KOSOVO: UNFINISHED BUSINESS

by

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In the spring of 1999, the US intervened with military force in the Former Republic of Yugoslavia (FRY) to prevent another Balkans tragedy from occurring in Kosovo. In the six years following OPERATION ALLIED FORCE, the US gradually abandoned its lead role established by the Clinton administration in favor of more international involvement. Simultaneously, the United Nations Mission in Kosovo (UNMIK), which has provided provisional civil authority since 1999, has not demonstrated adequate resolve to complete its mission with any sense of urgency. At issue for the people of Kosovo is their perceived right to self-determination. While the Kosovo-Albanian majority’s desire is to form an autonomous sovereign nation, the former Yugoslavia strongholds of Serbia and Montenegro’s desire to regain control of the region. A new outbreak of violence in March 2004 has renewed international interest in resolving Kosovo’s uncertain future; however, US policy and UN rhetoric appear to pre-suppose that Kosovo will eventually return to control of Serbia and Montenegro. Clearly, the US and the international community have unfinished business in Kosovo. The intent of this paper is to recommend a clear strategy for an international effort in resolving Kosovo’s uncertain future.
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Kosovo is unfinished business. There appears to be little interest in the world community to move to closure. The Kosovo-Albanian majority’s absolute desire to form an autonomous sovereign nation is at direct odds with Serbia and Montenegro’s desire to regain control of the region. The United Nations Mission in Kosovo (UNMIK), which has provided provisional civil authority in Kosovo since 1999, has only recently shown the energy to move towards resolution with any sense of urgency. While the outbreak of violence in March 2004 has provided renewed international interest in solving the problem of Kosovo’s status, much of the United Nations and United States literature pre-supposes an outcome of Kosovo returning to Serbia-Montenegro’s sovereignty. The United States appears to have forgotten the Clinton Administration’s role and purpose in leading international intervention against the Former Republic of Yugoslavia (FRY), (now Serbia and Montenegro), a sovereign nation acting within its own borders. At issue for the people of Kosovo is their perceived right of self-determination. Current United States policy is completely absent any identifiable end state and methodology. Yet, as this paper shows, there is the potential for a clear policy road ahead.

HISTORICAL BACKGROUND

EARLY HISTORY

Kosovo’s history is as troubled as its current status. Both Serbian nationalists and Kosovo Albanians lay claim to the geographical territory known as Kosovo. To say that the ethnic conflict in Kosovo today is a result of deep-seeded ethnic hatred going back to ancient times is both a myth and unhelpful in understanding the issues at hand. Popular arguments advanced by both groups developed in the late 19th century. They were politically motivated, each selecting historic facts to fit their purpose. The long history of ethnic hatred going back 1,000 years was a myth created to mobilize the popular support of Serb nationalists in the late 19th Century. This rhetoric was resurrected to justify Serb aggression throughout the Balkans; in Bosnia-Herzegovina in the early 1990’s as well as in Kosovo at the end of that decade. The medieval history of the region shows a different story.

By the end of the 13th Century, Serbs gained hegemony in the Balkans. Even then it was a region filled with groups from different ethnic backgrounds with distinctive cultures. During the medieval period Kosovo was the home of many important religious sites, which would later become important in Serbian nationalistic rhetoric. The Serbian Empire disintegrated in 1355 with the death of King Dusan. In 1389, the Ottoman Turks destroyed the remnants of the
Empire, eventually gaining control over the area. An alliance of Kosovar’s and Serbs fought together in the battle of Kosovo Polje (Field of Blackbirds) in 1389 in which they were defeated. The popular myth is that the Albanians betrayed the Serbs and sided with the Turks, and flourished under Ottoman rule, though this was not the case. Both suffered under the Ottoman rule over the next 400 years after their defeat. The battle of Kosovo Polje and the propaganda of Serbian entitlement became the key historical events around which Serb Nationalists supporting Milosevic would rally.

MODERN HISTORY

Serbia re-conquered the Kosovo territory during the First Balkans War in 1912-1913, incorporating Kosovo into a Kingdom of the Serbs, Croats and Slovenes. Kosovo Albanian’s view this as a type of “colonialism” imposed upon them by Serbia-Montenegrin rule in 1912. From the Serbian point of view, it was “liberation.” After WWI, Serbia re-colonized the province by sending Serb war veterans to live in Kosovo. Between WWI and WWII, approximately 40,000 Serb and Montenegrin peasants were forced into Kosovo while 500,000 Kosovo-Albanian’s were forced out of the region. The net result was the establishment of a minority well-to-do Serb-Montenegrin class, and a majority Kosovo-Albanian second class. The patterns of ethnic cleansing and demographic gerrymandering in the Balkans were set well before the death of Josip Broz Tito in 1980.

After World War II, Kosovo became a province of Serbia in the Socialist Federal Republic of Yugoslavia. While Tito is remembered favorably by Kosovo-Albanians, his rulings on Kosovo were made for practical reasons. In those years, Albanians achieved official recognition of their status as a nationality within the Republic; having their language recognized as one of the official languages of Yugoslavia, and earning the right to educate in that language. In 1968, Kosovo was granted some state autonomy, and permission to fly the Albanian flag. Kosovo remained a Yugoslavian province within Communist Yugoslavia until 1974, when the Yugoslav Constitution was amended to give Kosovo the status of an autonomous province with nearly equal voting rights as the six constituent republics of Yugoslavia. Yet Kosovo was still under communist Yugoslavian rule, and the Yugoslav head of state security police repressed, sometimes violently, emerging political movements seeking greater Kosovo-Albanian autonomy or reintegration with Albania.

