

THE ALTERNATIVES TO RESOLVE THE QUESTION OF KOSOVO



History

Keywords: Kosovo, Yugoslavia, autonomy, peaceful movement, armed resistance, etc.

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Abstract

The fall of communism and break-up of Yugoslavia opened a new era in the history of Albanian people living in Kosovo. Following a hegemonic policy the Serbian leadership abolished the political autonomy of Kosovo, as a constitutive subject in Yugoslavian Federation, and usurped the political powers in Kosovo. The hopes for democracy and freedom seemed hopeless to Kosovo Albanians, particularly when Yugoslavian army started an armed invasion against other subjects in Yugoslavia. But the Kosovo Albanians were determined to defend their rights and freedom, denying to obey to Serbian rule. At the beginning the peaceful resistance seemed to be a sole alternative for Albanian people in Kosovo, but this changed later when new circumstances emerged. Therefore, the article aims to elaborate the two alternatives that emerged: peaceful and armed struggle, their impact in political and military developments in Kosovo and involvement of international community during the last decade of century twentieth.

Introduction

The last decade of twentieth century marks a turning point in the history of Albanian people in Kosovo. The fall of the Berlin Wall that was followed by collapse of the communist system and break-up of Yugoslavia, put Kosovo Albanians at a historic crossroad. The revocation of Kosovo's political autonomy in 1989 and usurpation of legislative-executive powers that was accompanied by a police violence, put Kosovo Albanians in a dilemma – how to proceed further? Albanians organized a peaceful movement at the beginning, seeing it as a single alternative. But, a new movement arose when circumstances changed; the armed resistance became a ground of sublime efforts for freedom and independence.

The Peaceful Alternative

The fall of communist regimes in southeast Europe and dissolution of Socialist Yugoslavia, which were accompanied by abandonment of Communist Party of Yugoslavia and other political communist organizations, had their impact on Kosovo. The political scene in Kosovo reacted to political pluralism through a fast and dramatic transformation; on the scene appeared new political organizations whose main objective was to protect the legitimate and democratic rights of Albanian people and to resolve its political status.¹

¹ Ana Lalaj, "Dhuna antikushtetuese dhe i ashtuquajturi shtet juridik në Kosovë", *Kosova*, revistë historiko-politike 7/1999, Prishtinë: "Instituti i Historisë – Prishtinë & Instituti i Historisë – Tiranë", 2001, p.64.

The peaceful alternative introduced by the Democratic League of Kosovo [Lidhja Demokratike e Kosovës] (hereinafter: LDK) was a single alternative that found support in Kosovo. This alternative, headed by Kosovo Albanian intelligentsia, represented the largest numeric unification among Albanians living in former Yugoslavia since the Second World War and its program was embraced by Albanian masses regardless the severe repression made by the Serbian authorities. The peaceful alternative of early 1990 brought a new political elite that proclaimed several acts: the Constitutional Declaration of July 2nd 1990 for a “Kosovo Republic within the Yugoslavia;² the Constitution approved in Kacanik of September 7th 1990; the Referendum for Kosovo as an Independent and Sovereign State³ on September 1991. The last act marks an advancement of Kosovo Albanian claims: the opportunity for a coexistence with the other nations remaining in Yugoslavia was transformed now in an option for independence.

The LDK, through a crucial alternative towards the peaceful path, managed to organize an overall popular resistance to face the extremely difficult condition caused by a terror and violence exercised by Serbian authorities, aiming at the same time to provide a solution to political status of Kosovo. The leader of the LDK, Ibrahim Rugova, elaborated his strategy through an interview given in August 1990: “*It should be clear that the path of peaceful politics is long, but it is a well-thought and it is more stable... it is important to us to protect our people from those who want to make provocations, because we all know about our sufferings from the past, many of our people were killed due to provocations... a confrontation in current conditions would not be in our favour. We will learn this lesson, we had lost many and won less. Any success would be similar to Pyrrhic victory*”.⁴ This was the strategy used by LDK on the national project and in the affirmation and sensitization of the Kosovo question.

At the domestic level, the period of peaceful governance of Albanian people after the revocation of autonomy was characterized by the built of parallel institutions, at both municipal and central level. The work continued in the field of education, science, culture, sports and health. Regardless the achievements, violation and discrimination exercised by Serbian authorities continued, exacerbating the conditions of the Kosovo Albanian people. Albanians were subjected to brutal repression in all segments and Kosovo will become a classic colony of Serbia. As a result of such a policy the condition of Kosovo Albanian people deteriorated sharply (1990-1997). Kosovo’s economy was looted and everything of value was transferred to Serbia. Due to economic and politic repression Kosovo Albanians were forced to migrate abroad, mainly towards Europe; until the year 1997 the number of migrants reached about 700.000.⁵ Thus, through a violence and terror a policy of ethnic cleansing was implemented; on the other hand Serb settlers came to Kosovo and benefited from attributes and material favours. Kosovo Albanians had become second class citizens with all rights denied, including individual and collective freedom. In such circumstances LDK was on the highest stage of resistance calling Albanian people for patience.

² *Udhërrëfyes i Fondeve dhe Koleksioneve Arkivore*, Vëllimi I, Arkivi Kombëtar i Kosovës, Prishtinë, 2002, p.113.

³ *Historia e Shqipërisë dhe e shqiptarëve*, Siptint, Prishtinë, 2001, p.386; *The Truth on Kosova*, Akademia e Shkencave e Republikës së Shqipërisë, Instituti i Historisë, Tiranë, 1993, p.345.

⁴ Elez Biberaj, *Kosova fuqi baroti e Ballkanit*, Tiranë, 1994, p.29.

⁵ Marenglen Verli, *Kosova në fokusin e historisë*, Vëllimi i dytë, Botimpex, Tiranë, 2003, p.98.

“...*Patience, patience! The victory is our*” – was the call. Due to circumstances people were kept in peace and under Serbian repression.

At the international level, the LDK managed at some extent to raise the awareness about the Kosovo question. LDK established links with political parties, mechanisms and associations in Europe and United States of America (hereinafter: US) aiming to create friend of Kosovo.

There is no doubt, Albania made a special contribution to internationalization of the Kosovo question. At the 44th session of United Nations General Assembly, the Foreign Minister of Albania, Reis Malile, in addition to noting the spring events of 1989 in Kosovo, citing the repression against Kosovo Albanians, abuse of their rights, lack of freedom, democracy and cultural and social emancipation, condemning the murders and imprisonments of Albanians, had also demanded the normalization of the situation in Kosovo.⁶ Following these efforts Albanian Foreign Minister in February 1990 sent a telegram to the Secretary General of the United Nations (hereinafter: UN), Javier Perez de Cullar, making him aware that after his speech at 44th session the situation in Kosovo was further aggravated and that such a situation posed a threat to the peace and security not only in Kosovo and Yugoslavia, but in the entire region. He asked the UN to raise its voice and to call for an end to violence, police terror and killings.⁷ Meanwhile, Bashkim Pitarka, Ambassador and Permanent Representative of Albania to the UN, conveyed to the Secretary General the message of the Albanian Foreign Minister, requesting that the letter and its annex, in accordance with the current practice, be distributed as a document of General Assembly of the Economic and Social Council and the Commission on Human Rights.⁸

In regards to difficult situation in Kosovo, the LDK on July 3rd 1991 sent a call to Albanian state: *“Kosovo is full of military and police forces, including mobilised civilians from Serbia who were brought in Kosovo by buses and military vehicles and who passing through Kosovo openly threatened Albanians with massacres. At the same time Kosovo Albanians are being mobilized by force and sent out of Kosovo. Taking advantage of the state of war in Slovenia and Croatia, the Serbian regime and the army want to destroy the Albanians, calculating that all action will be overshadowed by the events in Slovenia. Since the Albanian people in Kosovo are completely unprotected and without any kind of institution of the system, we are rightly afraid of the*

⁶ *Arkivi i Ministrisë për Evropën dhe Punët e Jashtme* (hereinafter: AMEPJ), viti 1990, dosja 968, Nga fjalimi i Reis Malile në sesionin e 44-të, të AP të OKB-së, 1989, p. 1-4.

