

Background

No. 1857
June 1, 2005



Published by The Heritage Foundation

A New Perspective on Kosovo's Final Status

Helle C. Dale and John C. Hulsman, Ph.D.

After years of relative international neglect, the Balkans is back on the political agenda in Washington and Brussels, where there is agreement to review Kosovo's ultimate status this summer. As noted by Under Secretary of State for Political Affairs R. Nicholas Burns on May 19, it is "a year of decision for Kosovo." Since the NATO bombing campaign that ended Serbian ethnic cleansing of Kosovo's Albanian population six years ago,

Kosovo was effectively made a ward of the international community—administered by the UN and secured by NATO—with its future status left to later determination. That time is upon us to resolve that issue, and to finally win the peace.¹

The future of the Balkans will depend on the region's becoming integrated in a Euro-Atlantic framework within the next decade. The Bush Administration should therefore strongly encourage Europeans to leverage the European Union's economic incentives to bring Serbs and Kosovars to an acceptable resolution of Kosovo's final status, open the door to NATO accession for Balkan countries that qualify to become members, and work out a timetable for a European takeover of the K-4 mission in Kosovo to allow for the drawdown and eventual redeployment of the 7,000 American troops currently stationed there.

Good and Bad News

There is good and bad news from the Balkans, but mostly good. The region, though clearly still troubled,

Talking Points

- After years of relative international neglect, 2005 is "a year of decision for Kosovo."
- After the NATO bombing campaign that ended Serbian ethnic cleansing of Kosovo's Albanian population six years ago, "Kosovo was effectively made a ward of the international community ... with its future status left to later determination."
- Because the future of the Balkans will depend on the region's integration into a Euro-Atlantic framework within the next decade, the Bush Administration should strongly encourage the leveraging of EU economic incentives to bring Serbs and Kosovars to an acceptable resolution of Kosovo's final status.
- Resolution of Kosovo's final status should open the door to NATO accession for Balkan countries that qualify to become members and allow the drawdown and eventual redeployment of the 7,000 American troops currently stationed in Kosovo.

This paper, in its entirety, can be found at:
www.heritage.org/research/europe/bg1857.cfm

Produced by the Douglas and Sarah Allison Center
for Foreign Policy Studies
of the
Kathryn and Shelby Cullom Davis Institute
for International Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

has seen major progress since the turbulent wars of the 1990s. More or less democratically elected governments today govern every one of the Balkan countries. All of the countries of the region have aspirations of joining the European Union (EU), NATO, or the Partnership for Peace (PFP). Some have managed to return significant numbers of refugees to their homes. In Bosnia, over 1 million have been repatriated or returned to their homes.²

In addition, the virulent ethnic cleansing campaigns are mostly a thing of the past, with the notable, tragic exception of the reverse ethnic cleansing in Kosovo in the spring of 2004, when the ethnic Albanians turned on the minority Serbs. Progress is now being made in the prosecution of war criminals, of which only 10 remain unaccounted for.

Regrettably, the bad news is that the two big fish—Bosnian Serb leader Radovan Karadzic and General Ratko Mladic, chief architects of ethnic cleansing in Bosnia—are among the 10 war criminals at large.³ There seems to be little appetite among the Serb political elite to aid in their capture, and the Hague war crimes tribunal has convinced no one in Serbia that this is anything other than victors' justice. Hague prosecutors admitted in May that they have had to turn over some cases to the local authorities due to the backlog in order to meet their mandate of closing prosecutions in 2008–2010.

Transatlantic Cooperation

Like the Middle East, Southeast Europe represents a potential for the United States and Europe to work together to get it right—after years of getting it wrong. In the early 1990s, Europeans were unable to muster the will to intervene effectively as warfare broke out between the various parts of the former Yugoslavia. Nothing could have been further from the truth than the assertion by Luxem-

bourg Foreign Minister Jacques Poos, who proclaimed that “The hour of Europe has come”⁴ just before European peacekeepers were tied to trees by Bosnian Serb forces.

Great economic problems persist. To this day, parts of the Balkans are basically mendicants of the international community, with extremely high unemployment rates and no viable economies beyond crime and Western aid. Croatia, while widely regarded as the best regional prospect for EU and NATO membership, stumbled in March by not meeting EU human rights criteria because of its failure to hand over a war criminal.