Important demographic shifts occurred in the last half of the 20th Century, which firmly cemented Albanian majority status. The proportion of Kosovo-Albanians to Serbs in Kosovo remained steady from 1948 through the 1960’s with 68 per cent Albanian to 28 per cent.
Serbian. Immigration and birth rate changes resulted in the proportion of Serbs falling to 11 per cent by 1991. Kosovo-Albanian birth rates were, and continue to be, much higher than Serb birth rates, especially in rural areas. For example, a 1981 census shows the Albanian birth rate to be 6.7 children on average in Kosovo’s rural areas compared to 3.7 children for rural Serb women living in Kosovo. Serb abortion rates were noted in 1994 to be the highest in Europe, while Kosovo-Albanian women were strongly against this practice on religious and cultural grounds. Additionally, 45,000 Serbs and Montenegrins emigrated out of Kosovo between 1971 and 1981. Serb attempts in the early part of the century to rebalance the predominately Albanian population in Kosovo by resettlement of Serbs and Montenegrins into the area, and forcing emigration of Albanians out of Kosovo, ultimately failed. Their desire had been to establish a Serbian majority in order to bolster their authority and legitimacy in the region.

After the fall of communism, Slobodan Milosevic stirred the fires of Serbian nationalism, and used the Kosovo issue to launch his political career. Serbian Party President Stambolic was asked to address a group of Serb Nationalists on 24 April 1987 in Kosovo Polje, Kosovo. Knowing this was a potentially hostile environment, he sent his deputy, Slobodan Milosevic. Milosevic attended the meeting, and afterwards went outside to address a crowd. In his first public appearance he addressed the Kosovo-Serbs extolling “No one should dare to beat you!” and then launched into an rousing speech about the rights of Serbs. The resurgence of Serb Nationalism became the cornerstone of Milosevic’s rapid rise to power. In 1989, the Serbian assembly, under Slobodan Milosevic, passed constitutional amendments, which eliminated Kosovo’s autonomy and implemented direct rule by Belgrade. Milosevic was elected and served as President of Serbia from 1990 to 1997 and in 1997 was elected as President of the Federal Republic of Yugoslavia.

The Battle of the Kosovo Polje, where remnants of the medieval Serb Kingdom fell to the Ottoman Turks, was used by Slobodan Milosevic, just as it had been used by Serb nationalists in the late 19th century: as a symbol of Serb nationalism. Milosevic staged a celebration on the 600th anniversary of the battle. He made direct connections between the battle and current frustrations of the present, stating, “six centuries later, we are again fighting battles, they are not armed battles though such things cannot yet be excluded." This Battle of the Kosovo Polje is central to the epic myth of the Serbian nationalist movement. As Leurdijk and Zandee state, “Kosovars are held personally responsible for the Battle of the Kosovo Polje and subsequent Ottoman domination. Hence, the Serbs do not feel any compassion towards them; in Serbian eyes the current suffering of the Kosovar's are a piece of cake compared to the suffering of the Serbs done to them by 'Albanians and other Turks' during the period of Ottoman domination."
The Serbs equate life in a Kosovar state the equivalent of living under Ottoman rule. Even today, popular belief in this myth is at the heart of Serbia's professed "ownership" of Kosovo.

Following the loss of near federal autonomy, Kosovo-Albanians displayed remarkable patience and political will, making several attempts to reassert their political independence in the decade that followed. On 2 July 1989, 114 of 123 K-A delegates passed a resolution declaring Kosovo "an equal and independent entity within the Yugoslav federation." Later in September 1990, Albanians in Kosovo organized a "...referendum...to consider a decision...to declare Kosovo a sovereign and independent republic." The intent at that time was to separate from Serbia, but to remain in the Yugoslav Federation. In September 1991, after Slovenia and Croatia declared independence, Kosovo's held an underground referendum where 99.87 percent of the Albanians voted for independence. On 24 May 1992, an underground election was held in private homes to create a republican assembly and government. This shadow government's policy aims were threefold: prevent violent revolt; internationalize the problem (seeking international support, mediation, establishment of a trusteeship over Kosovo); and systematically de-legitimize Serb rule by boycott of elections, censuses' and creation of Kosovo "state" institutions.

From 1989 onward, Serb actions against the Kosovo Albanians rapidly escalated, political disenfranchisement, denial of employment, unlawful seizure of property, segregation in schools and other institutions, such as the establishment of parallel systems for health, and arbitrary imprisonment became the norm. Serb policy aims were clear. Make life unendurable for the ethnic Albanians so they would leave. In 1993, the number of Diaspora Kosovo-Albanians living in Western Europe numbered 386,000, up from 217,000 in 1992. In another Serb attempt to re-balance the population, Serbs instituted another resettlement policy by rewarding Serbs or Montenegrins with 5 hectares of land if they would move to Kosovo, and by 1996, this most recent Serb-colonist population numbered 19,000.

In 1996, increasing frustration with attempts to deal politically, and achieving nothing in return, led Kosovars to acts of violence against Serb officials and institutions in Kosovo. Initially no one claimed responsibility for these acts of violence, but in the summer of 1997, the Kosovo Liberation Army publicly announced that it had gained popular support and was responsible for violence against the Serbs. Yugoslavia responded with deployment of the Serb Army and para-military forces to Kosovo, and the conflict escalated. Finally, the systematic Serbian military and police-led violence forced nearly one and a half million ethnic Albanians from their homes, creating a flood of refugees over the neighboring borders of Montenegro, Albania and Macedonia. The evidence of Serbia's ethnic cleansing policy was clearly visible to the world as
media picked up images of the hundreds of thousands of Kosovo Albanians clinging to the barren hillsides in the freezing weather, making their way out of Kosovo.

