

# Achievement of the independence of kosovo politics essay



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The independence of Kosovo was announced and declared in February the year 2008. Among the first countries to recognize this independence was US then followed by other member countries of the European Union but not all of them. This independence was as a result of long and complicated periods of successions. This succession was attained through a number of changes, the first being as a way of disintegrating the socialist federal of Yugoslavia republic which occurred between early 1990s to 2003 followed by the formation of Serbia and Montenegro as from 2003 to 2006 and last but not least moving and forming Serbia republic (Coccozzelli, 2009 p. 38).

Road to independence in kosovo neared its end after the submission of a report by a United Nation special representative in Kosovo Mr. Marti Ahtisaari. The report proposal was presented in the March, 2007 (Weller, 2008 p. 23). This proposal had recommended that Kosovo be granted supervised independence. The draft was later taken to the secretary general of UN and to both the key leaders in Belgrade and Prishtina in consecutive meetings (UNOSEK 2007, 2). Therefore Kosovo was to be granted independence to govern itself and leave Serbia on it's on. Irrespective of this, Kosovo was to be directly monitored through the military presences and international civilian (UNSC, 2007, p. 4)

The leadership of the Civilian Union was to be taken care by the European Union while on the other hand the NATO was to be in charge of the military mission a proposal that saw the people from Albania who had many posts in the government accept while opposed by those from the Belgrade side. This proposal was accepted by the United States and European Union but some states of EU resisted due to failure of European acceptance to unilateral

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resolution with those who favoured Belgrade expressing their reservation over the proposal. Russia suggestions for talks were supported by French President Nicolas Sarkozy which saw the Contact group consisting of six leading states consisting of the United Kingdom, United States, Russia, Germany, Italy and France extend the duration for negotiation for four months. The groups further were reduced to three countries consisting of US, Russia and EU. This negotiation yielded no results as there were no agreements.

Fortunately the parliamentary election in Kosovo was to be held on 18 November 2007. The election was of its own kind in the Kosovo's history as the famous Liberal Democratic Party lost to the PDK (Democratic Party Army). The win of the PDK was attributed to the fact that it had close links with the Kosovo Liberation Army and that the first round of elections in Serbia were to be held on January 20th, 2008 and that of the second round was to occur on 3rd in the coming month. In the run off Nikolic of the Serbian Radical Party (SRS) was beaten by Boris Tadic. In this race, Boris was seen as an Europeanist candidate while on the other end Nikolic was viewed as a hard-line nationalist (Yannis, 2009 p. 211).

In this contest for the presidential seat, the race was between the Tadic and his Prime Minister Vojislav Kostunica of the party of democratic of Serbia (DSS) who was in the government of Tadic as a coalition partner. Things eventually changed when Vojislav refused to support Tadic because of the situation that Kosovo was undergoing as the race turned to be against the Tadic (DS) party and the DSS that saw Tadic win election on 51% as

compared to 49% of votes garnered by him. This necessitated the European  
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Union to form a transnational assistance mission to Kosovo (EULEX). This immediately saw the parliament of Kosovo declare its independence on 17 February 2008 just after a day on the inauguration of Tadic for his second term as the president of Kosovo. The independence was recognized by several countries as being independence. The countries included the United nation, Germany, Italy, France and many other countries with exceptional of Russia, China, Spain, Greece and other countries

The support of Belgrade by Russia in the dispute was a demonstration of who comanded more powers in the government. Russian had benefited from the high prices of oil and gas which presumably made it to engage in the matters of international relations in Kosovo (Trenin, 2006 p. 229)

The confrontation was heightened when the US president Bush in June 2007 visited Albania and showed a possibility and hope in Kosovo gaining its independent (Stolberg, 2007, p. 48). The fact that Bush was unpopular in Europe the statement posed a bigger challenge to the U. S foreign policy. These rifts went on to include missile defense systems in Eastern Europe and how nuclear Iran was going to be dealt with and the way forward to democratic consolidation within Russia itself.

The position held by Russia generated mixed reactions from the Contact group and the UN opening up greater uncertainty within the EU position but did not manage to cause a collapse in larger EU. The Ahtisaari plan was endorsed by Ban Ki-Moon who was the secretary general. After his endorsement he also called upon Security Council to ratify it in the shortest time possible which saw it done.

## **The origins of the conflict**

Conflicts in Kosovo and Serbia are backdated from the ancient first balkan war that occurred in 1912. This war precipitated to the current wrangles in the ownership of territory between the Albanians in Kosovo and the Serbians.

The divisions in the Kosovo into two regions of Montenegro and Serbia were as a result of intensive wars that saw the Ottoman force lose the war. This loss heightened the dispute between the Albanians who were the largest inhabitants (Richter, S & Halbach, 2009, p. 65). This saw Kosovo become part of the established Slovenes, Croats and the new kingdom of Serbs in the year 1918. These parts later came to be renowned as Yugoslavia in 1929. As the Second World War was coming to an end Yugoslavia was again included into Serbia with the formation of the federal people republic of Yugoslavia. This meant the areas were to be an autonomous and later became to be known as Kosovo. It was at this juncture that Kosovo boundaries were revised and identified and has remained that way up to date. With all these developments taking place, the Albanians were not contented and started demanding for their own recognition as an independence nation. They also wanted Kosovo to be recognized as the 7th Yugoslavia republic alongside others like Herzegovina, Montenegro, Macedonia, Bosnia, Slovenia and Serbia. This could have seen them remain in Yugoslavia but separate from Serbia. These proposals however met resistance from leaders in Yugoslav like Tito and from the socialist government.

