

TESTING FOR THE DOMINO EFFECT OF SELF- DETERMINATION MOVEMENTS: MONTENEGRO, KOSOVO AND THE SERB REPUBLIC

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ABSTRACT

This thesis deals with the self-determination movements in Montenegro, Kosovo, and in the Serb Republic, and it poses a question if these self-determination movements influenced each other, and whether in that way they created a domino effect. First major part of the thesis is focused on the influence of Montenegro's independence on Kosovo, while other part deals with Kosovo's proclamation of independence and its effect on the Serb Republic. Methodology used in this thesis includes document analysis of policy briefs, official web sites, online journal articles, web sites, and political statements. This thesis argues that every self-determination movement causes psychological effect in some other place, but when it comes to Montenegro, Kosovo and the Serb Republic there is no link which could be traced in order to claim that one independence movement led to another.

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INTRODUCTION

Beginning of the nineties was the last time when Serbia, Croatia, Slovenia, Bosnia and Herzegovina, Macedonia and Montenegro were united under the same flag. Self-determination movements which started in 1991, with the independence of Slovenia and Croatia, opened a door for the dissolution of Socialist Federal Republic of Yugoslavia, which left Serbia and Montenegro as the only two members loyal to the Yugoslavian idea. At the beginning of new millennium “leftovers” of the country which was known throughout the most of the past century as Socialist Federal Republic of Yugoslavia (SFRY), once again started to reshape its remaining borders. In my thesis I will not focus on the self-determination movements which happened in the beginning nineties, but rather on more current issue happening in the past ten years in the same region. Montenegro, Kosovo and the Serb Republic will represent focus of my research in which I will show whether self-determination movements raising in these countries / regions influenced each other, and whether they were connected.

The 1946 Yugoslav constitution recognized the right of the republics to secede in their own name, and the constitution of 1963 and 1974 accorded this right to the “peoples of Yugoslavia”, that is to Serbs, Croats, Slovenes, Macedonians, Montenegrins and Muslim. At that time Hungarians and Albanians were considered “nationalities”, not “peoples”. It was considered that they already have their home countries, Hungary and Albania, contrary to the others in Yugoslavia.¹ Beginning of nineties was the time when disintegration of Yugoslavia started, and when “peoples of Yugoslavia” decided to seek their independence. Slovenia and Croatia started the “trend” among the Republics of Yugoslavia, which was than fallowed by proclamation of Macedonian’s independence, and referendum in Bosnia and Herzegovina. At that time

¹ Ramet, Sabrina P. *Nationalism and Federalism in Yugoslavia, 1962 – 1991*. (Indiana University Press 1992).

Montenegro and Serbia were still the only two countries “loyal” to Yugoslavia. In 1992 these two countries created Federal Republic of Yugoslavia, which found itself in a difficult situation at the beginning of new millennium, and only because of the international interventions these country continued to exist as the Union of Serbia and Montenegro until 2006.

Union of Serbia and Montenegro, which was created with the consent of both governments, on 14th March 2003 was the only remaining part of the ex country still holding together.² In 2003, international pressure influenced Montenegro’s decision to form a loose union with Serbia for the next three years, with no right for referendum in a meantime. In May 2006, exactly three years later, under strict condition set by international community, Montenegro’s government decided to conduct a referendum, and on June 3rd it declared its independence. Independence of Montenegro can not be directly connected with the secession of other four republics, and it did not belong to that wave of self-determination movements happening at the beginning of nineties. Still, it seemed like it has precipitated a new wave of the same process more than fifteen years later. Soon, media and different Serbian politicians started to speculate about how this act would influence Serbia and its major concern, Kosovo. Even though, Montenegrin politicians never made any connection between Montenegro and Kosovo, many Albanians in Kosovo claimed that it would be unfair to have double standards in the case of Montenegro, and Kosovo. The international community tried to deal with the Kosovo problem, by creating a Contact Group working on Kosovo issue, as well mediating the negotiations, but results in vained. Serbians accused Martti Ahtisaari, chairman of the Group, for encouraging Kosovo Albanians to separate themselves from Serbia. On the other hand Albanians did not want

² Bieber, Florian. “Montenegrin politics since the disintegration of Yugoslavia in” in *the Montenegro in Transition: Problems of Identity and Statehood*, ed. Florian Bieber, 37. (Baden: Nomos Verlagsgesellschaft 2003).

to settle for anything less than independent country. On February 17, 2008 Kosovo declared its independence.