**U.S. INVOLVEMENT**

U.S. involvement in Kosovo dates to 1998 and 1999 when sanctions and diplomatic measures were taken to persuade the Milosevic regime of Yugoslavia to end oppression and restore autonomy to Kosovo. A contact group, consisting of representatives from the U.S., Britain, France, Germany, Italy and Russia, agreed on a draft peace plan, known as the Rambouillet Agreement, and invited both sides to peace talks on February 6, 1999. While Kosovo-Albanians eventually accepted revised terms, the Serb delegation refused. At issue for the Serbs was acceptance of a NATO-led implementation force within the territory of the Federal Republic of Yugoslavia (FRY). The Serb delegates flatly refused any language calling for NATO troops in Yugoslavia. The Kosovar's demanded, and eventually won language noting “…at the end of the interim period of three years, ‘Kosova’ will hold a referendum to ascertain the will of the people” and so signed the agreement.

This interim plan called for a 3-year settlement period, which would provide greater autonomy for the people of Kosovo within Yugoslavia and the deployment of a NATO-led international force to help implement the plan. While the Albanian delegation agreed with the plan and signed, the Yugoslav delegation rejected it. The NATO Council agreed to authorize NATO Secretary General Javier Solana to launch NATO air strikes to force Serbian acceptance of the peace plan. Fearing further destabilization in the region, a U.S. backed NATO-led coalition commenced an air campaign on 24 March 1999. Its purpose was to persuade Milosevic to withdrawal his military and para-military forces from Kosovo so that NATO peacekeepers could deploy in accordance with the Rambouillet Accord.

On June 3rd, 1999, after a 78-day air campaign, President Milosevic agreed to a peace plan based upon NATO demands. On June 9, 1999, Yugoslav military officers and NATO concluded the Military Technical Agreement governing the withdrawal of Serbian Military Forces from Kosovo, and subsequently on 10 June, The United Nations Security Council (UNSC) approved UNSC Resolution 1244. UNSC Resolution 1244 called for an immediate end to the violence and withdrawal of Serbian forces, the deployment under UN auspices of international civil and security presences, and authorized the Secretary-General to establish an international civil presence of an “…interim administration under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia…while establishing and overseeing the development of provisional democratic self-governing institutions to ensure
conditions for a peaceful and normal life for all inhabitants in Kosovo. The United Nations Secretary General charged the appointed Special Representative to the Secretary General (SRSG) to establish an interim governing body until elections could be held and governance could be restored to the people of Kosovo. The United Nations Mission for Administration in Kosovo (UNMIK), lead by the SRSG, over 5 years later continues to serve as the highest governmental authority in Kosovo.

UNMIK was initially organized with the following four functions, or pillars: civil administration, humanitarian aid, democratic institution building and reconstruction. UNHCR deemed the humanitarian missions completed and this pillar was phased out in mid 2000. Shortly thereafter, the reconstruction pillar switched to an economic development focus. In May 2001 the police and justice pillar was established to provide an interim provision of law enforcement services using an international police force, with the establishment and eventual transfer of all law enforcement to the Kosovo Police Service (KPS). Today the Organization for Security Cooperation- Europe (OSCE) leads the institution-building effort, and the European Union (EU) leads the reconstruction and economic development effort. UNMIK’s structure has changed over time. But it has long been criticized for its sluggishness in handing over administrative responsibilities to the elected Provisional Institutions of Self-Governance (PISG).

U.S. POLICY-CLINTON ADMINISTRATION

U.S. policy in Kosovo initially was tied to its interests in regional stability in southern Europe, although human rights interests became the source of popular support for military intervention in the region. Another less obvious, though significant interest was the promotion of NATO. When analyzing the 1998 National Security Strategy (NSS) it is not difficult to identify the ends, ways and means that defined the United States policy toward the conflict in Kosovo. The NSS published in October 1998 states as its three core objectives: to enhance our security, to bolster America’s economic prosperity, and to promote democracy abroad. The National Security Strategy made direct reference to Kosovo, focused on regional security and stability, and introduced support for NATO military intervention if the violence against Albanian civilians continued. At the time of U.S. intervention, the strategic objective was to establish regional security in the troubled Balkans. Using the strategic concept (or in the President’s words- imperative) of engagement, the Clinton administration engaged unilaterally and multilaterally with multiple instruments of power in pursuit of their objective. The initial so-called Contact Group (a body of diplomats seeking a negotiated peace) consisted of the major
European powers, including Russia and the United States. Later, with the addition of Japan and Canada, it became the Group of Eight. When diplomacy failed, military power was employed to stop the ethnic cleansing of the Kosovo-Albanian majority by Serbian military and para-military forces.

The Clinton Administration condemned Serbia on the grounds of human rights abuses and called for autonomy of Kosovo within Yugoslavia, but opposed outright independence. When diplomatic efforts failed, and Belgrade refused to sign the Rambouillet accords in March 1999, President Clinton supported NATO air strikes. However, he would not consider use of ground forces. NATO initiated Operation Allied Force on 24 March 1999, and by the end of May, Belgrade began signaling a willingness to withdraw troops and accept NATO Peacekeepers. President Clinton committed to the use of United States Peacekeepers once an agreement was reached. On 27 May, Milosevic was indicted for war crimes, and soon was removed from office. The administration encouraged European Union support of the reconstruction and democratization of Kosovo. At the end of the Clinton Administration, the U.S. was into its third military rotation of forces in support of KFOR, and UNMIK’s rule in Kosovo was clearly established.