⁷ AMEPJ, viti 1990, Projekt-letër e Reis Malile, drejtuar Sekretarit të Përgjithshëm të OKB-së, mbigjendjennëKosovë, pp.14-15; According to a report of Human rights Watch Yugoslavia: *“...ethnic Albanians are being arrested in masses, they are beaten and tortured in jails; they are fired of their jobs just because of being Albanians. The Serbian police is exceeding its violence against demonstrators, killing more than 50 of them only during the year 1990”*, see further: *Human Rights Watch World Report 1990 - Yugoslavia*, 1 January 1991. <https://www.refworld.org/docid/467fca3a1d.html>, access 23 December 2019.

⁸ AMEPJ, viti 1990, Ambasadori dhe përfaqësuesi i përhershëm i RPS të Shqipërisë pranë OKB-së, Bashkim Pitarka, p.33.

announced massacres and we appeal to you to arbitrate immediately. We ask for your protection until it is too late".⁹

As a result of the sensitization, where a special role in this regards has undoubtedly been given by Albanian diaspora, many delegations from Kosovo were admitted to various international institutions in Europe and US; a series of roundtables were organized explaining to foreigners the situation in Kosovo and providing ideas for resolving the issue. Various governmental and humanitarian commissions from European Union (hereinafter: EU) and US came to Kosovo; they were interested about the violation of human rights and about the opportunities to resolve the question of Kosovo. This shows that during the early years of 1990 the US and EU started to deal with the Kosovo question.

In addition to the rise the awareness of international community about the question of Kosovo, a priority of Albanian political class was also the commitment to resolve the political status of Kosovo. The proclamation of the Republic of Kosovo did not occupy the right place of objective treatment for a more realistic and fair solution. In the first place, no entity or federal subject in Yugoslavia recognized the Republic of Kosovo. Only the Assembly of the Republic of Albania through a Declaration, on October 21st 1991, recognized the Republic of Kosovo as a sovereign and independent state, on the basis of complete freedom and equality with all other peoples.¹⁰

Kosovo's declaration of independence was made in complex international circumstances and not at all suitable for Kosovo Albanians. The disintegration of Yugoslavia, as an ethnically, religiously and culturally diverse country with a strategic geopolitical position, posed a very specific challenge to the international community, especially to the EU and the US, as this process took place at the end of the Cold War and the creation of a new international system. During this period, the US and the EU were in the process of setting up their priorities in foreign policy, and the latter had internal problems such as the inability of states to address their foreign policy. The unification of Germany was not seen well by France and Great Britain, as such unification jeopardized their dominant positions in Europe. The clash of their interests was also reflected in the case of Yugoslavia, where Germany supported the secession of Slovenia and Croatia, while France and Britain did not favour the creation of new states.¹¹

On the other hand, the United States had excellent relations with communist Yugoslavia, supporting the country's economy and overall unity. But with the fall of the Berlin Wall the US gradually changed its attitude towards Yugoslavia, since Yugoslavia no longer had the strategic importance as a balance between East and West, as it exercised during the Cold War. Now the US begun to express its dissatisfaction with the past, which it then kept silent, regarding the violation

⁹ *AMEPJ*, viti 1991, Dosja 1598, Thirrje, Lidhja Demokratike e Kosovës, dr. Ibrahim Rugova, kryetar, Prishtinë, 2 korrik 1991.

¹⁰ *AMEPJ*, viti 1991, Dosja 1598, Deklaratë e Kuvendit Popullor të Republikës së Shqipërisë, pp.141-142.

¹¹ Dejan Maralov, "The Policy of the USA and EU towards the Desintegration of Yugoslavia", *International Journal of Social Science Tomorrow*, Vol.1, No.2, 2012, pp.1-3.

of human rights in Yugoslavia. Another factor in shaping US foreign policy in relation to Yugoslavia was the November 1990 report by the US intelligence agency CIA, which predicted riots, ethnic and civil violence. Under these circumstances, in February 1990, the US published its foreign policy towards Yugoslavia, which relied on "*democracy, dialogue, human rights, a market economy, and unity*".¹²

In such international developments the resolution of Kosovo political status not only failed to receive the intention of international community, but it remained at the level of human rights protection. Such an attitude was evidenced by the resolution of the European Parliament, adopted on February 15th 1990, on the situation in Kosovo and respect for human rights,¹³ as well as by the Joint Resolution* of the US Senate and Congress containing several points, the most important of which were: (1) The expression of serious concern over the violation of human rights by the Government of Yugoslavia and the Government of the Republic of Serbia; (2) Encouraging the Government of Yugoslavia and the Republic of Serbia to stop the use of force in the Province of Kosovo and to protect fundamental human rights; (3) Encouraging the Government of Yugoslavia and the Republic of Serbia to restore the full autonomous status of the Socialist Province of Kosovo; (4) Encouraging the Government of the Republic of Serbia to start a genuine dialogue with the Democratic Movement and other democratic forces in the Province of Kosovo at the interest of a political and economic solution ... etc.¹⁴

The approach of the international community to bypass the resolution of Kosovo's political status and the treatment of this issue within the framework of human rights was accompanied by several acts of a political and legal nature that would further complicate the fair resolution of the Kosovo issue. Following the efforts to resolve the problems in Yugoslavia, the EU formed in 1991 an arbitration commission known as the Badinter Commission, after the head of the commission, lawyer Robert Badinter, chairman of the French Constitutional Court. The commission was tasked to facilitate differences that could arise in peace talks between Yugoslav entities in Hague, but at the same time also issued a number of legal opinions regarding the status of Yugoslavia and its constituent units. Although not binding, these views were of particular importance to Kosovo, especially those relating to borders at the time of independence. The Opinion no. 2 and no. 3, reminds that, regardless of the circumstances, "*... the right to self-determination should not include changing existing borders*".¹⁵

But Kosovo was not recognized as a republic and was not treated like Slovenia or Croatia, whereas its autonomy containing elements of a republic as: constitution, government, bank and the rights in Yugoslav Presidency, etc. were abolished by Serbia in March 1989. Therefore, aiming to

¹² *Op.cit*, p.9.

¹³ AMEPJ, viti 1990, Dosja 1098, Rezolutë mbi gjendjen në Kosovë, pp. 5-7; pp.12-14

*Concurrent Resolution - a resolution adopted by both houses of a legislative assembly that does not require the signature of the chief executive and that does not have the force of law.

