of the negotiations will be unhappy with the solution. It occurs to me nevertheless, that some form of independence would be the best solution only because other forms are even worse and more risky. I have to emphasize that in such an environment any solution will be dangerous and the international community must be very careful when making a decision and implementing it afterwards.

Any solution of the final question of Kosovo will have multidimensional results. The position of Pristina in this regard is very clear: it wants to have nothing to do with Belgrade. It argues that the same attitude expressed Montenegro, inhabitants of which, although similar to the Serbs by religion and culture, voted for independence. Nevertheless, independence for Kosovo will raise a
number of questions in the region. Firstly, Vojvodina, which has also a status of the Serbian province with the Hungarian national minority, would have a great argument for its future separatist movements. Secondly, the same argument would apply for the Srpska Republika in Bosnia and Herzegovina, which would with the high probability call for independence, although in last days of May this year Christian Schwarz-Schilling, the EU Special Representative in BiH, claimed that there was no legal bases for that. The Albanians in Macedonia, where they constitute about 25 percent of the entire population of the country, could also raise their question. Other second parties of the conflict, like Russia, would have precedence for the case of Chechnya. Elsewhere in the world, but probable with less impact, it would refer to China and the question of Tibet.

All those difficulties in finding a common solution result from the history of Serbo-Albanian relation within the province. Both nations declare that it is their own land and they do not want to live within the state of the enemy. Although Albanians and Serbs live in Kosovo for centuries, they have never lived together; rather they have been juxtaposed in living separate lives. This reflects strong nationalism resulted from differences in religion and culture. The myth of the Battle of Kosovo Polje is still strong and independence for Kosovo would mean coming back under the rules of 'the Turks' for the Kosovar Serbs. On the other hand, for the Albanians any linkage with Belgrade would mean remaining under 'the Yugoslav' rule associated with ethnic cleanings and violence. As far as the independence for Kosovo is considered, the alternative for the Serbs in order not to stay within one state with 'occupants' would be to leave to Serbia proper. But there are also non-Serb minorities, like Roma and Bosnians, who have no other place to go. Uncertain status of Kosovo for all of the nations, and especially for the Kosovar Serbs, for whom those last years have been a period of often desperate survival efforts, leads to situation that people living there still do not know if they will have a chance for a normal live in the place where they were born.

In the conflict between both nations remains still its ethnic character. The conflict lasts for centuries and does not seem to be resolvable within years. Nevertheless, an attempt to resolve it should search for solution by the root of the conflict. There is no common religion, no common culture, and no common history for Albanians and Serbs and there probable will never be one. Graves in memory are harder to forget than those on the fields. Nevertheless, the spiritual leaders
may be those who contribute to building trust. This worked elsewhere in case of Germany and Poland, where the Poles say now that the present pope, a German by origins, is now also 'their' pope, in spite of the dark past in relations among both nations. However, it took at least two generations to gain reconciliation.

In order to accelerate such a process in Kosovo, there is also need for a proper education for the young generation. With this respect I would venture on one suggestion. A good common university on the borderland, for both nations, apart from academic education, could provide an environment and education on know how to exist next to each other. Referring to the German-Polish case, such a university on the borderland was created in Frankfurt/Oder in 1992, after the collapse of the communist system and now University of Viadrina is becoming an international one, not only for Germans and Poles who study there hand in hand. In case of Kosovo, the city of Pec, near to which the borders of Albania, Kosovo, Montenegro and Serbia come together, would constitute an appropriate place for such an initiative. What the EU should do with this respect is financial support and auspices. A good education is also essential for involvement of Kosovo into the EU governance system in the future. Support for Belgrade is of great importance for the same reason. Resolving the problem of Kosovo by its roots and a clear perspective for both Serbia and Kosovo for the Membership in the EU constitute, in my opinion, the only way to establish peace and security, not only within Kosovo itself, but also in the entire Western Balkans. This is what the international community, and the EU in particular, must never forget.
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