U.S. POLICY-BUSH ADMINISTRATION

The Bush Administration policies concerning Kosovo are much more problematic to discern. There is no text in the current National Security Strategy nor in the National Military Strategy regarding Kosovo specifically, or even the Balkan region. In reviewing recent speeches and press releases, one is hard pressed to find mention of Kosovo. When mentioned, it is as an example of a military success related to other issues, with little elaboration on specific U.S. policy for Kosovo. For example, in President Bush’s speech welcoming seven nations to the NATO alliance, he mentioned NATO’s role in “ousting the armies of a tyrant in Kosovo.” Early Bush Administration statements openly encouraged United States allies in Europe to pick up a greater share of the Balkan Peacekeeping mission. Pre-9/11 statements acknowledged that U.S. military forces would not “…be drawn out of Bosnia or Kosovo precipitously or unilaterally…but stationing of our forces here should not be indefinite.” Paul Wolfowitz, in May 2003, stated that peacekeeping in the Balkans “…continues to be a very important mission of the U.S. and NATO, and that the last thing anyone wants to see in light of 9/11 is to have a failed state here in the heart of Europe.” Wolfowitz stated that the United States has an interest in making sure that the region does not become a haven for terrorists, resembling the Administration’s current terrorism-centric focus. The Bush Administration does
not support options to partition Kosovo into Albanian or Serb provinces, nor did it support an immediate decision of independence, fearing that it will destabilize the region. There are no recent policy statements concerning Kosovo, and no elaboration of previous policy. This raises questions as to the Administration’s commitment to seeking a solution in Kosovo.

State Department press statements and other literature presume that Kosovo belongs to Serbia and Montenegro. Serbia and Montenegro ratified a new constitutional charter in February 2003, which changed their name from “Federal Republic of Yugoslavia (FRY)” to “Serbia and Montenegro.” This constitutional change devolved most federal functions to the republic level. The U.S. State Department website lists the names of 192 independent states in the world, and lists dependencies and areas of special sovereignty. Kosovo is not found in either category, rather it is found under “Serbia and Montenegro.” Regarding U.S. policy, the State Department Country Assessment for Serbia and Montenegro (Serbia, Montenegro, and Kosovo) has the following to say:

The overriding U.S. interest is for all of South Central Europe to join Europe whole, free, and at peace. In this vein, and in the context of encouraging Kosovo’s smooth entry into Europe, U.S. goals in Kosovo are effective self-governance; adherence to the rule of law; rapid development of a dynamic, free-market economy; ensuring that the door to returns is effectively open; and deepening regional stability and integration. U.S. government assistance should therefore be targeted to promote progress in these areas as the United States works to help Kosovo overcome its problematic history and the legacy of ethnic conflict in the Balkans.

The daily press briefing immediately following the bout of ethnic unrest in March 2004 is yet another window into the current administration’s thinking regarding Kosovo. Initial questions regarding the violence in Mitrovica centered on the United States urging the United Nations Security Council to consider new ways of addressing the situation in Kosovo. State Department Spokesman Mr. Ereli’s answer supported the United Nations Security standing policies regarding Kosovo, and supported the United Nations Security Council Presidential Statement. This statement condemned the violence, demanded that the incidents be investigated and perpetrators be punished, reiterated that the establishment of a multiethnic, tolerant, democratic society in a stable Kosovo remains the fundamental objective of the international community, and promised to closely monitor Kosovo’s progress towards implementing “Standards in Kosovo”. Further, when Mr. Ereli was asked directly if he preferred an independent Kosovo or a Kosovo integrated with Serbia, he stated that “…we’re looking at Kosovo fulfilling steps that it has taken with the international community, and the subject you raise is something, I think, that doesn’t pose itself at this moment.” In effect, the United States
policy toward Kosovo seems to be the adoption of UN policy in Kosovo. This statement is in
direct contradiction to previously stated U.S. interests and policy. The President has not made
clear his support of a Kosovo policy, which has led to a mismatch between policy and strategy.

UNITED NATIONS POLICIES

UNMIK published the Kosovo Standards Implementation Plan (KSIP) in December. It was
approved on 10 December 2003 by the UN Security Council. The KSIP defines standards
against which to measure Kosovo’s progress towards demonstrating a “truly multi-ethnic stable,
democratic Kosovo which is approaching European standards.” KSIP is organized around eight
key areas: functioning democratic institutions, rule of law, freedom of movement, sustainable
returns, economy, property rights, dialog between Provisional Institutions of Self Government
(PISG) and Belgrade, and the Kosovo Protection Corps (KPC), (formerly Kosovo Liberation
Army (KLA)) which is now organized into a civilian disaster relief agency. Against each of
these key areas are listed detailed actions required to meet the standard, responsible actors for
achieving the standards, and a timeline. The next formal review against these standards is
scheduled for mid-2005. Kosovo is referred to as an entity, but without international status.

According to the plan, progress towards these ends will precede any consideration of
Kosovo’s final status. The buzz phrase used by members of UNMIK and the UN is “standards
before status.” There is no discussion about what that status might be. Regardless, “standards
before status” is a policy absent of incentive. This is a strategy of inducement that does not
lead to an end state. There is only a promise to discuss developing a plan to determine a final
status. What that status might be is at the heart of the issue. The Kosovo-Albanians want to be
independent. Serbia wants to regain authority over Kosovo. Other options are partitioning of
Serb and Albanian spaces, or shared sovereignty. Recent violent outbreaks in Mitrovica
between Kosovo-Albanians and the Serbian minorities in March 2004, and continued episodes
of ethnic violence on a smaller scale, point to a trend towards destabilization. If discussions of a
final status are delayed beyond mid-year 2005, as promised, Albanians are likely to loose their
patience.

ECONOMIC FACTORS

There is a mismatch between stated U.S. policy and strategy. U.S. interests in the
Balkans are unchanged: the promotion of values and the desire to integrate Kosovo into the
democratic, free-market economy of South Eastern Europe with enhanced regional stability.
U.S. means are threefold: military, through the continued support of troops to KFOR; diplomatic
through continued and recently renewed efforts as a member of the Contact Group; and
economic, through aid dollars provided though USAID and the U.S. Government Assistance to Eastern Europe under the Support for East European Democracy (SEED) Act. The distribution of aid does not correspond to the U.S. interests or to Kosovo needs. (1. Under this program, in 2003, the U.S. government provided $92 million to Kosovo, the bulk of which ($46 million) law enforcement programs. On the other hand, $69 million was earmarked for Serbian democratic reforms. Likewise, the U.S. invested $32.8 million dollars towards economic development in Serbia while only $17 million went towards economic development in Kosovo. The average per capita income in Serbia is more than twice that of Kosovo, and circumstances beyond the control of Kosovar’s prevent economic growth. The Department of State has not put its money where the interest lies.