¹⁴ AMEPJ, viti 1990, Dosja 957/1, Rezolutë e Senatit Amerikan për Kosovën, dërguar Ministrisë së Jashtme në Tiranë nga përfaqësuesi i përhershëm i RPS të Shqipërisë pranë OKB-së, Bashkim Pitarka, Nju Jork, 4. 7. 1990, pp.11-16.

¹⁵ *Allain Pellet*, "[The Opinions of the Badinter Arbitration Committee: A Second Breath for the Self-Determination of Peoples](#)", *European Journal of International Law*. 3(1), 1992, p.180.

prevent any crises that would endanger the peace in region, the international community drafted various proposals that were elaborated during the Hague Conference in 1991, like a “special status” or a kind of a wide autonomy for minorities consisting the majority in the area they were living. Such minorities would enjoy following rights: specific educational system, specific legislative bodies, a specific administrative and judicial structure, etc.¹⁶

It was clear that the international community aimed to advance some rights for Albanians in exchange for calming the situation, but in turn this meant recognizing Serbia's jurisdiction over Kosovo. This is evidenced by the statement of Lord Owen, representative of this Conference; in a press conference held in Pristina he addressed to Albanians and Serbs: "*Serbs must agree with the autonomy of Kosovo, and Albanians*" - he continued – "*must recognize Serbia*".¹⁷ The Deputy Foreign Minister of the United Kingdom, Douglas Hogg, on the occasion of the opening of the British Embassy in Skopje in December 1993, among other things, stated: "*Concern for Kosovo is on the agenda and to be discussed often*". The position is this: "*It is part of the current state of Serbia. We do not intend to destroy Serbia's integrity, the problem will be solved within it; Serbia will be forced to give Kosovo broader political rights to autonomy*".¹⁸ The President of Italy, Luigi Scalfaro, in his speech in the Albanian Parliament, also stated that Kosovo should be given as much autonomy as possible. Meanwhile, the foreign ministers of Germany and France, Zhype and Kinkel, also envisioned extended autonomy. The administration of Bill Clinton, which claimed a broad autonomy under the sovereignty of Serbia, continued to hold a similar view on the Kosovo issue.¹⁹ So the international community was one-sided and therefore insisted on maintaining the Yugoslav Federation.

To achieve its objective the international community acted in two ways. At first, Serbia has been advised to stop the violence. On December 24th 1992 President Bush sent a letter to Slobodan Milosevic on December 24th 1992, known as “The Christmas Warning” that stated: "*In the event of a conflict in Kosovo caused by Serbian actions, the United States will be prepared to use a military force.*" against Serbs in Kosovo and Serbia".²⁰ At second, the international community tried to convince Kosovo Albanians to reintegrate into Serbia's political system hoping that involvement of Albanians may influence the change of regime in Belgrade and thus the rights would be granted back to them. Following this objective the Serbian oppositional leader, Milan Panic, met with Ibrahim Rugova in London and promised the re-establishment of human rights and of a kind of autonomy for Kosovo if Albanians will take part in elections.²¹

¹⁶ Richard Caplan, “International Diplomacy and the Crisis in Kosovo”, *International Affairs*, Volume 74, Issue 4, October 1998, pp.748-749; Rexhep Qosja, “Faktorët ndërkombëtarë dhe trajtimi i çështjes shqiptare”, *Kombi, Rrugët e Bashkimit Kombëtar*, Onufri, Nju Jork, 1997, p.400.

¹⁷ Rexhep Qosja, *Çështja shqiptare, historia dhe politika*, Toena, Tiranë, 1998, p.260.

¹⁸ *Op.ct*, p.261.

¹⁹ *Op.cit*.

²⁰ Tim Judah, *Kosovo Whateverone needs to know*, Oxford University Press, 2008, p.71.

²¹ Bülent Sarper Ağır, “Transformation of K-Albanians’ Struggle from Parallelism to Armed Conflict: Why is Violence Necessary?”, *The Turkish Yearbook of International Relations*, Vol. 43, 2012, p.112.

But, Albanians didn't participate in Serbia's elections; they considered that the Republic Kosovo was not a part of Yugoslavia. In his memories the US Ambassador in Belgrade stressed the insistence of Kosovo Albanian leadership not to recognize Serbia's authority over Kosovo.²² Such an attitude made international community aware that Albanians were following a path towards the freedom and independence and that there was not a way back. This attitude paved the grounds for a claim for independence, which will be put some years later.

During 1992-1995, the issue of Kosovo did not have the priority of discussion in the international arena because the international community was oriented towards stopping the armed conflicts in Croatia and Bosnia and Herzegovina. But while the international community had turned its attention to the countries mentioned above, Serbian police authorities in Kosovo had increased the level of repression against Albanians. According to human rights activists, prisoners were being beaten and tortured. The Kosovo Human Rights Council warned about the possibility of a wide-ranging conflict if the resettlement of Serb refugees from Croatia to Kosovo continues.²³

The Fade of Peaceful Resistance

Until the end of 1995 the majority of Kosovo Albanians obeyed to peaceful resistance policy. The Dayton Conference held at the end of 1995 and events in Albania in 1997 were two factors that marked a turning point in political developments in Kosovo and around it. Unlike the President Bush, the administration of democrat leader Bill Clinton promised a proactive approach towards cessation of hostilities in Bosnia and Herzegovina. The US commitment to this issue had two goals: to reach a peaceful agreement to prevent the spread of war in the region and inclusion of Turkey, Greece, Albania and Macedonia in it; thus to prevent the recurrence of the history of the Balkan Wars of 1912-1913, and to demonstrate the superiority of US over Europe, which had not been able to resolve such a conflict.²⁴

The focus of international community to give an end to the war in Bosnia and Herzegovina prevented Kosovo from getting involved in Dayton talks, as such involvement or any discussion of broader issues would significantly reduce the chances for reaching a peace. Another argument was Milosevic's influence on Bosnian Serbs, who was seen as a key figure in reaching an agreement, so the internationals did not want to provoke his readiness for peace.²⁵

The international community's commitment to the figure and Milosevic's role in a peace agreement can be demonstrated through the rewards that the international community has given to the Federal Republic of Yugoslavia (hereinafter: the FRY), Serbia and Montenegro, respectively.

²² Warren Zimmermann, *Origins of a catastrophe, with an updated Preface and Epilogue on Bosnia and Kosovo*, 1999, p.81.

²³ *Minorities at Risk Project*, Chronology for Kosovo Albanians in Yugoslavia, 2004.
<https://www.refworld.org/docid/469f38f51e.html>, access 22 December 2019.

²⁴ D. Maralov, "The Policy of the USA and EU towards the Desintegration", pp.13-14.

²⁵ Peter Russell, "The Exclusion of Kosovo from the Dayton Negotiations", *Journal of Genocide Research*, Vol. 11, Issue 4 (2009), pp.12-15.