This resistance was clinched on the ideologies of the Yugoslavia nation that there was no other group of region that would qualify to be recognized as a nation in Yugoslav rather than the south Slavs (Daskalovski, 2008, p. 69).  
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The status was not supposed to be given to foreigners and outsiders. This status could not be awarded to people that did not have their own systems of government like the Roma, and the Jews.

Kosovo's case was different since the Albanians who lived there had their own independent forms of governance. Hence this made the Albanians to be identified and recognized as a nationality amongst other groups like the Italians, Slovaks and Hungarians. The reconfirmation of these subordinates states in 1963 led to the Albanians to take a leading role in many activities in Kosovo, they engaged in the activities of federations, hence cultivating their own way of economical, political and cultural standings which facilitated the revival in their developments. The developments of Albanians were witnessed when they set up a university known as Pristina that offered their lectures in Serb-Croat and Albanian. These developments led to demonstrations in 1968 which demanded that Kosovo be recognized as a republic. Their call bared no positive outcome as they did not manage to make Kosovo a republic. This therefore saw Kosovo in 1974 upgraded to an autonomous province of Serbia. This upgrade lead to Kosovo becoming equals with Vojvodina found in the northern part of Serbia, a state that was awarded its status in 1946 (Ker-Lindsay, 2009, p. 176)

### **The legalities of its independence**

According to Knoll (2009, p. 87) Conflict in Kosovo exemplifies the conflict between the territorial integrity and the state sovereignty and the self-determination of its people as independence. Assembly's declaration of Kosovo independence complicated the legal implication on the issue. For instance it declared its independence from Serbia when the resolution 1244 <https://assignbuster.com/achievement-of-the-independence-of-kosovo-politics-essay/>

had provided for its administration by the UN as the agreement concerning the UN Security Council was still operational. This saw in 1999 more than forty five states recognize its independence with country like Spain, Romania and Greece claiming that that was a violation of international law.

Other arguments that were raised against its independence were that the resolution 1244 had no provisions relating to legal issues concerning the Kosovo independence and that of Serbia since the believed sovereign powers needed to be considered before the states, independence can be recognized as being legal (Wisner, 2008, p. 55). However this saw the proponents of Kosovo's independent argue that the resolution 1244 did not preclude independence because it did not predetermine or in any way limit Kosovo's final status. further they claimed that any commitment to the ensure that there is sovereignty in the political parties and territory integrity cannot bind a state to be declared independence therefore declaration and recognition of a state as independence can be valid putting into consideration the wider spectrum of international including the right to self determination(Muharremi, 2008, p. 227).

Between1389-1912 parts of Ottoman Empire stated to become as a vilayet in other words province as the several border changes were witnessed. In 1918 part of Yugoslavia (kingdom become to take shape in WWII as it is recognized today's. These saw parts of Kosovo and Albania occupied by the Italians.

When the national identity of Albanians was suppressed in 1960, it gave way to the Belgrade who was tolerant. This saw the Albanian gain foothold in

Kosovo and Yugoslav and even being absorbed in the administrative roles that saw their language, education and media being recognized.

The Albanian population increased to up to 90% while that of the Serbian fell to less than 10% the remaining being minorities consisting of the Roma.

In the year 1974 saw the Yugoslav constitution pronounce Kosovo an autonomous province in Yugoslavia. After Yugoslav president Tito's death in the 1980s pressure for independence began to mount which saw the autonomous status being revoked in 1989 by Milosevic (Weller, 2008, p. 311).

The resistance again started in the 1990s this time being led by the resistance movement which was led by Ibrahim Rugova. The group Kosovo Liberation Army was formed in the mid 1990s in Albania with the prime minister by the name Hishim Thaci being the political leader of the group. The group stepped up attacks against Serb targets which saw the Serbs militarily retaliate the attacks in a brutal way. The clashes between the KA and the Serbian police continued for a while which led to many Albanians leaving Kosovo for Macedonia, Albania and some getting refuge in Montenegro, their neighboring countries.

This movement of the Albanians to Macedonia aided in heightening the ethnic tensions leading to numerous conflicts breaking out in 2001 (JIA, 2009, p. 62). This occurrence led the UN to take over the administration of Kosovo which came to be known as the (UNMIK) referring to United Nations Mission in Kosovo resulting in formation of UN resolution 1244. The UN

administration has since been in Kosovo since 2000 to 2006 while the NATO  
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the Kosovo force (KFOR) of 50, 000 peacemakers ensured that there was security by keeping order through their patrols. Serbian stronghold was in the North where the KFOR had little influence and which does not recognize international or Kosovo authority.

