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### **ADMINISTRATIVE RESTRUCTURING OF INTER-REGIONAL AND INTER-ETHNIC RELATIONS: CONFRONTING TYPES OF SOLUTIONS**

In the context of the present analysis, “administrative restructuring” is regarded as the process leading to at least one of the following three results: (1) a change in the political and legal status of particular administrative entities within a state; (2) significant corrections of the boundaries between the existing administrative entities; (3) the creation of the new administrative (e.g. autonomous) entities, or the dissolution or loss of the old (traditional) ones.

The present analysis is not just a purely theoretical exercise; rather, it is an attempt to present some typologies, which are relevant and important for identifying and listing the existing and possible confronting approaches (some of them being latent) to solving the acute inter-ethnic and inter-regional conflicts in the Western Balkans and, in particular, in Kosovo and Metohija (although not only there, but possibly also in Montenegro, Macedonia and Bosnia–Herzegovina). Keeping in mind mostly the process of further restructuring of the ex-Yugoslav territory (and concentrating on the related topical issues), some relevant and useful experiences of other regions will be presented, and some conclusions can be drawn from other countries facing the problems of separatism and irredentism, or at least the extreme forms of decentralisation, bordering on fragmentation.

Probably for the first time in history, in the contemporary world (in the 21st century), even the weakest and helpless states (which sometimes lack the vital capacity) are guaranteed their political independence (if they already possess it) and territorial integrity, and are legally and politically protected against separatism, irredentism and unwanted foreign occupation or attacks. To lose this lucky historical chance, it is necessary either to make extremely serious and, sometimes, even fatal mistakes in internal politics, or utterly misunderstand the essence and the degree or level of power relations in the contemporary world and confront oneself (in a very risky way) with the currently irresistible world’s core forces. Unlucky losers often fall into some kind of trap (either a natural historical trap, or the one prepared by skilful internal or external political and cultural opponents), thus victimising themselves.

In the contemporary world, there is a natural process of attraction to the currently more successful geopolitical entities (the centres of world regionalisation), but also (to some extent) to the kin cultural regions. These realities had a visible effect on the process of breaking up of several multicultural entities which, at some point, failed to adjust to the contemporary realities (Cyprus, Yugoslavia, Ethiopia, Somalia, Georgia, Moldova, Azerbaijan, Serbia, etc.).

The decision relating to certain administrative restructuring in a country may result from:

- (1) The decision of the legitimate, or de facto administering, dominant outside authority (e.g. the patrician of British India, or Palestine under the British mandate; radical administrative changes in Bosnia–Herzegovina after the achievement of the Dayton Accords; contemporary Kosovo and Metohija);
- (2) The chaos created by the break-up of a traditional power structure in the entire country, or in a certain one part of it (e.g. Yugoslavia, Ethiopia, Somalia);

- (3) Intervention by the neighbouring countries (e.g. Kashmir; Cyprus);
- (4) The success of a separatist movement supported by the neighbouring nations (separation of Bangladesh from Pakistan; Nagorno-Karabakh; Abkhazia; South Osetia);
- (5) The targeted action of the power which exercised its sovereignty over a particular administrative entity in the past, but was unable to continue to do that in full (e.g. the actions of France vis-à-vis Mayotte, or British actions vis-à-vis the Chagos Archipelago);
- (6) Forceful reintegration (e.g. reintegration of the Serb Krajina into Croatia, unification of Yemen);
- (7) Peaceful, negotiated separation (the dissolution of the USSR and independence of 15 ex-Soviet republics in 1991; independence of the Czech Republic and Slovakia in 1993), or vice versa – negotiated reunification (e.g. German reunification; Gaugazia’s reintegration into Moldova; the return of Hong Kong and Macao to China); or
- (8) A combination of several types of the above mentioned actions, etc.