First, most of the sanctions against this country were lifted, and then the European Union officially recognized the FRY, established in 1992, as the successor to the old Yugoslavia with six republics.²⁶

The refusal of the international community to address the Kosovo issue in Dayton has caused general disappointment and discontent in Kosovo. The West had not rewarded Ibrahim Rugova's work and the people's patience, despite positive assessments of peaceful resistance. The EU continued to think that improved relations between the EU and the FRY could lead to a "constructive" approach by the FRY to granting some kind of autonomy to Kosovo.²⁷ This meant that the international community has again spoken out about Kosovo's remaining part of Serbia. Another argument that confirms this finding is that the international community has now begun to commit to resolving the issue of education in Kosovo, in the hope that such a thing would calm the situation and pave the way for further dialogue between Serbia and Albanians in Kosovo.²⁸ With the mediation of the Catholic community of Sant'Egidio, an agreement was reached between Ibrahim Rugova and Slobodan Milosevic on the return of pupils and students to their facilities starting in September 1996.²⁹

Certainly, such an agreement was not implemented because it was just a game of Milosevic to remove the pressure from the international community and at the same time to strike at the active Albanian resistance that had begun to give the first signs in Kosovo. The agreement was perceived by the LDK as a step forward towards resolving the Kosovo question. But others did not. In addition to criticizing the deal, politician Rexhep Qosja said: "*Independence cannot be achieved by solving problems step by step*".³⁰

The attitude of the international community towards Kosovo pushed various political circles in Kosovo to think about other forms of national resistance. The analysing of Dayton Agreement was an additional factor. Despite the cost of international isolation, penalties for ethnic cleansing and genocide, Bosnian Serbs had benefited more than they had demanded.³¹

By other words the Dayton Agreement made it clear that territorial agreements on ethnic grounds in the Balkans enjoyed legitimacy in the eyes of the West, and that only the use of force in attempts to achieve self-determination could secure the attention of the West.³² In this context, most Albanians in Kosovo were convinced that the political and diplomatic means to solve the problem have been exhausted, as the international community did not consider Kosovo a serious problem. On the other hand, during 1997-1998, the Serbian oppression continued at an old pace, depriving Albanians of their most basic rights in all segments of economic and social, educational, cultural and political life. The path of the LDK, being seen as an alternative with a strategy and

²⁶ T. Judah, *Kosovo Whatever one needs....*, p.79.

²⁷ R. Caplan, "International Diplomacy ...", p.750.

²⁸ Sylë Ukshini, *Kosova në politikën e jashtme të BE-së 1991-1997*, Logos A, Prishtinë, 2000, p.150.

²⁹ Bajram Shatri, *Arsimi shqip në Kosovë 1990-1999*, Libri Shkollor, Prishtinë, 2010, p.97.

³⁰ *Gazeta Bujku*, Prishtinë, 6 shtator 1996, p.10.

³¹ P. Russell, "The Exclusion of Kosovo from the Dayton...", p.22.

³² B. S. Ađir, "*Transformation of K-Albanians' Struggle...*", p.132.

duration that would solve the issue of Kosovo, many local and foreign politicians, began to call it Gandhism. But, we have to cite a fact – the peaceful alternative in Kosovo was not a model of Gandhism because the main concept of Gandhi platform was “the disobedience of civil masses” or “civil resistance” campaign. Gandhi promoted a peaceful protests or demonstrations of large masses against British rule and this was reflected in boycotting the official institutions, schools, non-purchase of foreign goods, refusal to pay taxes, etc.³³ Although the Serbian institutions were challenged in Kosovo, they still operated and Albanians had no choice except to make requests for various documents such as: civilian status, judiciary documents, etc. As for the goods, they came from Serbia and the Albanians bought them. Likewise, taxes were not only paid, but even doubled. On the other hand, the rulers in these two countries, Kosovo-India, were different. Britain as the ruler had a higher cultural-democratic stage, and in India the popular manifestations were in chains. In Kosovo the strategy “neither war nor peace”³⁴ was maintained, while between the years 1992-1996 the manifestations were largely absent. The strategy of peaceful alternative “to gain freedom without shedding blood” would be good, but history has proven the opposite that “freedom is not given, but gained”. However, based on a document from the Albanian Ministry of Foreign Affairs in the early 1990s, it was a group of young men from Kosovo and other Albanian areas consisting of 43 people who had gone for military training in a base of the Albanian Army in Labinot, Elbasan. Only 11 of them had been recommended by the representative of the Government of Kosovo in Tirana, whereas 3 of these recommendations came from the branches of LDK in Kosovo.³⁵ But, in 1993-1997, the military training of groups in the territory of Albania was significantly limited and the liberation war clashed with the philosophy and politics of the time, on both sides of the border. Later things changed, the Kosovo Liberation Army’s (hereinafter: KLA) public appearance, and the extension of its combat operations disrupted the *status quo*.³⁶

Thus, this alternative was destined to fail on the path to Kosovo's liberation, despite some national and international results. Taking into account its achievements, I think that it was an appropriate alternative at the time when changes were taking place in Eastern Europe and Balkans, but over the time it wasted and went far of aspirations for liberation.

Gradually, Albanian national efforts began to undergo a partial transformation, as one part remained with Rugova's ideology and another part began to join the new currents. An active movement began and manifested itself in street demonstrations which also marked the decline of the peaceful movement that had functioned until then. Another factor that accelerated the organization of active resistance were the events of the spring of 1997 in Albania. The financial pyramid schemes allowed by the Albanian government had reached their natural end. Albania fell

³³ Llambro Filo & Ilira Çausi, *Historia botërore shek. XX (Azi, Afrikë, Amerikë Latine)*, Albin, Tiranë, 1995, p.7.

³⁴ Mahmut Bakalli, “Bashkimi i shqiptarëve kërkon strategji dhe qasje të re politike”, *Kombi, Rrugët e Bashkimit Kombëtar*, Onufri, Nju Jork, 1997, p.306.

³⁵ AMEPJ, viti 1992, dosja 1102, Informacion lidhur me dislokimin e disa kosovarëve në një repart të Divizionit të Elbasanit, Drejtoria e Diasporës, Informacion, p.3.

³⁶ Sabit Syla, Fjalë rasti në Akademinë Përkujtimore për rënien e dëshmorëve ZahirPajaziti, Edmond Hoxhës dhe Hakif Zejnullahu, Prishtinë, 31 janar 2019.

into anarchy. SaliBerisha's government lost control, and weapons abandoned by security forces were stolen. Hundred-thousand weapons were available to citizens, particularly the automatic rifles.³⁷ This event facilitated the organization of the armed resistance. Another factor that intensified the transformation of passive resistance into active was the Student Movement, namely the student demonstrations of October 1997.³⁸ The unrestrained Serbian violence against peaceful demonstrators convinced the international community of the difficulties in democratizing Serbia, and this was a turning point since it drew back the Western attention to Kosovo. The growing interest in the diplomacy of the European Union and the United States has once again proved that international involvement occurs only after the situation had already escalated.³⁹ Internally, the protest also convinced the Albanian population in Kosovo that an agreement with Serbia on peace is impossible, especially when, after the peace in Bosnia, Serbia had free hands to deal with Kosovo and thus increased violence and repression. Therefore, in the conditions when the violence and oppression of the Serbian police against innocent civilians has been intensified, inefficiency of internal politics and indifference of international community produced an end to patience and to status-quo.*

The Liberation War alternative

*“I, a soldier of the Kosovo Liberation Army, swear that I will fight for the liberation of occupied Albanian lands and their unification. I will always be a loyal soldier, a freedom fighter, vigilant, brave and disciplined, willing to fight any time without sparing my life to protect the sacred interests of my homeland. If I break this oath, let me be punished with the harshest laws; let my blood lost if I betray; I swear, I swear, I swear”.*⁴⁰ Any KLA soldier had to obey to above-mentioned oath; it was clear that the alternative of KLA consisted on liberation of occupied lands and their unification; the occupied lands were perceived territories left out of Albania whose borders have been set up in London Conference in 1913.