It is estimated that there are about 1000, 000 to 200, 000 Serbians in Kosovo. The Serbian governments as a strategy to prevent the Serbian from going to Kosovo increased the salaries of public officers. To stop the integration between these two nationalities, the Serbians government also assisted them in building of schools, universities and other essential facilities in the area.

The period of 1990s were marked by cases of human rights violation by the Serbians towards the Albanians. There was no self-government in Kosovo. The Albanians were treated unfairly by being discriminated in areas of political, legal and administration. Other unfair practices subjected to the Albanians included dismissals from public offices and private offices, banning the use of Albanian language among many other atrocities. Internal reactions mainly concentrated on calling for end of repression which led to the uprising of Liberation Army which was led by Brahim Rugovo to resistance the oppression. This was one of the tools to get independence. Many civilians lost their lives in these clashes that were witnessed between liberation army of Kosovo and the Serbian military.

Rambouillet accords were proposed by the NATO members and the in conjunction with the US to provide new solutions to the Kosovo conflicts and bring peace in the country. These talks were held in February 1999. The

accord provided for interim democratic self government of Kosovo within Yugoslavia and the establishment of a final settlement mechanism after duration of three years and which was supposed to incorporate the suggestions of people in ensuring that peace prevailed. Another requirement was for all forces that came from Serbia to stop their activities and go back to their territory from and be replaced by international security forces which would have access to some parts of Yugoslavia and other parts of Kosovo. This saw the Rambouillet accord agreed upon by Kosovo and opposed by the Serbia. This lead to increased ethnic cleansing after its collapse and the failure of Paris talks on 24 March 1999 which saw NATO begin an air campaign against Yugoslavia until the adoption of resolution 1244. This period saw millions of civilians displaced (Kupchan, 2005, p. 336).

Due to these happenings in Kosovo, solutions to political instability was accepted and was to be set up through the initiative of republic of Yugoslavia in June 1999 in liaison with the ongoing NATO campaigns and diplomatic efforts by NATO envoy Marti Ahtisaari and the Russian representative Victor Chernomyrdin which provided for paramilitary forces and military police to withdraw their missions in Kosovo and be replaced by the international security and civil presences under the leadership the United nations. In reference to the resolution 1244 the agreements that were sealed were endorsed in June 1999 by the UN Security Council. The agreement was achieved by stipulating to the United Nation charter of chapter 7.

Pond (2008, p. 154) points out that the resolution 1244 provided the council on security matters with powers to ask the secretary general to ensure that there was establishment of special security comprising of internal envoys to <https://assignbuster.com/achievement-of-the-independence-of-kosovo-politics-essay/>

ensure that their was formation of appropriate administration which could provide security and autonomy to Kosovo citizens to foster peace in the leadership of the Yugoslavia Federal republic. Special representative were also to be appointed by the secretary general and deployed in Kosovo (Daskalovski, 2008, p. 49). Their responsibilities were to ensure proper implementation and control of member countries or states in the civil presence that was agreed. In addition, international security presences were also to be established by relevant international organizations (Wisner, 2008, p. 81). These bodies had the responsibilities to prevent any renewed hostilities and to ensure that there was secure environment for those who flew the country during war to return and to ensure safe operation of these international presences. The resolution 1244 known as UNMIK was aimed to aid in a process of political reforms to lead political settlement in Kosovo. The body was not seeking to reach a final political status in Kosovo (Cocozzelli, 2009, p. 330)

Kosovo autonomy was near developing after promulgation of the constitutional framework on 15th May, 2001 that established (PISG) - provisional institutions of self government in Kosovo that included the government, the assembly, the president and the Kosovo courts (Ker-Lindsay, 2009, p. 75). The Kosovo assembly was given the authority to adopt legislation and transfer certain matters while on the other side the SRSG retained overall and final legislation which were to be adopted by the Kosovo assembly. In addition these legislations were to be used internationally as recognition and a representation of Kosovo as well as in regulating important

issues including control over customer services, international relations and monetary policy considered key in sovereign matters

In bringing political sanity in Kosovo, much development in negotiations took place consisting of the contact group, appointment of former president Marti Ahtisaari with special envoys on 14 November 2005. These envoy established talks to reconcile the Belgrade and Prishtina including talks with both Serbs and Kosovo representatives. The proposal of Ahtisaari's report was finally forwarded on March 26th 2007 to the Security Council. The proposal which included the recommendation that Kosovo should become independence subject to an interim supervision by international body, suggestions for ensuring Kosovo settles that defined the legal framework of Kosovo's supervise independence. He also proposed detail measures that were to lead to laying down of structures that could foster protection of rights of the citizens, protection of property rights, decentralization of the government and protection of religions and cultural heritage, well structuring of international bodies, justice, economy and security(Coccozzelli, 2009, p. 129)

In conclusion, in Orentlicher's words the final status of Kosovo must be resolved even if possible to characterize the precedent established. Many controversies that are surrounding Kosovo's independence will have to be given some more time before one can conclude that Kosovo's political and legal status has been indeed finally resolved. In addition the Kosovo case has demonstrated that the clash between the principles of sovereignty and self determination is still yet far from being resolved (Muharremi, 2008, p. 77).