If we take the present situation in Kosovo and Metohija as an example, what kind of major political-administrative processes can be observed there – clearcut, vivid, or latent? They are as follows:

- (1) Forceful establishment of an international protectorate;
- (2) Separatism, secessionism (as to the entire administrative entity);
- (3) Irredentism (usually disclaimed and ignored, tacit, latent, and delayed as to its possible implementation);
- (4) De facto partition of the entity into two different zones controlled (or, at least, populated) by each of the two ethnic communities (under supervision of the international forces);
- (5) Gradual expansion of one zone due to ethnic cleansing (the expulsion of the original population), seizure of property etc.;
- (6) Creation of enclaves (some of them being almost without the population, but preserving the highest historical and general symbolic value for one of the confronting communities).

The most important and usually available approaches to a comprehensive solution to defining Kosovo’s future status are formulated on the basis of the following: (1) “the option of Kosovo Albanians who seek full independence”; (2) Serbia’s position, which persistently dismisses the possibility of independence and “has declared the formula “more than autonomy and less than independence”...”; and (3) the position of “many unofficial and opinion-making international resources” opting for Kosovo’s “conditional independence”.<sup>1</sup> In fact, the third approach is a variation of the first one, which anticipates only somewhat delayed yet full implementation. Thus, the list of the presented approaches clearly introduces the choice between two possible types of status for Kosovo Serbs living in their historical territory.

The first type of status – allows the Serbs in Kosovo and Metohija to become an ethnic minority in an uncertain environment, under a constant threat from the notorious effects of “democratic tyranny” by the ethnic majority which is obviously lacking (in its own majority) the culture of pluralism and tolerance. All this, irrespective of the possible sincere (albeit rather unrealistic – due to the peculiarities of the given situation) wishes and hopes of some liberal-democratic elites aimed at creating a pluralistic multicultural democracy in the independent Kosovo. It also assumes that Serbian historical heritage in Kosovo and the remaining ethnic Serbs will be safe under the “security and protection” offered by the successors and co-religionaries of UCK radical forces.

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<sup>1</sup> *Paskal Milo, The Conclusion of Kosovo Status – Contribution for Peace and Stability in the Western Balkans.* In: *National and Inter-Ethnic Reconciliation and Religious Tolerance in the Western Balkans. Proceedings of the ECPD International Symposium.* Belgrade, October 28-29, 2005. Editors: Takehiro Togo and Negoslav P. Ostojic. Belgrade: European Center for Peace and Development of the University for Peace established by the United Nations, 2006, p. 42.

The second type of status – preserving the elements of the Serbian state’s sovereign control over the territory of Kosovo and Metohija (probably with a varying degree of intensity in different districts or zones), sharing this control with the international forces representing the institutions of the international protectorate authorities, as well as with local ethnic Albanian authorities.

Both approaches seem to be quite dubious as to whether they will bring real peace and reconciliation. Even the deeply-rooted intrinsic hopes connected with the inclusion of that region in the European Union cannot “dissolve” the basic inherent conflict.

There is certainly enough absorption capacity of the European Union so as to admit the small West Balkan national entities, and there is still a relatively high level of the EU commitment (made especially after the 1999 events and during the 1990s, in general). So, there is a chance for the effective application of a kind of the “Puerto-Rican model”<sup>2</sup> of development in different small states in this region. But this does not exclude a strong element of naivety in the hopes that EU membership will “dissolve” the administrative and ethnic problems of the hatred-torn region (particularly in Kosovo, but not only in it). The situation being similar to that in Northern Ireland shows some specific, inherent logic, dissimilar to the logic of European integration.

Are there any other proposed, viable approaches to solving the basic conflict in Kosovo and around it, which will be able to decrease tensions and give more promising prospects to all ethnic and religions communities involved? Certainly, there are. But before mentioning one of them, let us review the “internal” obstacles to taking the approaches that may bring a real compromise and limit the destructive aspirations to the establishment of some kind of new local hegemony.

There are obviously at least three such major obstacles: (a) unrealistic Serbian nationalism rejecting “further loss of the national territory”, (b) arrogant Albanian nationalism demanding further national humiliation of Serbia and Serbs and (c) some vested geo-strategic interests profiting from the absence of peace and stability in the region.