Although the first cells of military organization of KLA appeared since the early 1990, over the time it was structured whereas in November 1998 appeared a more clear structure consisting of one operational zone and seven sub-zones (hereinafter: SZ): SZ of Drenica, SZ od Pashtrik, SZ of Dukagjini, SZ of Shala, SZ of Llap, SZ of Nerodime and SZ of Karadak. But, due to operational, upgrade and commanding needs, the General Staff of KLA in a meeting held on 12.11.1998 decided to transform the mentioned sub-zones into operational zones.⁴¹

The KLA opposed to Serbian aggression; the opposition relied on the right of people to protect themselves from violence and aggression and to achieve the national liberation. The

³⁷ T. Judah, *Kosovo Whateverone needs....*, p. 81.

³⁸ *Gazeta Bujku*, Prishtinë, 2 tetor 1997, p. 1.

³⁹ S. Ukshini, *Kosova në politikën e jashtme të BE-së...*, p. 152.

*Beginning of 1990 marks organization of first cells that lead to formation of Kosovo Liberation Army.

⁴⁰ *Betimi i ushtarëve të Ushtrisë Çlirimtare të Kosovës* (The oath of KLA), date 28 November 1998, Prekaz. <https://www.youtube.com/watch?v=1tRjHIOH5Us>, min 02:45-04:00, access 2 January 2020.

⁴¹ *Ushtria Çlirimtare e Kosovës, Shtabi i Përgjithshëm*, Nr. 442-7/661, Sekret ushtarak, Prishtinë, më 19.11.1998, Jakup Krasniqi, Instituti i Historisë-Prishtinë, 2017.

organized armed struggle has been perceived as a single alternative to liberate Kosovo and to resolve its question, since the Serbian regime of Milosevic continued to be the main cause of deterioration and radicalization of situation in the country. Being subjected to the terror and violence Albanians were forced to organize a self-defence and armed struggle, and thus to protect their lands, homes, existence and to liberate Kosovo. The KLA emerged on the right time when the patience of Kosovo Albanians has been exhausted and when the faith on the politics of the time has been shaken already. As it is known it took a stage on November 28th 1997 in the village Llausha – Skenderaj. At the beginning Drenica continued to be a stronghold of KLA headed by Jashari family. Later, KLA expanded throughout the country.

The alternative of armed struggle excited the feelings of all those Albanians who had historically suffered from Serbian rule, both in and abroad. Also, this alternative will have a positive impact on the Albanian political spectrum. In order to adapt to the situation the political parties began to move and review the policies pursued so far. On the other hand, many Albanians who had been engaged in nonviolent politics or various peaceful movements and associations decided to join the KLA because they have seen the armed struggle as a single mean of defence, which in turn will bring a freedom. On the other hand, despite armed conflicts between the KLA and Serbian police/military forces, particularly when the latter were causing unprecedented violence against unarmed civilians, the international community still considered Kosovo an internal matter of Serbia and in level of protection of human rights and on the provision of some kind of autonomy. Robert Gelbard, President Clinton's special envoy, stated in March 1998 that "*Rugova must know that independence is not an option*," a stance backed by European officials. The same diplomat stated that "*Undoubtedly, the KLA is a terrorist organization*" and that "*the United States strongly condemns terrorist activities in Kosovo*".⁴² Such a statement gave Milosevic a clear pretext to launch the first series of large-scale attacks on the civilian population, killing a number of unarmed civilians in what has been described as a counter-terrorism campaign.⁴³

Regardless the statements given by Gelbard and his associates, the KLA was a typical liberation army and this was proved by following facts: the KLA attacks were not directed against the innocent population; the KLA has struck at Serb forces who used violence in Kosovo to persecute, arrest, imprison, beat, mistreat and kill the Albanian population; the KLA has hit the military forces which were forcibly controlling the occupied territory, which did not belong to them, but to the autochthonous Albanian people.⁴⁴ So, the KLA had nothing to do with any kind of terrorism; the international community was recently convinced that KLA was a serious organization with a clear mission – to liberate Kosovo and to bring freedom to a nation that suffered during the history.

However, it is most likely that behind such a statement lies Gelbard's irresponsibility or overstepping of his authority, as it is not believed that the US has given a green light for such an

⁴² R. Caplan, "International Diplomacy ...", pp.751-753.

⁴³ *Op.cit*, p.753.

⁴⁴ Gafurr Elshani, *Ushtria Çlirimtare e Kosovës, Dokumente dhe artikuj* (botim i dytë), "Zëri i Kosovës", 1998, pp. 248-249.

action. Perhaps, he might have been confused by various ideas within the international community which could go so far as to think about eliminating the KLA, subjugating the Albanians and achieving what the international community demanded – to prevent the change of the borders. But, the determination of KLA and unjustified scale of ethnic violence exercised by Serbian authorities against Albanians at the first part of 1998 pushed the international community to change its stance regarding Kosovo. The EU representative declared that EU rejects to accept that Kosovo was an internal matter of Yugoslavia.⁴⁵

It was already clear that the KLA's resistance and armed struggle encouraged Euro-American diplomacy in drafting various projects aimed at reaching a peace agreement in Kosovo. On March 5th 1998 the Organization for Security and Co-operation in Europe (hereinafter: OSCE) called for cooperation with the EU and NATO, while British and US diplomats visited Kosovo and many other diplomatic representatives spoke about the situation in Kosovo. The beginning of March 1998 marked the heroic and sublime battle of Jasharaj family in Prekaz,⁴⁶ whereas the period 7-14 March 1998 marks discussion of Kosovo question at all higher European forums as: the European Union, the Contact Group, the Council of the Ministers of the European Union, etc. The most important meeting was that of a Contact Group held on March 9th 1998. The essence relied on the fact that it was first time the Contact Group was dealing exclusively with Kosovo.⁴⁷ But, on the other hand, this meeting was a small step for Kosovo as the participating countries of the Contact Group came up with a project according to which “*Kosovo should gain significant autonomy, which is expressed by its substantive self-governance, functioning as a separate entity within Serbia, not within Yugoslavia*”. There is no doubt that such a paradoxical offer was unacceptable to Albanians.

With the continuation of the talks, the international community moved to another level of its proposals. Unlike the earlier autonomous approach, the international community has now begun to calculate projects that provided for an advantage on the Kosovo question. After the autonomy option expired, the card of a Kosovo republic within the Yugoslav Federation was now on the international table. Through this agreement, Kosovo would have its own constitution, would administer its internal affairs and would have the right to veto important issues at the federal level. The federal level would have competencies in the areas of defence, financial policy and foreign policy. Attention to this idea consisted in the fact that there was no need to change the international borders of Yugoslavia, although according to the logic of the Badinter Commission the Republic of Kosovo would be a candidate for recognition as a new state.⁴⁸

Although Montenegro came out against such a proposal, as a third republic would weaken its influence in the federation, the republic's option was not acceptable to either Serbs or Albanians. How could Serbs accept Kosovo's secession when so many myths were woven about it,

⁴⁵ *Minorities at Risk Project...*

⁴⁶ Sabit Sylja, *Fjalë rasti në Akademinë për kujtimore me rastin e 20-vjetorit të rënies së Beqir Mehës, Ilir Lushtakut, Mustafë Qorrit dhe Avdullah Kodrës*, Skënderaj, 26 mars 2019.