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**TABLE 1**

In Kosovo today, the 50% unemployment rate and lack of economic opportunity is the dominant challenge affecting everyone living there. Yet, the very body which established the protectorate, the United Nations, has imposed the greatest challenge to recovery and the opportunity to legitimately generate economic prosperity. The UN levied sanctions against the Federal Republic of Yugoslavia for their repression of Kosovo. Essentially, these sanctions have a greater effect on the people of Kosovo since the government of Yugoslavia no longer exists. Now, these sanctions harm only the people of Kosovo. Sanctions and the ambiguity of Kosovo’s final status prevent International Monetary Fund (IMF) and World Bank funding to support systematic economic improvement in the region. Likewise, private investment is deemed extremely risky, and foreign direct investment has been limited to only 30 million euros.
since 1999. Until a status for Kosovo is decided, private investment will be nearly non-existent, as will world investment through the IMF and World Bank. Economic growth in Kosovo has been driven by the post-conflict structures (UNMIK, KFOR) and by official aid (USAID, EU, etc.). Donor grants have been falling since 1999, and so has the growth rate. As the international community population in Kosovo continues to fall, so will the capital they bring with them.\textsuperscript{50} As evidenced by where one "puts their money" there appears to be a mismatch between U.S. objectives and strategic concepts being applied to the ‘problem’ of Kosovo. Like it or not, it was the direct involvement of high ranking U.S. diplomats that brought Serbs and representatives of the KLA-led Albanians to the table at Rambouillet in February and March, 1999.\textsuperscript{51} It was the United States led NATO air war that brought Milosevic to his ruin. It was Kosovo-Albanian’s respect for U.S. authority and U.S. military participation in KFOR which helped maintain order in Kosovo. And, it was the wave of violence in March 2004, which recaptured the attention of the world community and caused the multilateral Contact Group to re-assert itself in the diplomatic processes in Kosovo. After the air war and the establishment of UNMIK control in Kosovo, the United States abandoned its leading role in seeking a solution for Kosovo, and allowed the UN, through UNMIK and the European Union (EU) to set the strategy.

The world is not aware of the Kosovo paradox. In the wake of the March 2004 violence, Secretary-General Kofi Annen asked Ambassador Kai Eide of Norway to conduct a “comprehensive political assessment of the situation in Kosovo.”\textsuperscript{52} On 20 November 2004 the Secretary-general presented Ambassador Eide’s report to the Security Council. Eide grasped the deep frustration felt by Kosovo-Albanians, quoting an Albanian student as saying “you gave us freedom, but not a future.” Eide recommended replacing "standards before status" with a priority based standards policy, where competencies should be expeditiously transferred to the Provisional Institution of Self government (PISG). He also recommended at least three interim reports of progress against KSIP prior to the mid-2005 promise to discuss “status." Along with greater responsibility and ownership, Eide recommends “accountability” by way of sanctions and interventions. There is no discussion of what those sanctions might be, especially in economically impoverished Kosovo. Eide did recognize the need for greater economic development and called for the EU to strengthen its commitment. He called for UNMIK to be streamlined and restructured for a gradual reduction, moving to a hand over to “regional organizations.” Finally, while Eide called for UN transitioning to a regional organization, he asked NATO to strengthen its commitment and maintain adequate force levels during this future period, and called for broader international engagement.\textsuperscript{53}
Additionally, the Contact Group (consisting of representatives from the U.S., U.K., France, Germany, Italy, and Russia) has met in Pristina approximately every six weeks since on 20 April 2004. Their purpose is to monitor the situation, show support for UNMIK and KFOR, and urge Kosovo’s leaders to make progress in the priority areas of the KSIP. In their first press release, the contact group prioritized rule of law, freedom of movement, return of refugees, and effective central and local government as being especially important in supporting multi-ethnicity in all standards. The constant theme of the contact group is the need for Kosovar’s to build a future where all people, regardless of ethnic background, race or religion, are free to live, work and travel without fear. The contact group calls for tolerance, peace and justice for everyone.  

SERBIA’S INTERESTS

Serbia has engaged very little in the democratic development of current Kosovo. The Contact Group repeatedly cites the need for Belgrade to engage in dialogue with the Provisional Institutions of Self Government (PISG). On 28 September the Contact Group, along with PISG, UNMIK, and the Council of Europe met with the government of Serbia to discuss reform of local governments. Serbia advocates a program of strengthening local governments within the Serb enclaves, enhancing local governments’ ability to provide administration in a host of services including security, judiciary, health and education, social policy protection of cultural heritage, and much more. With the exception of Serbia’s interference in elections in Kosovo (by declaring that Serbs should not vote in elections in Kosovo, and their support of parallel government structures in Serb communities, Serbia has not engaged with the PISG in any substantive way. They have offered no support to the developing institutions of democracy in Kosovo precisely because their own institutions are similarly immature.