Irrespective of the provision of a comprehensive international support to Kosovo Albanians, Serbian (anti-separatist) position is quite strong due to the internationally acknowledged principle of state sovereignty. Theoretically, the available ways for legitimising the secession of Kosovo Albanians from Serbia are as follows:

- (a) To put the “devastated loser” “on the knees” (like Pakistan in 1973, when Bangladesh was created, or Ethiopia in 1991, when Eritrea became independent). But, this is obviously not the case now (in 2006) with Serbia. Although there is no way for Serbia to fight for the integrity of its territory “physically”, there are both a basic internal consensus and strong popular will in Serbia that one should not succumb to external pressures (the situation being somewhat similar to the dominant political spirit in Georgia and Azerbaijan vis-à-vis the breakaway separatist regions).
- (b) To “buy off” the population of the “loser” by some attractive and alleviating promises, which might somehow “sweeten the bitter pill” of national humiliation – like in Russia in 1991 – by promising it to become a “natural part of the civilized world”, to start real cooperation with the prosperous nations, and introduce and guarantee democracy and an effective market economy, as well as to point to the advantages of getting rid of the burden of subsidising the depressed and stagnating regions. For Serbia such alleviation can be linked to the promise of easier and speedy accession to the EU.
- (c) To bring in realism and limit the ambitions of each side in an inter-ethnic conflict (like in conflict-solving efforts taken by Israelis and Palestinians during the Oslo negotiations, or in the current process of negotiations on solving an ethnic conflict in Cyprus; or within the Dayton process in Bosnia–Herzegovina), and (inter alia) deciding on the appropriate “demarcation” of various zones of control, and creating a relatively effective “umbrella” coordinating structures for maintaining the relations between those zones.

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<sup>2</sup> *Michael Manley, Jamaica. Struggle in the Periphery.* London: Third World Media Ltd., Writers and Readers Publishing Cooperative Society Ltd., 1982, p. 28-38, 42, 50, 92, 149, 186.

In legal terms, the strategic ability of Kosovo Albanians to influence the “final solution” (Kosovo’s future status) is rather limited. They are not even an “unrecognised state”, just an “international protectorate” with an uncertain status. And there is a legitimate right of the international community and the official sovereign authority (Serbia) to impose on them a general framework for a negotiated and agreed conflict-solving, including the re-definition of the present and future zones within Kosovo (including the status of each of them). By contrast, nobody has such a legitimate right to impose the final decision on Serbia.

Those exerting pressure on Serbia can attain their goals only if the Serbian authorities agree to this pressure. And it is clear that the Serbian nation will hardly allow that. Meanwhile, the Kosovo Albanian nation has only a consultative word to say when the international community exerts pressure on the Kosovo self-government structures. In addition to Kosovo’s almost total dependence on the aid of the international community (both at present and in the future), the Kosovo Albanian political elite is so eager to upgrade the status of its institutions – all that means that the Albanian community in Kosovo will have to be quite flexible in accepting the final compromise.

So, what is basically needed at the moment is to change Serbia’s official and general national position so as to become more realistic (based on the real strategic interests of the Serbian nation and the Southern Slavic people in general), and promote this new position in the international arena, showing Serbia’s readiness for a sound, comprehensive compromise with Kosovo Albanians (as Israelis have done vis-à-vis Palestinians at some point, and as Cypriot Greeks will do vis-à-vis the unrecognised Turkish Republic of Northern Cyprus).

As for the envisaged formal and de facto ties between the two clearly defined (ethnic communities’) zones in the future, there are several types of possible solutions:

- (a) With the prospects for mutual (albeit predominantly detached and separate) coexistence within a federal or confederal arrangement under one national (state) “umbrella” (like currently in Bosnia–Herzegovina, and probably, in the nearest future, in the reunited Cyprus);
- (b) With an active involvement of the neighbouring kin countries (like the current situation in Northern Ireland after the recent comprehensive peace arrangements in which the Republic of Ireland is strongly involved; in the case of Kosovo, it might assume the involvement of Serbia and Albania);
- (c) With the prospects for maintaining a number of joint infrastructure facilities, but existing as two separate entities (like Israeli–Palestinian coexistence in the future, as is predominantly viewed in Israel today);
- (d) Splitting the territory (along the ethnic lines) between the countries representing the kin nations (in the case of Kosovo, it may be based on Serbia’s proposal to Albania; and if Albania rejects it, it may be enacted by the decision of the Serbian sovereign authority as a step-by-step programme anticipating the further negotiations between Serbia and the international protectorate authorities.