⁴⁷ Blerim Shala, *Vitet e Kosovës 1998-1999*, Koha, Prishtinë, 2001, p.33.

⁴⁸ R. Caplan, “International Diplomacy ...”, p.757.

so much propaganda could have been wasted on it, not to mention the wars waged in the name of Serbism that had their genesis in the myth of Kosovo. Also, would it be possible for Albanians to live under the security of an army that carried out massacres, killings, infiltrations, especially when the cause of the liberation war was based on the right to independence.

While compromise solutions were being calculated, the Serb option was increasingly supported by the radical option: the partition of Kosovo. Most Serbs had realized that time was working for Albanians demographically. Serbs calculated that they would become a minority in the middle of the next century. Serbian academic Aleksandar Despic, then president of the Serbian Academy of Sciences and Arts, came to that conclusion. The same idea was expressed by academic Dobrica Cosic, the former president of Yugoslavia, who proposed an ethnical division. Following the example of Dayton's model for Bosnia, Cosic proposed the creation of two autonomous entities and each of these two entities to have special relations with the mother country.⁴⁹

The efforts of the international community continued, albeit not at an intense pace as in the first part of March. The Contact Group held two meetings regarding Kosovo: on March 21st 1998 in Bonn and on April 29th 1998 in Rome. On May 10th a US delegation led by Richard Holbrooke arrived in Pristina. As a result of this commitment two meetings between Albanian and Serbian negotiators were held during May 15th and May 21st, which ended without any result.⁵⁰ On June 8th, the Council of Ministers of the European Union met; on June 12th, the meeting was held at the highest level of the member states of the NATO Pact, and on the same day the Contact Group met again. Such diplomatic intensities continued, on the other hand terror, violence and humanitarian catastrophe increased.

As a summary, it can be said that the provided solution for Kosovo question in all meetings/forums held by diplomatic bodies of the European and US was: “*Protect the red line*” in Kosovo, which was in line with the promise of US administration, but which was also interpreted in several options: as an opportunity to create a “conventional two part republic” according to Bosnia’s sample; a wide political and administrative autonomy; regional autonomy at the level of the Constitution of 1974; autonomy plus; conditional republic; intermediate republic – not as much as Montenegro but not less than “Republika Srpska” in Bosnia and Herzegovina; minus republic; republic within the former Yugoslavia after a three year transitory period of self-governance, etc.⁵¹ So, it was clear that none of these solutions were satisfactory for Kosovo as long as they contradicted the war objectives for a national liberation. While the international community was discussing the above options, the number of volunteers in the KLA was multiplying in all regions of Kosovo. The KLA would be factorized to the highest degree. Thus, no solution to the Kosovo question could be taken into consideration without the KLA.

⁴⁹ *Op.cit*, p.759.

⁵⁰ B. Shala, *Vitet e Kosovës...*, pp.34-56.

⁵¹ Shaban Sinani, *Kosova në syrin e ciklonit*, Dritëro, Tiranë, 1999, p.10.

On the other hand parallel to diplomatic efforts the military confrontations between the KLA and Serbian police/military forces continued on the ground. The active resistance of the KLA further raised the interest of international diplomacy, which had begun to calculate the option of the KLA factor. But, in its part, the KLA was also interested in being promoted before the local and international community and taking responsibility for resolving the Kosovo question. Following this aim the KLA on April 29th 1998 published a political statement in the local press, revealing its political program⁵² and seeking support in its struggle against the installed Serbian government in Kosovo.

By the end of June 1998 the US Special Envoy, Richard Holbrooke, held a meeting with the KLA representatives in Junik, Kosovo. Although Holbrooke declared that “... *it was an unofficial meeting between the US and KLA to identify the real situation on the ground...*”,⁵³ anyway, such an act could be considered as a tacit recognition of KLA.

Certainly, the appearance and acceptance in the international arena made the KLA an important factor in the political and military developments related to Kosovo, placing it on the international agenda. After the moment mentioned above, the international factor will increasingly be oriented towards the General Staff of the KLA, as the KLA was a real force on the ground, which could not be ignored by the international factor nor by Yugoslavia in efforts to stop fighting and establishing a peace. Such a statement was made by Holbrooke himself in Crans Montana after his return from Kosovo.⁵⁴ Diplomats such as Wolfgang Petrich and Christopher Hill agreed with Holbrooke's findings. Petrich said: “*Until the outbreak of armed conflict between the illegal Albanian army, the KLA and the units of the Serbian Interior Ministry, the international community (EU and US) treated the Kosovo question as an internal matter of Yugoslavia and Serbia, respectively*”.⁵⁵ Hill said: “... *I thought that Kosovo was essential in the Balkans, but this issue did not become urgent until people started firing at each other*”.⁵⁶

Following Holbrooke's findings, contacts between the international diplomats and KLA representatives have been established. These contacts were intensified during November 1998. It is worth mentioning meetings between KLA representatives and Wolfgang Petrich, and in particular the meeting held in Dragobil on November 6th 1998 when the KLA represented by HashimThaçi, JakupKrasniqi and RameBuja elaborated the project of US diplomat, Hill.⁵⁷ These meetings were a clear indication that the address for talks with the Albanians had already been moved from Pristina to the headquarters of the General Staff and that the KLA had already been officially recognized as a decisive factor in the Kosovo question.

⁵² J. Krasniqi: *Kthesa e madhe – Ushtria Çlirimtare e Kosovës*, Prishtinë, “Gjon Buzuku”, 2006, p.83.

⁵³ Kosovo: US Envoy Richard Holbrook meets KLA, <https://www.youtube.com/watch?v=n-mb4vX2gUk>, 00:22-02:20, access 2 January 2020.

⁵⁴ Surprise as US opens contacts with Albanian Guerrilla Force, <https://www.independent.ie/world-news/surprise-as-us-opens-contacts-with-albanian-guerrilla-force-26185338.html>, access 2 January 2020.

⁵⁵ Wolfgang Petrich dhe Robert Pihler, *Rruga e gjatë në luftë – Kosova dhe bashkësia ndërkombëtare 1989-1999*, Prishtinë, “Koha”, 2002, p.250.

⁵⁶ B. Shala, *Lufta diplomatike për Kosovën. Dialog me ambasadorin Christopher Hill*, Prishtinë, “Zëri”, 2003, p.43.

⁵⁷ J. Krasniqi: *Kthesa e madhe...*, p.147.

