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THE ATTITUDE OF THE EUROPEAN STATES TOWARDS THE REPUBLIC OF KOSOVA AND THE ALBANIAN QUESTION IN FORMER YUGOSLAVIA

Kosova, respectively the Albanians' question in former Yugoslavia, is at present one of the tensest regions in Europe¹. This situation is undoubtedly a consequence of the Albanians' willingness for self-determination and independence, to live free and united in their ethnic territories. The Albanian people have clearly articulated their aspiration for self-determination and national unity since the time of the League of Prizren in 1878-1881 and with the proclamation of the Independence in Vlora in 1912. But this right was reneged by Europe through the decisions of the London Conference of Ambassadors of the years 1912-1913, then by the Versailles Treaty of 1919-1920, the Paris Peace Conference of 1946 and the current Conference of London and Geneva on former Yugoslavia.

Naturally the Albanian people never reconciled with this arbitrary truncation, but continued the armed struggle for liberation, and national union. Nevertheless, our ethnic and historic territories were further fragmented, and at present are more minutely partitioned than ever before. As a result of this division, the Albanian people in the past, but also at present have been submitted to barbarous genocide².

Currently, our nation is facing another historic opportunity following that of World War I and World War Two to realize their legitimate and national rights. This historic moment was created over the dissolution of the Yugoslav Federation and the reorganisation of Yugoslavia's territory. Our public opinion was the viewpoint that neither were we prepared and organised this time as the situation demanded. It is thought that we did not succeed in imposing the recognition of our political will on Europe and the world. This embarrassment on the future of our cause proceeds from the bitter reality we have been facing for three years since Serbia occupied Kosova. The Albanians in Macedonia, the region of Presheva, Bujanovc, Nedvegje and Montenegro, too, are in an unclear situation.

The question arises, will the International Conference on former Yugoslavia recognize our political will, democratically and plebiscitarily declared in favour of Kosova's independence, the equality of the Albanians with the Macedonian people in Macedonia, and the autonomy of the Albanians in their other ethnic territories. What shall we do if this time our legitimate requests are ignored again? Were we, perhaps, extremely prudent in our demands, ought we to have been more radical and demand the unification of the ethnic territories with the Albanian state³?

In the entirety of the numerous questions and dilemmas, facing not only us but also the international circles, Kosova's question is set forth as the primary and crucial problem to the gradual solution of our question. At present it is evident that while the Albanian people in Kosova have democratically, legally and legitimately

declared the Republic of Kosova as a sovereign and independent state, and have elected the state organs, the Serbian police state power negates this will and flagrantly violates the Albanians' political, national and human rights even to go so far as genocide⁴. Those who created Great Serbia strive to justify these traditional anti-Albanian crimes in the eyes of the world by myths and legends, such as the myth of Serbian Kosova and by a certain right allegedly historic, staged to falsify history, and by propaganda raised to international levels⁵. Against such a situation as the one we are facing, I think that our international position is more favourable than ever before. Nowadays the Albanian question has been affirmed and appreciated by the international community⁶. With the triumph of democracy in all of ethnic Albania, the Albanian question in general and the Albanian one in former Yugoslavia in particular, nowadays is put forward in a new atmosphere, in the atmosphere of democratic dialogue. Meanwhile, we rejoice over the fact that the Republic of Albania, the Republic of Kosova and the Albanians' leaders in the other ethnic territories are applying a mainly coordinated policy.

It is common knowledge that the national question of any people should be viewed, not only from the aspect of the internal factor, but also from the broad context of the international aspect. Therefore, there exists the conviction that the Albanians' question on former Yugoslavia should be resolved in the framework of international norms and within their criteria. In this respect, the Albanian people in Kosova have made a major contribution avoiding the conflict provoked by Serb aggression. With a markedly peaceful approach and desire for cooperation with international subjects, the president of the Republic of Kosova, Dr. I. Rugova, time ago declared that independent and democratic Kosova would be a neutral and open state towards Albania and Serbia as well as towards all other states⁷. But against the Albanians' peace-loving endeavours and good will of the Kosovar leadership, Serbia continues the violence against the Albanians putting Kosova in a crisis that might explode at any moment.

