

The Breakup of Yugoslavia and the Secession of Kosovo

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THE KOSOVO CASE:

APPEAL FOR SOLIDARITY WITH THE REPUBLIC OF SERBIA

INTRODUCTION

The international law and the rule of law within countries are two essential values of our civilisation. Though imperfect, they are so far the only barrier capable of limiting arbitrary rule and minimizing the law o jungle in international relations. The situation around Serbian province of Kosovo is one current example of their violation.

YUGOSLAVIA

Since the beginning of the Yugoslav crisis, there has been an evident effort to stigmatize Serbs as the source of all evils. This manipulation was combined with systematic demonization of Slobodan Milosevic while democratic labels were attached to other non-Serb leaders.

Biased support by Western states for separation of Slovenia, Croatia, Bosnia and Herzegovina from the Federal Republic of Yugoslavia without any control mechanisms and guarantees of minority rights represented a gross violation of valid international agreements and obligations to a state with full international legal legitimacy (Yugoslavia was member of a host of international organisations from United Nations to the Organization for Security and Co-operation in Europe, CSCE). These secessionist forces openly violated, without any regard to calculable political risks, the Federal Constitution of Yugoslavia.

Stephen John Stedman was perfectly right to observe in Foreign Affairs in 1993 that "... there was not Slovenia and Serbia but a state named Yugoslavia at the beginning of the war" and that Yugoslavia should have been regarded as a starting point for all following negotiations and actions. It should not be forgotten that other European states (like Spain or France) use repressive means as a matter of course including the army (in United Kingdom/Northern Ireland) to protect their territorial integrity and valid constitution. From this perspective, the case of Kosovo currently represents a climax in destruction of the Yugoslav statehood.

SERBIA / KOSOVO and METOHIA

The source of politically motivated violence, generally defined as terrorism, was the UCK paramilitary units. This organization was assessed as terrorist with connections to organized

crime by important international and national institutions (including American ones) as late as 1998/1999.

On the contrary, allegations concerning mass Serbian crimes on the Albanian population of Kosovo and Metohia, presented as the reason for NATO armed attack on Yugoslavia, proved to be false (alleged massacres of civilian populations in the villages Racak and Rugovo, alleged concentration camp in the football stadium in Pristina, alleged "Operation Podkova" with the purported aim to ethnically cleanse Kosovo from its Albanian population).

The Kosovo speech by Slobodan Milosevic on June 28, 1989, and the modification of Serbian constitution introduced the same year and presented as abrogation of Kosovo autonomy in mass media, were the first "proofs" of alleged oppression of Albanian population by Serbs. In the campaign of manipulations, content of these events was systematically concealed or distorted as well their intentions, historical/political background and legal analyses. In facts, both events have to be viewed on the background of increased Albanian nationalism and attacks against non-Albanian citizens. While the Milosevic's speech was incessantly labelled a proof of Serbian chauvinism by Western politicians and gleichschalted mainstream media, its text proves just the contrary: it is an unequivocal appeal for upholding the multi-cultural character of Serbia and preserving Yugoslavia as a multinational state. The issue was in no case to abrogate the autonomy of Kosovo but to remove legal asymmetry between the Serbian Republic and Yugoslav Federation. That was a by-product of the new Federal Constitution of 1974 which enabled Kosovo, a Serbian province, to be represented on its own in the Federal Parliament. Kosovo was historical part of Serbia but de facto behaved as another republic within Yugoslavia. In practice, Kosovo could co-decide on Serbian issues while Serbia could not influence that what was happening in its provinces of Kosovo / Metohia.

In fact, ethnical cleansing took place in Kosovo only after the bombing of Serbia and Montenegro. About 350,000 non-Albanians were expelled from this area since the occupation of Kosovo by NATO troops, along with local Albanians who had opposed the activities of UCK. Approximately 40,000 destroyed or confiscated Serbian houses and 1,000 to 2,000 killed civilians (no official statistics available) should be included in the overall balance of Kosovo "liberation", not to speak about destroyed Serbian monuments and religious facilities (about 150). Absolutely uncontrolled flood of Albanians from Albania into Kosovo has continued until now. The ethnical situation in Pristina, the capital of Kosovo, is a telling example. About 150,000 Serbs lived there before the NATO invasion, out of which only 140 remain now! Similar situation also prevails in other parts of Kosovo where non-Albanian population was either massacred (Kosovo Jews, for instance) or forced to live in "ghettos". So, the ethnical cleansing was accomplished with very few exceptions, but in a way somehow different from that suggested by the media and political propaganda. Now, statehood for Kosovo should become the final result and recompense for this extraordinary barbarism. Should this happen, it would be a totally unprecedented example of international robbery of a part of a sovereign state since the end of World War II.

Kosovo is defined as autonomous territory within the Socialist Republic of Yugoslavia by the 1999 UN Security Council Resolution No. 1244 which thus guarantees, in our opinion, also the territorial integrity of its successor the Republic of Serbia. The treaty on armistice or cessation of hostilities ratified by the SRY Parliament even speaks about the return of certain Serbian security and military forces to Kosovo. It is evident that a double moral standard is applied by the US and EU: one to Serbia, another to present Kosovo, Croatia

(expulsion of Serbian population from Slavonia and Krajina), or Turkey and its fight against the “Kurdish separatism” which meant, by the year 2000, about 3 million Turkish citizens of Kurdish nationality deprived of their homes and approx. 3,500 Kurdish villages razed to the ground. After eight years of occupation, so-called “international community” finally decided to follow suit and approved the “Ahtisaari Plan” for Kosovo. Serbia should relinquish fifteen percent of its territory according to it. This only confirmed that, from the very beginning, the issue was not the protection of human rights and democratization but creating a new satellite in Balkans, totally dependent on its foreign protectors. The only really “Albanian” perspective leads up to creation of “Great Albania” which has been more or less openly admitted by separatist leaders not only in Kosovo but also in neighbouring Macedonia. This situation is strongly reminiscent of the Munich events in 1938.

On the contrary, the Serbian proposal for the statute of Kosovo represents the only feasible solution compatible with generally accepted moral and legal principles. This concept of Kosovo autonomy is based on a balance between current political reality and legitimate interests of Serbia. Should the secession of Kosovo be accepted the other way round, it would constitute blatant trampling of modern European civilisation values and a turn towards barbarism in international relations. Forced and internationally legitimised separation of this historical territory from the Republic of Serbia would constitute a dangerous precedent for the future of small states in Europe and elsewhere.

APPEAL

We express our full support in this matter to the government of the Republic of Serbia which is forced to internationally negotiate the future statute of Kosovo under undignified and unequal conditions.

This statement is sent for the attention of the civic initiative NO BASES, Jiri Dienstbier who was UN Special Plenipotentiary for Yugoslavia at the time when this country was bombed, and the embassy of the Republic of Serbia in the Czech Republic, as well as the association Res Publica, initiative ProReferendum2007 and other independent civic initiatives. At the same time we appeal to all those who are not indifferent to the fate of law and democracy and who understand that the problem of the American base in the Czech Republic and the Kosovo problem are nothing but two faces of the same coin, to publicly denounce another brutal trampling of international law and the principles of democracy.

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