During the summer of 1998, especially during June-July 1998, there was an intensification of fighting on the ground. The KLA had achieved ground success and managed to control about 40% of Kosovo's territory, including the town of Rahovec. Such a success had caused international complications. At first, various international circles thought that a NATO military campaign against Belgrade would in fact be support for the KLA. Also, the US began to lean more and more on the KLA. A US emissary in early July stated that "... *at this moment the Albanian side cannot speak with a single voice*". Moreover, such a success had raised alarm in Belgrade. Until then, Serbian police forces had been responsible for dealing with the KLA, while the Yugoslav Army was responsible for the borders. The coordination of the police and Yugoslav military forces was accompanied by the transfer of operational competencies to the Yugoslav Army, an act announced on July 25th 1998.⁵⁸ This act obliged the Yugoslav Army to establish peace and public order in Kosovo, respectively to confront the KLA. In August began the offensive of the Yugoslav Army, which was associated with the burning and destruction of Albanian villages and settlements, as well as with the killing and expulsion of the civilian population from their settlements. The level of violence perpetrated by Serbian police/military forces had been so severe that it provoked a strong reaction from the international community, which called for an end to the attacks and the withdrawal of Serbian forces from Kosovo. On September 23rd, the United Nations Security Council adopted Resolution no. 1199 urging Belgrade to guarantee unrestricted access to international observers in Kosovo and to make rapid progress towards finding a solution, to enable the return of displaced persons to their properties, and to avoid a humanitarian catastrophe.⁵⁹

Following these efforts in early October, the US Special Envoy, Richard Holbrooke, held a series of intensive talks with Slobodan Milosevic, which ended with the so-called October 13th 1998 agreement, under which the Serbian army and police would return at pre-war levels. The agreement provided for: (1) the establishment of a verification mission (Verification Mission in Kosovo) of 2,000 observers, under the supervision of the OSCE, headed by US diplomat William Walker, and (2) NATO surveillance flights over Yugoslavia to verify the withdrawal of Yugoslav forces. This agreement was supported by the NATO Council through the adoption of the Activation Order, according to which if the agreement was not implemented, the bombing against Yugoslavia would begin within 96 hours.⁶⁰ The KLA declared its restraint⁶¹ since it was not part of the agreement and used the cessation of hostilities to consolidate its ranks and commanding structure. But the agreement was not implemented even the international observers landed in Kosovo; the fights resumed shortly afterwards. The Yugoslav Army began implementing the military plan, codenamed "Patkoi" (Horseshoe), which aimed to change the ethnic structure in

⁵⁸ Tim Youngs, "Kosovo: The Diplomatic and Military Options", Research Paper, No. 98/93, *International Affairs and Defense Section*, House of Commons Library, London, 1998, pp.7-11.

⁵⁹ United Nations Security Council Resolution No. 1199, 23 September 1998, p.2. <http://unscr.com/en/resolutions?y=1998>, access 2 January 2020.

⁶⁰ T. Judah, *Kosova luftë dhe hakmarrje*, Prishtinë, "Koha" dhe Tiranë "Shlk", 2002, p.231; W. Petrischdhe R. Pihler, *Rruga e gjatë në luftë...*, pp.129-130.

⁶¹ J. Krasniqi: *Kthesa e madhe...*, p.157.

Kosovo,⁶² to destabilize the region by provoking conflicts with Albania, in order to transform it in a conflict between two sovereign states.

The brutal violence exercised by Serbian forces continued even during the period January-March 1999. More than 200,000 people were deported from their homes, and increasingly military reinforcements came from Serbia. The peak of Serbian violence was the massacre in the village Reçak that happened on January 15th 1999, when over 45 civilians were massacred. On March 20th, the Verification Mission withdrew from Kosovo.⁶³ The massacre in Reçak and other massacres against the Albanian civilians⁶⁴ put the international community into a difficult position, particularly when their efforts were rejected or played off by Milosevic. Therefore, based on the International Humanitarian Right, the international community was forced to give an end to Milosevic's actions before the physical elimination of Albanians. Thus, on January 28th 1999 the NATO General Council issued a statement considering the crisis as “*dangerous for peace and security*”, condemning Serbian acts and promising a support to Contact Group in its efforts to stop the violence”.⁶⁵

The situation was further complicated when the Yugoslav government decided to expel William Walker from Yugoslavia and proclaimed NATO generals, Klaus Noman - head of the NATO Military Committee, and Wesley Clark - a supreme commander of NATO forces for Europe, as *persona non grata in Yugoslavia*. These acts facilitated the building of consensus among the international community that the approach towards Belgrade must be based on threat and force.⁶⁶ Under these circumstances a new series of diplomatic efforts began, combined with the threat to use a force. The Contact Group drafted, on January 22nd 1999, a plan to impose a political solution, including the use of force if any of the warring parties, Serbs or the KLA, would reject the agreement.⁶⁷

Meanwhile, in February 1999, the Rambouillet Conference began with the task of finding a peaceful solution for Kosovo. The proposals for the future of Kosovo were drafted by Hill and Petrisch. The Kosovo Albanian delegation consisted of KLA representatives: HashimThaqi, JakupKrasniqi, AzemSyla, XhavitHaliti and RameBuja; Democratic Movement of Kosovo [Lëvizja e BashkuarDemokratike]: RexhepQosja, HidajetHyseni, BajramKosumi and Mehmet Hajrizi; LDK: Ibrahim Rugova, BujarBukoshi, IdrizAjeti, FehmiAgani and EditaTahiri; and VetonSurroi and Blerim Shala as non-party members. Upon arriving to Rambouillet a team of judicial advisers joined to Kosovo delegation: Morton Abramowitz – former State Department diplomat; Paul Williams – International Right expert seated in Washington; Mark Weller –

⁶² Enika Abazi, “The Role of International Community in Conflict Solution. Which way forwards?”, *Balkanologie* VIII (1), June 2004, p.27.

⁶³ P. Russel, “Humanitarian Intervention in Kosovo: Fact or Fiction”, *Dublin European Institute*, 2004, p.30.

⁶⁴ Masakrat serbe në Kosovë, <https://korrespondenti.com/op-ed/masakrat-serbe-ne-kosove-gjate-vitit-1998-1999/>, access 2 January 2020.

⁶⁵ *Statement by North Atlantic Council on Kosovo*, <https://www.nato.int/docu/pr/1999/p99-012e.htm>, access 2 January 2020.

⁶⁶ T. Judah, *Kosova luftë dhe hakmarrje...* p.241.

⁶⁷ E. Abazi, “The Role of International Community...”, p.27.

International Right expert in Germany, and Shinasi Rama – PhD candidate in law studies in Columbia University – New York.⁶⁸ The Kosovo delegation was headed by a headship of three members: HashimThaçi, Ibrahim Rugova and RexhepQosja. HashimThaçi was appointed as a head of headship, whereas VetonSurroi as spokesmen.

The composition of the Yugoslav delegation was interesting; in addition to senior Yugoslav and Serbian officials, there was also a representative of minorities living in Kosovo, such as: Bosnian, Turkish, Egyptian, Muslim, Gorani, Roma, etc.⁶⁹ The composition of such a delegation is not a coincidence or a genuine will of the Serbs to respect the minorities. This was in fact a tactic to equalize the Albanian claims and to show to the international community that the minorities allegedly wanted to live in Yugoslavia.

The first draft agreement presented to Albanians and Serbs had five points: an immediate cessation of violence; immediate withdrawal of Yugoslav police and military forces from Kosovo; stationing in Kosovo of a NATO-led military force; safe return of refugees and displaced persons; and a political solution consisting of expanded autonomy for Kosovo.⁷⁰ But the proposal had not been acceptable to both sides. Yugoslavia rejected the presence of an international force, while Albanians rejected the option of expanded autonomy, which they had with the 1974 Constitution. The independence was the claim of the Albanian political spectrum, since the brutal Serbian violence lasting for a decade had left no room for Albanians to live under the umbrella of the Serbian state.