OPTIONS ON OVERCOMING THE CRISIS IN KOSOVA AND RESOLVING THE ALBANIAN QUESTION IN FORMER YUGOSLAVIA

The options set forth for the solution of the question of Kosova and of the Albanians in former Yugoslavia extend from the observation of human and minority rights down to the recognition of Kosova's independence⁸. When the Yugoslav crisis broke out, the European states manifested prudence and strove to preserve the former Yugoslav Federation, be it a confederation or community of independent states, as was the case in the Soviet Union, but due to the fact that Serbian nationalism gave no possibility whatsoever for coexistence with other peoples of former Yugoslavia, Slovenia, Croatia, etc., they declared their independence. Under these circumstances, the Arbitrage Commission of Badinter observed that Yugoslavia does not exist any more as an international subject and that the former republics of Yugoslavia should ask for international recognition. In vain did Serbia and Montenegro strive to automatically insure Yugoslavia's continuity⁹. With regard to Kosova's question, it

must be said that the European states and the Western ones have not recognised its independence so far¹⁰. Only the Republic of Albania recognised Kosova's independence. The European Community and other Western states, the USA in particular, had numerous political contacts with Kosova's leadership and other Albanian leaders in former Yugoslavia. The Albanians' representatives were received by the officials of these states at the highest levels¹¹. It is common knowledge that the situation in Kosova is becoming ever more tense due to the fact that so far, the Serbian invader has not taken into consideration the legitimate demands of the Albanians, nor those of the European Community to put an end to violence and repression in Kosova, a conflict which could extend all over the Balkans and might break out at any moment¹². In order to avoid this latent conflict, for a definite solution of Kosova's question, the president of the Republic of Kosova, Dr. I. Rugova, forwarded an action plan composed of 10 points, which demands, among other things, Kosova's being put under the UN protectorate and the undertaking of the necessary measures in compliance with this act¹³. The plan of Kosova's president was backed up by the Republic of Albania, which has continuously voiced its opinion in favour of the peaceful approach to resolve Kosova's question and has simultaneously declared that Albania will not remain indifferent in case of a Serb aggression in Kosova and that she will not tolerate ethnic cleansing. Dr. Rugova's 10 point plan was supported in international circles.

Owing to the fact that Kosova's question has aroused deep embarrassment in international public opinion¹⁴, besides the Conference on former Yugoslavia and international political subjects and factors, more international non-governmental institutions¹⁵ are dealing with Kosova's crisis. On this occasion it is of interest shortly make clear the study of the Transnational Foundation on Peace and Future Investigation centred in Stockholm¹⁶. This foundation suggest in its study the contours of the independent and neutral state of Kosova, under international supervision and the temporary "condominium" of the region. It presented this study to the UNO, International Organizations state governments, the Conference on former Yugoslavia and concerned parties in 1992.

After reaching the conclusion, that Kosova's question is a Balkan issue, the Swedish exports' team of this foundation suggested that Kosova become a state unit with an open link between Albania and Serbia. According to them, this state would have open borders, without passports visas. It would not develop national defence, but would have a police of its own and would potentially remain a neutral state.

Kosova would ask for international recognition as a state of a new type and would approach the European Community soon. The Albanian people would put off for an indefinite period of time the unification with Albania or with the Albanians in Macedonia, on the condition that a state of this new type be created¹⁷, whereas the Serbs and other in Kosova would be treated as a nation and not a national minority. The first idea consists of recognising a protectorate status for Kosova, administered by Serbia as mandatory under UN supervision to insure as soon as possible its independence as a state of a new type, but by a date agreed upon earlier, by the parties.

The UN General Assembly and the Protectorate Council would monitor the process towards Kosova's self-governing, of which Serbia would not bear the main responsibility¹⁸. With regard to the second idea (Condominium): the Swedish proposers of this project suggest co-ownership as another just and correct way leading towards

Kosova's independence. This name that the government of a state and concretely of Kosova be controlled by two or more states. In this case, according to them these two states would be Albania and Yugoslavia.

Due to the fact that there exist in public opinion strong ideas regarding Kosova's division, the compilers of this project underscored that Kosova's division is not be taken into consideration¹⁹. In its first project on Kosova, the transnational foundation underscores that it is clear to the International Community that no long-term peace can be attained in the region without an acceptable solution for the Albanian people of Kosova and without modalities to satisfy the Serbian party²⁰. In discussing the options for resolving the question of Kosova and of the Albanians in Macedonia, Preshevë, Bujanovc, Medvegje (in Eastern Kosova) and Montenegro, the International Conference on former Yugoslavia which is continuing its proceedings, has particularly taken into consideration the demands of the Albanian population. Invited to the London conference were also delegations of Albanians from their ethnic territories in former Yugoslavia. The conference formed a special group on Kosova, whereas with regard to other Albanian regions, it has declared that their question will be solved in the talks on ethnic communities and minorities. According to the mediator on the question of the group on Kosova, the ambassador Gert Arens, the question of the Albanians in Macedonia and other ethnic communities and minorities is of a specific nature, due to the fact that the Albanians in Macedonia constitute a great number of the population of this republic. Therefore, he called Macedonia a multinational state, meanwhile suggesting the organization of the census in all of Macedonia under international supervision²¹.