Even before Kosovo proclaimed its independence Serbian politicians, as well as politicians from the smaller Bosnian entity were using the Serb Republic as an example where destabilization can easily happen if Kosovo separates itself from Serbia. Today, almost twenty years after the dissolution of Yugoslavia started, the Serb Republic is the only entity which did not exist in the time of the SFRY. Territorial integrity of Bosnia and Herzegovina, is guaranteed by the Dayton Peace Agreement which stopped the war in 1995, and today it would be very difficult to even think about changing Bosnian border without consensus of all people living there. International community has also an important role in Bosnia and Herzegovina, and the way how it perceives the situation will for sure influence a lot on the future of this country and its entities, Federation of Bosnia and Herzegovina and the Serb Republic.

Cases of Montenegro, Kosovo and the Serb Republic, represented a core study of my thesis. I will show if there is any direct relationship between Montenegro's independence and events which followed in the case of Kosovo, and later to the situation in the Serb Republic. It is important to acknowledge that the cases of Montenegro and Kosovo are very different. First these two "newly" established countries had different status in the SFRY. Montenegro was a Republic, and Kosovo was autonomous province inside of Republic of Serbia. Besides this, their past and relationship to Serbia is different, they have different religion, tradition and culture, and a different role of minorities in self-determination movements. As for the Kosovo and the Serb Republic, it will be important to discover if Kosovo's independence influenced the situation in the Serb Republic, and how. Issue which has risen together with Kosovo's independence was the question whether Kosovo case should represent precedent in international law, and if it should

have a legal relevance for other secessionist movements around the world.³. Politicians in the Serb Republic, as well as in Serbia, were claiming that this would lead to a secessionist movement in the Serb Republic. Again, it has to be noted that these two regions are very different, by its positions inside of the states, history, and currently very important, how international community perceived Kosovo and how it perceives the Serb Republic.

When it comes to these three cases, authors were mostly speculating about Kosovo's future, posing often a question about its status in the future, and whether its future is already determined. Gernot Elner, Charles Kupchan, Steven Woehrel, and Henry Perritt were mostly focused on the situation in Kosovo before, and after independence. Rick Fawn tried to discover what kind of effect would Montenegro's and Kosovo's independence would have on the other part's of the world, but he did not explain if there was any connection among these two cases. Martin Sletzinger, Nida Gelazis, Jan Oberg, Christopher Borgen, as well as Fawn were briefly dealing with possible influence of Kosovo on the future of Bosnia and Herzegovina, while Miroslav Ajder focused on what was exactly the reaction in the Serb Republic right after Kosovo declared its independence. None of the authors explored the actual effect which one case might have had on the other, and this is where I see my change to conduct a research and fill the existing gap.

In my thesis I will show if there is indeed some correlation in self-determination movements happening on the territory of ex Yugoslavia in the beginning of twenty first century. While doing my research I wanted to get an answer which would show whether one self-determination movement can lead to another. Circumstances around these three cases are very interesting. Once, they were all part of the same country. Independence of Montenegro and

³ Borgen, Christopher J. Kosovo's Declaration of Independence: Self Determination, Secession and Recognition; *American Society of International Law: ASIL INSIGHT*, (February 2008) , <http://www.asil.org/insights/2008/02/insights080229.html> (accessed May 10, 2010).

Kosovo happened in interval of two years. While self-determination movements which happen in different parts of the world are driven by different forces, it will be interesting to find out whether there is a link between Montenegro's and Kosovo's independence, and events happening in the Serb Republic later.