Meanwhile, when the Conference was temporarily closed, the Kosovo delegation in Rambouillet, after consultations of political and military groups, decided, on February 23rd 1999, to form the Provisional Government of Kosovo, headed by HashimThaçi.⁷¹

Talks resumed on March 15, 1999, after being suspended due to disagreements. The new negotiation text offered expanded autonomy that contained a self-governance in all internal affairs or in education, health, and economy. Kosovo would have a president and an assembly, a supreme court, a government, and so on. Foreign troops and officials would guarantee the implementation of the agreement. Expanded autonomy would be offered for a period of three years. After three years, an international conference would be held to decide on Kosovo's final status. However, in essence, Serbia's integrity and sovereignty would be preserved. The competencies of the FRY in Kosovo would be: (a) territorial integrity; (b) maintaining the common market within the FRY; (c) monetary policy; (d) defence; (e) foreign policy; (f) customs; (g) the federal tax system; etc. Moreover, in Kosovo there would be three levels of law enforcement authorities: local, republican

⁶⁸ T. Judah, *Kosova luftë dhe hakmarrje...*, p.252.

⁶⁹ Ko su pregovorači, https://www.vreme.com/arhiva_html/434/3.html, access 2 January 2020.

⁷⁰ E. Abazi, "The Role of International Community...", p.28.

⁷¹ Biografia e Hashim Thaçit, <http://www.mfa-ks.net/subdomain/oldwebsite/?page=1,184>, access 2 January 2020.

and federal; international borders would be controlled by the Yugoslav authorities (about 1,500 soldiers). A NATO force would also land in Kosovo as a guarantor of the agreement.⁷²

In fact, the international offer was nothing more than Kosovo's autonomy provided by the Constitution of the year 1974. However, the draft text contained a provision that indicated the organization of an international conference to determine the mechanisms for resolving Kosovo's final status based on the will of the people, on the efforts of the parties respecting the agreement and on the Final Act of Helsinki.⁷³

Regardless the promise to held an international conference on Kosovo's status, the wording that provided maintenance of the territorial integrity of FRY and common policies in most important areas, were unacceptable for the Albanian delegation. The US State Secretary, Madeline Albright, assured the Albanian delegation that the wording "will of the people" meant a will of Kosovo people and not those in Serbia or Montenegro, to be expressed through a referendum.⁷⁴

The Albanian delegation signed the agreement, while the Serbs rejected it. Although the agreement provided for the preservation of Yugoslavia's integrity, Yugoslavia's refusal could be linked to two factors: (1) the deployment of NATO forces in Kosovo and not those of the United Nations, and (2) the free movement of NATO troops throughout Serbia.⁷⁵

However, this act was considered a *casus belli* to promote military intervention after the end of the talks. NATO was determined to bomb Yugoslavia, so Yugoslav tactics did not work to avoid bombing; an example of such a tactic was the proposal of Serbian Parliament for a wide autonomy for Kosovo and to continue talks for a kind of international force in Kosovo.⁷⁶

On March 24th 1999, a NATO airstrike was launched against Yugoslav police and military targets. The campaign lasted 78 days. In June 1999, Milosevic's generals were forced to sign the capitulation; within a short time Serbian forces were forced to withdraw from Kosovo, whereas the United Nations Interim Administration (UNMIK), KFOR and the Kosovo Liberation Army were situated in Kosovo.

Throughout Kosovo, the period before and during the NATO bombing was accompanied by fierce battles between Serbian military, police and paramilitary forces and KLA. But the Serbs revenged against the civilian population. According to reports from the early post-war years, 11,840 civilians were killed, including 1,392 children up to the age of 18, 296 children up to the

⁷² *Rambouillet Accords, Interim Agreement for Peace and Self-Government in Kosovo, Security of United Nations*, 7 June 1999, https://peacemaker.un.org/sites/peacemaker.un.org/files/990123_RambouilletAccord.pdf, access 2 January 2020, pp.9-62.

⁷³ *Op.cit*, p. 85.

⁷⁴ Eric Herring, "From Rambouillet to Kosovo accords: NATO War against Serbia and its aftermath", *The International Journal of Human Rights*, No. 4:3-4, 2007, p.226.

⁷⁵ P. Russel, "Humanitarian Intervention...", p.44.

⁷⁶ E. Herring, "From Rambouilletto Kosovo accords...", p.227.

age of 5, 1,739 women and 1,882 elderly people over the age of 65, and still about 1,600 residents are missing and 20,400 Albanian women have been raped.⁷⁷

It is often argued and speculated who actually liberated Kosovo. However, in this regard, we can rightly conclude: from all analyses it is concluded that the war of Kosovo Liberation Army was a decisive factor for all the achievements in Kosovo; it was the KLA that showed a dynamism, maturity, efficiency, dexterity, foresight, sustainability, unity, complexity and intercommunication. All other factors have been auxiliary and supportive...⁷⁸ So, it is clear that without the Kosovo Liberation Army and without its war, there would be no NATO intervention and no support from international community.

Conclusion

The revocation of Kosovo's autonomy in 1989 and the usurpation of legislative and executive powers that was associated with police violence, put Kosovo Albanians in a dilemma - how to proceed further? Initially, Kosovo Albanians were determined for a peaceful resistance that was characterized by the establishment of parallel institutions, with the objective of forming a state organization of Kosovo and in raising awareness of the issue of Kosovo. Peaceful resistance led by the Democratic League of Kosovo can be called appropriate for the time, respectively for the first part of the 90s when fighting was taking place in other parts of Yugoslavia, because an active resistance would shift all the severity of Serbian violence against Kosovo.

But over time, peaceful resistance has become useless. Agreements to stop fighting in Yugoslavia had excluded Albanians from any calculation, and Serbian violence was on the rise. At the same time, the international community was considering Kosovo as an internal Yugoslav issue and within the framework of human rights protection. As a result, the armed resistance led by the Kosovo Liberation Army was born. The KLA's success on the ground and the Serbian army's revenge against Albanian civilians prompted the international community to change its approach to Kosovo. From the internal issue of Yugoslavia Kosovo has now become a regional problem, so the international community has made great efforts to find an alternative that would ensure the peace. Various models were examined that mainly contained the essence of a broad self-governance within Yugoslavia. However, the escalation of fighting forced the international community to organize an international conference on Kosovo in Rambouillet. The failure of the conference was followed by NATO air strikes, which were stopped after the capitulation of Yugoslavia.

Analysing the alternatives for resolving the Kosovo issue, the peaceful resistance and the active one, it can be concluded that the latter was the main factor for the liberation of Kosovo. It is clear that without the Kosovo Liberation Army and without its war, there would be neither NATO intervention nor support from international community.

⁷⁷ *Raporti i Fondit Ndërkombëtar i OKB-së për Popujt e Rrezikuar* (FNUAP), Gjenevë, 25 maj 1999.

⁷⁸ Kudosî Lama, *Kosova dhe Ushtria Çlirimtare e Kosovës*, Tiranë, 2005, pp.361-362.

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