Still, with 7,000 European troops deployed as peacekeepers and a presence of just 100 U.S. troops today, Bosnia is an encouraging example of Europeans stepping up to the plate. As such, Bosnia provides a model for future Kosovo redeployment.

Kosovo Final Status Talks

Cooperation in 2005 between Europeans and Americans on the final status negotiations for Kosovo will be crucial for development of the region. The mood among Kosovo's ethnic Albanians is one of growing impatience with its unresolved status as a U.N. protectorate.

Technically part of Serbia, Kosovo today has a 90 percent ethnic Albanian population. It is barely viable as an economic unit and, without a resolution on final status, has very little hope of attracting foreign investment. Therefore, managing the expectations of the Kosovars, for whom independence is becoming an increasingly urgent demand, is essential. Among other things, the EU and the United States need to help facilitate vital regional trade.

Options for Kosovo. While the international Contact Group on Kosovo should consider various options, the U.S. government has already

1. R. Nicholas Burns, “Ten Years After Dayton: Winning the Peace in the Balkans,” speech at the Woodrow Wilson Center, Washington, D.C., May 19, 2005, at www.state.gov/p/2005/46548.htm (May 26, 2005).
2. U.S. Department of State, “Proposed Refugee Admissions for FY 2004—Report to the Congress,” at www.state.gov/g/prm/refadm/rls/rpts/2003/44338.htm#regional (May 26, 2005).
3. Agence France-Presse, May 23, 2005.
4. Mark Steyn, “Eurovision Dies a Death,” *The Daily Telegraph* (London), May 24, 2005, at www.telegraph.co.uk/opinion/main.jhtml?xml=/opinion/2005/05/24/do2402.xml&sSheet=/portal/2005/05/25/ixportal.html (May 26, 2005).

taken some off the table, including returning Kosovo to its pre-1999 status as a region of Serbia, dividing Kosovo between the Albanians and Serbs who live in the most mineral-rich areas, or unification with any other regional power such as a Greater Albania.

Autonomy and a loose federation with Serbia or a phased-in independence over a period of years remain on the table. The effects of either option would be mitigated by inclusion of Serbia and Kosovo in the institutions of Europe and the trans-Atlantic relationship.

Conditional Independence. The better course would be conditional independence with extensive international supervision. Benchmarks should include ethnic toleration, progress toward economic viability, and a reduction in corruption and crime. In the meantime, a loosely federal arrangement with Serbia could mitigate the fears of Kosovo's Serbs.

It should be made clear that it is up to the Albanian majority to decide whether or not Kosovo should become independent. Failure to meet these conditions would lead to the West's seriously considering partition of Kosovo at the banks of the Iber river, between a rump state and Serbia. The nightmare scenario is full Kosovo independence, followed by ethnic cleansing of the minority Serbs, followed by a Serbian invasion. This must be avoided at all costs.

Serbia. For Serbs, the question of Kosovo independence has been non-negotiable for nationalistic and historic reasons. Yet the prospect of eventually joining the expanding European Union has produced powerful incentives. According to the EU's Copenhagen criteria, any aspirant nation must first resolve any outstanding border disputes with its neighbors and guarantee rights and protections for minorities. The Kostunica government has stated that EU membership and PFP membership are its

goals. Of these, PFP membership will be the easiest to achieve.

What the Bush Administration Should Do

To promote a lasting peace in this war-torn corner of Europe, establish a principle of European responsibility for its regions, and release American troops from their peacekeeping responsibilities, the Bush Administration should:

- **Support** the conditional independence of Kosovo with the proviso that the Kosovo Albanian leadership does not seek union with a Greater Albania and that minority rights are guaranteed. This would depend on the prospect of possible EU membership.
- **Place** the demand for the prosecution of war criminals in the context of the overall development of the region. In other words, as long as a good-faith effort is being made by Serbia and Croatia, progress should be made toward economic reconstruction.
- **Support** the earliest possible inclusion of the Balkan countries in NATO (when they legitimately qualify) and the Partnership for Peace.
- **Create** a reasonable but short-term timetable for the return or redeployment of American troops, dependent on the success of the Kosovo final status negotiations.
- **Work** to ensure that the Organization for Security and Co-operation in Europe is fully funded and can continue patrolling the border and monitoring elections in the Balkans.

—Helle C. Dale is Director of, and John C. Hulsmann, Ph.D., is Senior Research Fellow in European Affairs in, the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies, at The Heritage Foundation.