My thesis will consist out of three chapters. In the first chapter I will examine the existing literature on self-determination and secession in international law, as well as the theories by other authors which could be applied on my cases. In the second chapter I will focus on Montenegro and Kosovo, and try to investigate if there is any relationship between these two cases and what kind of effect did Montenegro's independence cause in Kosovo. I will provide background of both cases, as well as information which influenced the future of both countries. Third chapter will focus on relationship between Kosovo and the Serb Republic. It will be interesting to see what were the consequences of Kosovo's independence to the status of the Serb Republic. These three chapters will lead me to the conclusion and the final answer to my research question.

Taking in consideration that not so many authors and scholars have written about this topic, in my research I used mostly primary resources. This means that my methodology will rely on qualitative research paradigm of document analysis. In order to get answers to my research question I needed to investigate, collect, explore and understand certain facts and collect data in order to make more general conclusion about this specific topic. By dealing with sub-questions which emerge from my central question I was able to follow bottom up concept development. I have used different primary sources which helped me gain an answer to my research question. Policy briefs, official web sites, different independent web sites, journal articles, political statements were main resources for my research.

CHAPTER 1: LITERATURE REVIEW

1.1. Self-determination and secession in international law

1.1.2 Concept of the self-determination

Before even referring to the question of Montenegro, Kosovo and the Serb Republic and concepts of secession and self-determination in these cases, it is necessary to explore how this term is defined in international law. It is also important to have an overview on work of other authors concerning these three cases and their right for self-determination.

Joshua Castelliano argues that self-determination literature is highly contradictory. While on one side it endorses that people should have the right to determine their own future, on the other side it suggests that national boundaries should be respected and that ‘breaking down’ is unaccepted in international law.⁴ He introduces the history of the norm self-determination. Castelliano claims that the term ‘self-determination’ can be traced back to the American Declaration of Independence 1789, as well to the time of French Revolution. Still, American President Wilson is considered the father of a modern norm of self-determination, which he used for the first time in his Fourteen Points Address to the US Congress on January 8, 1918. Using phrase which said that “peoples now may be dominated and governed by their own consent”, he was using the term ‘Self-determination’ as a pseudonym for a right to “democracy”. Because of severity of the rhetoric used on that day, a few weeks after, President Wilson limited the scope of the principle, and ever since it has become a common phenomenon in all documents dealing with

⁴ Castelliano, Joshua. *International Law and Self-Determination: The Interplay of the Politics of Territorial Possession with Formulation of Post-Colonial 'National' Identity* (The Hague: Martinus Nijhoff Publishers 2008) p.28

this norm.⁵ Traveling through time, starting with Wilson, World War I, and the post-World War II decolonization process, the norm of self-determination today often faces the problem of intellectual differences in purpose, but also in practice when it faces with international norms. Uncertainty in legal norms where this term operates creates uncertainty in the meaning of self-determination itself.

The development of the concept of self-determination in United Nations started to become more important with the increased number of Afro-Asian members of the UN in 1960's. The link between the end of colonial and the beginning of post-colonial time, and interpretation of the very concept of a legal right to self-determination, was provided by the evolution of the idea of self-determination as the human right. UN General Assembly resolutions 1514 and 1541, from 1960, represented the elaboration and refinement of the classical right of self-determination in the colonial situation. Resolution 1514, in operative paragraph 2, provides that all people who are subject to colonial rule have the right to "...freely determine their political status and freely pursue their economic, social and cultural development". Resolution 1541 defined that this exercise of self-determination could result in various outcomes and it stipulated the processes required for informed, free, and voluntary choices were being made.⁶

1.1.2 Theories of self-determination in international law

Castellano refers to Koskenniemi and his article "National Self-determination today: Problems of Legal Theory and Practice", where he traces two models of self-determination theory. First one is classical model where self-determination is a concept which identifies the nation as the State. This model derives from thinking that nations are collection of individuals