In mid-February 2005, President Boris Tadic, President of Serbia and Montenegro, visited SRSG Soren Jessen-Peterson and COMKFOR Commander Yves de Kermabon while on a two-day visit to Kosovo. This was the first visit by a Serbian head of state since 1999. Press releases report that President Tadic received briefings on the situation in Kosovo and positive developments in security, implementation of standards, and decentralization of government to the local level (a Serb initiative to strengthen the authority in Serb enclaves). Additionally, President Tadic was briefed on energy and reconstruction of Serbian religious sites. The press release, not surprisingly, focuses on the positive aspects of the visit. It is not until one reads the transcript of the 16 February press briefing that we learn that President Tadic visit was one-sided. He only visited Serb communities in conflict and not those where Serbs and Albanians co-existed peacefully. When pressed by reporters, the UNMIK Spokesman, Neeraj
Singh, admitted that the SRSG regretted that President Tadic had not met with members of the Albanian majority political community. Serbia's interest in Kosovo is limited. The primary concerns of Serbia are the security of the Serb minority population living in Kosovo, and insuring that Kosovo never gains autonomy. There is no support for the development of a multi-ethnic society in Kosovo.58

U.S. Serbian relations have recently become strained. On 31 March 2004, Secretary of State Colin Powell determined that he could not certify Serbia and Montenegro had met legal requirements to receive U.S. aid, as Serbia had failed to cooperate with the International Criminal Tribunal for the former Yugoslavia (ICTY).59 Belgrade's failure to cooperate fully with the ICTY by arresting and transferring indicted war criminals, notably Ratko Mladic, will result in millions in forfeited aid money.60 In the aftermath of the 2004 Mitrivica, Kosovo violence, the U.S. Embassy in Serbia had to be closed due to rioting and large-scale demonstrations. The embassy was damaged as a result.61 Then Serbian Defense Minister Boris Tadic (now President) threateningly stated that Serbia retained the right to reexamine its policy if the violence against Serbs continued.62 Again, on January 13, 2005 Serbia failed certification for failure to cooperate with the ICTY; the results of which includes withholding of $10 million in assistance for 2005, and $16 million remaining in the 2004 allocation. The U.S. aid package to Serbia was re-designed to channel funds away from the central government, focusing $73.6 million to organizations committed to reform.63

Serbia's interest in Kosovo is motivated more by the desire to control territory they inaccurately believe is rightly part of the greater Serbian nation. Their deep-rooted conviction on Serbian national unity is by its very nature incompatible with a multi-ethnic, democratic Kosovo. If Serbia regains control of Kosovo, even as a semi-autonomous province, the ethnic-Albanian population will almost certainly revolt. Their patience in waiting for their opportunity for self-determination has truly been remarkable. The United Nations, through its local agency, UNMIK, is a notoriously ponderous bureaucracy. UNMIKs reticence to pass over responsibilities to the Provisional Institution of Self-Governance has been noted in the Eide Report.64 The risk of a Kosovo-Albanian insurgency in a federated Kosovo and Serbia is very real, and could destabilize the entire region. Albanian populations in neighboring Macedonia, Albania, as well as Albanian enclaves in Serbia, would likely unite against the Serbs, and the scope of violence could potentially exceed that which precipitated the NATO air war.

If Kosovo is granted complete autonomy, it is likely that some 200,000 Serbians living in Kosovo would immigrate to Serbia. Additionally, Kosovo Serbs who fled Kosovo and now live in Serbia would likely never return to Kosovo. There have been many Serb-directed migrations of
Serbians into Kosovo for the sole purpose of increasing the percentage of Serbs living in there. It is difficult to ascertain the legitimate rights of those claiming rights to Kosovo citizenship in light of these land-for-living in Kosovo programs, which often caused the migration of Kosovo-Albanians off of land they had previously owned. Serbia has lost any moral authority for sovereignty in Kosovo by its actions. Serbia's progress towards internal democracy is not without its challenges in spite of the U.S. allocating nearly 70 million dollars towards democratic reforms. Risk of Serbian military intervention is low, though the government is unlikely to accept Kosovo autonomy without financial and other incentives. Democratic reform continues to grow in Serbia, and there would likely be little popular support for Serbian military action if Kosovo gained independence.

POLICY OPTIONS

Policy Option 1. This policy option supports the status quo. The current policy is to oppose an “immediate” decision on Kosovo’s status. It allows the U.N., through UNMIK, to continue setting the agenda with regard to determining an ultimate status for the people of Kosovo. Allow the Kosovo Standards Implementation Plan, created unilaterally by UNMIK without any input from the elected government of Kosovo, to guide the process of status determination at the pace UNMIK decides. The risk with this option is that because of its ponderously slow and often condescending manner, the U.N. may become the enemy. The Rambouillet Accord states that, “...at the end of the interim period of three years, ‘Kosova’ will hold a referendum to ascertain the will of the people.” It has been nearly 6 years, and Kosovar’s have only a promise to begin discussing a final status in mid-2005. Should UNMIK decide that adequate progress has not been made against the standards outlined in the KSIP, the Kosovo-Albanians, may revolt. They have already demonstrated incredible patience in working within the constraints of UNMIK as their protectorate.

In some regards, the absence of a clear, strong U.S. policy towards a status for Kosovo is understandable. U.S. interests in Kosovo are peripheral at best. Kosovo is a small, lowly populated, land locked country with few important natural resources or trade opportunities. However, this is a high risk option with few benefits to the U.S. It fails to capitalize on good will still felt by Kosovar’s towards the American’s whom many still see as the primary liberators. Such goodwill would allow the U.S. to help shape democratic values in Kosovo. By taking a more visible role in creating a free and independent Kosovo, the U.S. takes advantage of an opportunity to find common ground with European allies who are on the other side of the Iraq issue. Further, this option risks encourages ethnic tension and destabilization in the region, and
potentially outright revolt against UNMIK as frustration by the majority Albanian population grows.