There are the following major aspects (components) of this issue in its specific territorial, practical communicational and legal (normative) dimensions to be clearly defined (on an unbiased, fair, historically, culturally and demographically proven basis):

- (1) The borders between the two zones (between the two ethnic communities), and the safe protection of these borders;
- (2) The legal administrative status of each zone, and the type of relations to be maintained between these two zones and with the neighbouring kin countries;
- (3) Compensation for the expropriated property, or the property taken in some other unfair and/or illegal way;
- (4) Freedom and safety of communications between, and access to and from, the created and recognised enclaves or exclaves;

(5) Special security arrangements (including the limits on the allowed and deployed military forces and armaments, international security forces or military observers, etc.).

What basically matters now (in 2006 and in the future) for Serbia and Serbs, who do not wish to become the citizens of Albanian-dominated Kosovo (whatever status Kosovo acquires), is not whether Serbia can again exercise sovereign control over the whole of Kosovo and Metohija. This is already impossible. What really matters is the guarantees for the national and human rights of Kosovo Serbs and the preservation of Serbian (and Christian Orthodox, in general) historical heritage in that territory and “physically” located there. All the rest can be regarded as the remnants of the old “imperial” past, most of which are already just a part of history, have already gone and continue their existence only in the imagination of unrealistic nationalists.

The promising, safe and prosperous future (for all parties involved) cannot be connected with pressing into an unwanted (by both sides), forced “cohabitation” of the already separated national entities (the ethnic communities in Kosovo), which are not strategically oriented towards a common future but, rather, towards separation and the distinctly separate paths of development. Why not let the historical “divorce” happen in the most painless, smooth and institutional way?

In fact, in the current circumstances, it does not matter at all for the local Serbs and the neighbouring Serbia if there will be (at some point in the future) the “reunification” of Kosovo with Albania (like in 1941 under Italian occupation), or if there will be two Albanian states (Albania proper and Kosovo), like some cultural and political forces interpret the existence of Romania and Moldova as being “two Romanian states” with the widespread current practice of granting Romanian citizenship to the citizens of Moldova if they, or their ancestors, were born or lived in the territories administered by Romania from 1918 to 1940.

When making their mind and bringing the final decision on the future of Kosovo and Metohija, Serbia and Serbs, in general, have an important international mission. There are obviously at stake not only strategic national interests of various states (both those being relatively small and those being very big and very influential, including the superpowers) and not only the future of ethnic Serbs and ethnic Albanians, but the important patterns of problem-solving. In fact, the key archetypes are at stake. And dealing with them requires a wise, well thought-out and balanced approach, clear strategic humanistic vision and even audacity.

Like Ukraine which, in the 1990s, brought a courageous historical decision (although viewed by some nationalistic politicians as controversial) and got rid of all nuclear weapons on its territory and any attempt to become a member of the “nuclear military club”,<sup>3</sup> Serbia and Serbs (with the intellectual and administrative elites having the great potential), with an outstanding international experience and the worldwide strategic vision, can be expected to show that strategic vision vis-à-vis the current Kosovo crisis.

Serbia is capable of working out and proposing a valid compromise, as well as of firmly defending the basic values of its strategic vision, thus guaranteeing a fair, unbiased, systemic and comprehensive implementation of a real compromise decision vis-à-vis all parties involved. This is the only way in which it will be possible to guarantee a stable and long-lasting peace and sustainable development in the Western Balkans. A well thought-out and planned comprehensive final solution for Kosovo can (and probably has to) anticipate some interim, transitional stages, but a “suspended solution” (when the communities and political structures basically remain in a kind of limbo, with many hidden “time-bombs” of various types) cannot be regarded as being fair and strategically effective.

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<sup>3</sup> Ukraine: *The Search for a National Identity* / Edited by Sharon L. Wolchik and Volodymyr Zviglyanich. Lanham; Oxford: Rowman & Littlefield Publishers, Inc., 2000, p. 24-25, 71, 77-78.