P E R S P E C T I V E

The question of Kosova and that of the Albanians in former Yugoslavia has been internationalized, and the opinion has been created that the situation in this region presents a risk for the peace and stability in the region. Nevertheless, so far the International Community has not presented Kosova's question to the UN Security Council, conform article 33 of the UN Charter. No other measures were adopted to hamper the repression and genocide of the Albanians²². The International Conference on former Yugoslavia has not yet put on the agenda the Albanian question in the real meaning of the word. The dialogue on the status of Kosova and the Albanians has not yet started. The opinions and attitudes put forth so far do not satisfy our demands. The situation is explosive although it is said that the spill over of war in Kosova will not be tolerated. It seems as if international subjects are hiding behind the conventional principle of non-interference in the home affairs of sovereign states, of Yugoslavia (which does not exist) and do not commit themselves in actions to defend human rights and avoid the endangering of peace and security in this region. The European Community has forgotten that Kosova has never been part of the Serbian independent state: neither in 1878 when Serbia finally won independence, nor in the Second Meeting on ANLCY in 1943. Kosova was not in the composition of Serbia even on the occasion of its constitution becoming a federal unit (The Great Antifascist Assembly of the People's Liberation of Serbia, November 9-12, 1944)²³. Only in the name of the act of self-determination (supposed in 1945), Kosova entered into the composition of Federal Serbia in the framework of Federal Democratic Yugoslavia²⁴. The International

Community forgets that Kosova (Kosova's vilayet) was arbitrarily detached from Albania on the London Conference and that of Versailles and remained under Serbia's occupation, respectively in the Yugoslavia of Versailles²⁵.

The International Conference on former Yugoslavia acted unjustly and contrary to the 1974 Constitution, when it declared that it recognized only the 6 republics of former Yugoslavia and not the Republic of Kosova, which was proclaimed such upon the will and plebiscite of the people of Kosova²⁶, on the basis of the principle of self-determination of the people in a legal and legitimate way, in conformity with the Constitution of 1974, which recognized the full equality of nations and nationalities²⁷. We gather the impression that the international community wishes to preserve the status quo which would undoubtedly lead to an inevitable conflict in the whole Balkan region.

Under these circumstances democratic Albania's stability and development and its commitment in the international plane is of special importance for the correct solution of our national question. It is a natural right of the Albanian people, who in the past suffered the fragmentation of their ethnic territories as a result of violence and arbitrariness, to insist on living free and united, as a preliminary condition for their normal development, self-determination and equal and friendly relations with neighbouring countries²⁸. The Albanian people should clearly make known that they do not give up the principle of self-determination of the people guaranteed by the UN Charter and other international norms.

1. A Fillips, *The regional implementation of war in Kosova*. Report held in the Seminar on Kosova at the European Parliament, February 4, 1993.

2. M.Krasniqi, *Kosova sot*, Prishtinë, 1992. Report submitted to the Parliament of Belgium.

3. These observations are mainly individual.

4. *Knocking on Europe's conscience*, KMDENJ, Prishtinë, 1992, p.24.

5. M.Krasniqi, *Kosova sot*, Prishtinë, 1992, p.11.

6. *Kosovo, oppression of ethnic Albanians, Minority, Rights Group*, London, 1992, p.1.

7. A.Fillips, *The regional implementation of war in Kosova*, London, 1993, p.1.

8. *Projekti i TFF, Fondacioni Transnacional për kërkime paqësore*, Stockholm, 1992.

9. Serbia, Montenegro formed in Zhabjak, last year (1992) the Federal Republic of Yugoslavia III.

10. Greece has overtly opposed Kosova's independence.

11. *Kosova, oppression of ethnic Albanians*, MRG, London, 1992, p.6.

12. A.Fillips, *The regional implementation of war in Kosova*, London, 1993, p.6.

13. The plan was presented to the UNO, on February 16, 1993.

14. From 3th to 5th of February 1993, a special session was held in the European Parliament with the motto: "To avoid conflict in Kosova".

15. Carter Centre in Atlanta. MGR, London, TFF Stockholm, Helsinki Watch etc.
16. *TFF project*, Stockholm, 1992.
17. *Ibidem*.
18. *Ibidem*.
19. Kosova's president, too, has turned down this idea.
20. *Fondacioni Transnacional...*, Stockholm, 1992.
21. G.Arens, Report submitted to the European Parliament in the Seminar on Kosova, on February 4, 1993.
22. M.Krasniqi, *Kosova sot*, Prishtinë, 1992, p.2.
23. G.Zajmi, *Kosova kurrë nuk ishte në përbërje të Serbisë*, in: "Fjala", no.3. Prishtinë, 1992, p.8.
24. *Ibidem*.
25. See the debate in the parliament of Great Britain, The House of Lords "Kosova Human Rights", April 1, 1993.
26. The referendum was held on September 26-30, 1991.
27. See: The amendment 245 of the Constitution of Yugoslavia of the year 1974.
28. This general principle is guaranteed by the UN Charter and other international norms.