Policy Option 2. This option elevates the level of U.S. engagement from simply participation in the Contact Group to a position of visible leadership within the world community. In this option, the U.S. advocates the right of self-determination for the people of Kosovo. U.S. policy presses for a concrete timeline and process to determine a status for Kosovo no later than summer 2005. It supports allowing the PISG to hold a referendum so that the people of Kosovo can determine their own way in accordance with the stipulations in the Rambouillet Agreement. The open-ended nature of UNMIK’s rule in Kosovo is the greatest roadblock to the development of a healthy economy. International financial investment as well as support from the World Bank is absolutely necessary to make capital improvements in infrastructure (especially electrical production and lignite mining), which are still severely degraded after 10 years of neglect while Kosovo was under Serb repression. Additionally, private investment will become more likely, once Kosovo’s final status is decided. Further, criminal economic activity should decrease as meaningful employment options become available. Economic investment strategies are a core aspect of this option.

This option favors the flow of history. The United States is still viewed very positively by the Albania majority in Kosovo. The U.S. should capitalize on this good will at a time when the people of Kosovo are growing weary of UNMIK control of institutions they feel capable of running, and are showing frustration at the open-ended nature of UNMIKs governance. The overwhelming majority in Kosovo supports independence, and strongly feels that the uncertain nature of their status has a negative impact on economic development and the rule of law. As the world community focuses on other global challenges, Kosovar’s fear that a solution to their status will never be made. By soliciting and gaining support from Europe Union nations, and engaging at the highest levels of the State Department, we can demonstrate commitment to the people of Kosovo, and speed up their economic recovery so that can more fully develop in to a self-governing democratic nation.

Belgrade and Serbs living in Kosovo still assume sovereignty over Kosovo, and strongly want to regain control of the territory. Serbia and Montenegro ratified a new constitutional charter on February 2003, which changed their name from "Federal republic of Yugoslavia (FRY)" to "Serbia and Montenegro." This constitutional change devolved most federal functions to the republic level. Serbia, as it exists today bears little resemblance to the FRY of Milosevic’s day, and it shares little moral authority for the acquisition of Kosovo territory. Kosovo has retained a great deal of political autonomy in the period between 1974 and 1989, and it can be
argued that Serbia lost any moral argument to regain Kosovo after its brutal treatment this past decade. This option would not necessarily require an increase in military resources, though additional financial support in terms of grants or debt forgiveness may be a useful inducement for Serbia and Montenegro. Finally, this option has the advantage of preempting any future Serbian ambitions.

The current National Security Strategy states “supporting moderate and modern government, especially in the Muslim world” is an objective supporting the goal to strengthen alliances to defeat global terrorism. Kosovo presents the U. S. with an opportunity to re-establish links with European allies, support the development of a moderate Muslim democracy in Europe, and deny a future pool of terrorists. After 9/11, thoughts of Kosovo have all but vanished from American view. US support to KFOR continues but the numbers of US troops have dropped from 5,400 to 1,800. Public attention is rightly on the War on Terrorism, but perhaps we are missing a target of opportunity in Kosovo. Kosovo could become the model democratic moderate Muslim state in Europe. The risks are low as there is tremendous popular support among the majority Kosovo-Albanians for self-determination. Serbia nationalism has been somewhat quieted, though this policy option would necessitate increasing political engagement and financial aid to Serbia.

RECOMMENDATION

That the United States takes a leadership role in determining a process and a concrete timeline for Kosovar’s self-determination. High ranking members of the State Department, and even the President himself, should engage in public diplomacy to advocate the rapid determination of a final status for the people of Kosovo. U.S. policy should seek to support the immediate transition of governance from UNMIK control to either an autonomous sovereign Kosovo, or a semi-autonomous Kosovo which is part of the federation of Serbia and Montenegro. It is the right of the people living in Kosovo to decide which option of governance suits them. Kosovo-Albanians have demonstrated a willingness and aptitude to embrace the principles of democracy and representative government. Military support to Kosovo, under the auspices of NATO or the EU, may need to continue for some number of years into the future. Still, this option corrects the historical myth of Serbia’s rights to Kosovo, and is the lower risk option. While Belgrade will have to be dealt with, it is almost certain that the Kosovo-Albanians will revolt if the United Nations does not offer a concrete plan for self-determination by mid-2005. Indications are that the United Nations is unlikely to aggressively set conditions that will be acceptable to the vast majority of people living in Kosovo. Immediate U.S. engagement at
the highest levels is necessary to prevent keep faith with the people of Kosovo and to prevent future violence. Engagement is consistent with U.S. national objectives and current policy.

WORD COUNT= 7,002
1 When conducting internet research about Kosovo on U.S. Governmental sites, one must look up Serbia and Montenegro, as they assume that Serbia and Montenegro have ultimate sovereignty. *The CIA World Fact Book* and the U.S. Department of State “Country Background Notes” both reference Kosovo under Serbia and Montenegro. Similarly, UN references to Kosovo are also found subordinate to Serbia and Montenegro.


3 Ibid, 58.

4 Hugh Poulton, *Balkan-Minorities and States in Conflict* (London: Minority Rights Publications, 1991), 2. Ottoman rule was non-assimilative, and the peoples of the Balkans retained their identities and cultures. Even in modern times, Yugoslavia remained an ethnically heterogeneous population. Poulton describes the “six officially recognized ‘Nations of Yugoslavia” as defined by the Socialist Federal Republic of Yugoslavia (SFRY) (prior to its breakup) as: Croats, Macedonians, Muslims Serbs, and Slovenes. The ‘Nationalities of Yugoslavia’, which were legally allowed a language and cultural rights, include Albanians (the largest nationality in SFRI), Hungarians, Bulgarians, Czechs, Gypsies, Italians, Romanians, Ruthenians, Slovaks and Turks. This distinction is noteworthy as it relates to later state actions against Kosovo-Albanians.

5 U.S. State Department, “Country Background Note: Serbia and Montenegro,” July 2004; available from <http://www.state.gov/r/eu/bgn/5388.htm>; Internet; accessed 21 September 2004. While factual that many Serb historic sites are located in Kosovo, Malcolm argues that Serbian claims to Kosovo as “the Jerusalem of the Serbian Orthodox Church” is an example of historical facts being inaccurately portrayed for nationalist purposes. He states that no religion in Christianity holds the same theology of a “holy place” as does Judaism. And, Kosovo is not the original site of the Serbian Orthodox Church, rather the Church moved to Kosovo when the original structure burned down.

6 Malcolm, 48.

7 Ibid., xxix.

8 Ibid., 264. It is important to note that this is the first time that Kosovo was integrated into the former Serbian Kingdom. Malcolm posits that Kosovo was never legally incorporated into Serbia by the standards of international law.

9 Ibid., xxx.

10 Poulton, 59.

11 Malcolm, 314.

12 Ibid., 60.

13 Country Background Note: Serbia and Montenegro.
14 Poulton, 60.
15 Malcolm, 332.
16 Ibid., 330.

17 Tim Judah, Kosovo War and Revenge (New Haven and London, Yale University Press, 2002), 52. Judah asserts that Milosevic’s appearance and “extemporaneous” speech was actually pre-arranged, and that he had in fact come to Kosovo 4 days before the meeting to arrange the “disturbance.” Milosevic was actually filmed on this earlier trip rehearsing his famous line over and over again, “‘No one should dare to beat you!”

18 Malcolm, 344.

20 Ibid.
21 Malcolm, 346.
22 Leurdijk and Zandee, 19.
23 Ibid., 20.
24 Malcolm, 348.

25 Malcolm, 349. Malcolm’s Chapter 17 provides a detailed description of the systematic escalation of oppression inflicted by Serbs on the Kosovo Albanian majority.

26 Ibid., 353.
27 Leurdijk and Zandee, 175.

29 Judah, 217. For a detailed discussion regarding the negotiations at Rambouillet, see Chapter 7, “Agreement for Peace?” Interviews conducted with members attending the negotiations give a rich sense of the human aspects of these sessions. The Albanian delegation included noted Albanian politicians such as Ibrahim Rugova, Bujar Bukoshi and Fehmi Agani representing the LDK and government in exile, Hashim Thaci and Xhavit Haliti who founded the UCK (Kosovo Liberation Army) among others. It was agreed that Thaci would serve as the formal delegation leader, although consensus would be needed for decisions. Serbia, on the other hand, sent only a few lower level bureaucrats, including a Serbian Constitutional lawyer and low level representatives of Serbia’s “other” nationalities (Gypsy, Turks and Slav Muslims) were in attendance to demonstrate the multi-ethnic nature of Serbia. This chapter could be a case study on how not to conduct international negotiations.

31 Ibid., 3.


33 Woehler and Kim, 8.


35 Bacevich and Cohen, 81.


37 Ibid., 48.

38 Woehler and Kim., 8.


42 Mathew Chance, "Thousands Mourn Kosovo Children," CNN.Com, 21 March 2004, CNN.Com (733 words) [data-base on-line]; available from Lexis-Nexis; accessed 30 January 2005. Mitrovica is a deeply divided city, with Serbs living on the north side of the Ibar River, and Albanians living on the south side of the river. On March 17, 2004 Albanian children, playing along the shore of the river were being chased by Serbs with dogs. The children ran into the river to escape and were swept away. Two bodies were recovered, one boy escaped to tell the story, and the last child was never found. In what appears to be a planned response to the death of the children, Albanians went on a rampage burning Serb churches and homes, and destroying UNMIK and KFOR vehicles. According to an UNMIK EU Pillar report 19 persons were killed (11 Kosovo Albanians and 8 Kosovo Serbs); 954 civilians were treated for injuries; 65 international police officers, 58 Kosovo Protection Service officers and 61 KFOR soldiers were injured; 150 vehicles (UNMIK, Kosovo Protection Service (KPS) and KFOR), 550 houses and 27 Orthodox churches and monasteries were burned; and, another 184 homes and churches damaged.

“Returns” is the process by which Serbs and Albanians wishing to return to Kosovo may establish property rights and regain possession of their property.


U.S. State Department, U.S. Government Assistance to Europe under the Support for East European Democracy (SEED) Act-FY 2003. Data compiled from various sections within the text of this document.


Judah, 207. Judah documents the personal engagement of high level State Department officials, including Chris Hill, Ambassador to Macedonia, Richard Holbrook, and Madeline Albright. Madeline Albright attended the Rambouillet conference in its closing days to try and exert her influence, while Richard Holbrook met directly with Milosevic in Serbia.


Ratko Mladic was first indicted on 24 July 1995, and his indictment was further amended on 8 November 2002. Ratko stands accused of using shelling and snipers to inflict terror upon the civilian population of Sarajevo, and of summarily executing over 7,000 Muslim prisoners captured in and around Srebrenica from January to March 1993.


Adam Ereli. U.S. Department of State, Daily Press Briefing (Washington, D.C., 19 March 2004); available from <http://www.state.gov/r/pa/prs/dpb/2004/30616.htm>; Internet accessed 14 January 2005. Boris Tadic is a reformer, who seeks to "forget the nationalistic policies" of Slobodan Milosevic. He served as a member of the Democratic Party since 1990. Tadic was appointed Defense Minister in March 2003, when his predecessor was assassinated, and served in that capacity until April 2004. He was elected President of Serbia on 27 June 2004.


Harnish, 3.

Harnish, 8. Public opinion shows that support for UNMIK dropped from 57.8% in fall 2003 to 52.9% in spring 2003. Satisfaction with SRSG dropped as well. Satisfaction with PISG and the assembly have grown in the same time period to 74.9% and 71.9% respectively. However, optimism about economic welfare dropped in this time period from 66% to 48.5%. Further, the Eide report identified *

Woehrel and Kim, 8.

BIBLIOGRAPHY