⁵ Castellano. 2000; 11-13

⁶ Higgins, Rosalyn. „Self-Determination and Secession“ ed. Julie Dahlitz *Secession and International Law: Conflict Avoidance – Regional Appraisals*. (T M C, Asser Press, United Nations 2003)

who are linked through the State and its principles, which enables them to conduct their common affairs within the State. Because of that, presence or absence of those procedures and either proper functioning is at the core of national self-determination. This model only recognizes States as legitimate holder of the various goods of collective personhood. Koskenniemi defines the other model as secessionist, to which secessionist label can be attached. This model has more 'romantic' feeling to it, and it perceives nationhood as something more basic and fundamental than merely decision making process. It sees permissivity as a virtue which was lost during the political struggles that organized itself into a State. The romantic nation attaches values to the statehood. For Koskenniemi, struggle between these two theories is the basis on which international law wrestles all the time, with not so much success.⁷ Kohen, on the other hand, argues that these two categories are not two different rights to self-determination, rather two aspects of a single side. If the secession is no longer controversial when it comes to colonies, only part left for discussion is the fact what is the relevance of this rule in existing States. Practice in international law has shown that there are three categories with different rights, peoples, minorities and indigenous people, and only people have right for self-determination.⁸ This rule can be applied to the case of Yugoslavia, and its Constitution, which gave right for secession only to "people of Yugoslavia", but not "nationalities" like Albanians and Hungarians, who were considered minorities.

⁷ Castellino; 2000; 9 - 10

⁸ Kohen, Marcelo G. 2009. *Secession: International Law Perspectives*. Cambridge University Press, 9

1.2 Concept of Secession

As Marchelo Kohen points out, respecting State's territorial integrity is of tremendous importance.⁹ He maintains that it is one of the fundamental rules in international law, because it obliges states to respect each other territorial integrity, and one of its main elements is a guarantee against any dismemberment of the territory. Kohen argues that if we understand territorial integrity as a principle which applies to the actions from abroad, it could not be evoked as an argument against secessionist movements. Still in different cases this rule has been differently used. When Yugoslavia was falling apart, no reference was made to the respect of its territorial integrity, while in the case of Bosnia and Herzegovina, international community kept reminding all parties involved that they have to respect territorial integrity of a state.

While Kohen points out the importance of territorial integrity of a country, James Crawford defines secession as a process by which particular group seeks to separate itself from the state to which it belongs. In the process like this one, group desires to create a new state. It is important to distinguish secession from devolution, which is consensual process by which a state gains its independence. It is bilateral process, compared to secession which is a unilateral process. Secession usually begins by a 'unilateral declaration of independence', by which a group declares that it is seceding and creating a new state.¹⁰ Question of unilateral declaration of independence was very controversial in the case of Kosovo, as well as it is today in the case of the Serb Republic.

According to article 1 of the Montevideo Convention in the Right and Duties of State, signed on December 26, 1933, state can be treated as a subject of international law if it possesses defined territory, permanent population, government and capacity to enter into relations with

⁹ Kohen, 2006, 6-7

¹⁰ Crawford, James 1999. "State Practice and International Law in Relation to Secession" in the *Public International Law Reader* ed. Boldizsár Nagy, 160-161, (IRES departments, Central European University, 2009)

other countries. Recognized by other states, especially the state from which it is seceding is crucial for becoming a subject of international law. Article 7 points out that recognition signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law.¹¹ Self-determination is a norm which gives groups of people a right to secede from a country to which belong. It is important to note that a right for self-determination does not belong to any group of people. International law supports the territorial integrity of a state, and gives them the right to try to stop this process by all legitimate means. Rule of self-determination can apply only to a group of people which is under colonial rule, under military oppression or to the ones which are not adequately represented in a state from which this group wants to secede.

Kohen gives the narrow concept of secession, where creation of a new independent entity becomes possible through the separation of part of the territory and population of an existing State, without its consent. It can also take the form of the separation on one part of the territory so it could be incorporated into the other. Kohen maintains that the lack of consent of preceding State is the key element of secession, but that it also explains why self-determination is so controversial in international law.¹² Case of the Socialist Federal Republic of Yugoslavia attracted attention in regard whether it was legally qualification as secession or dissolution, situation in which predecessor State ceases to exist. Serbia was claiming that it was predecessor State, together with Montenegro, while in a reality all country ceased to exist.

Thomas Franck, claims that international law can not prohibit secession, no matter how important concept of territorial integrity is. Secession is recognized and it exists in international

¹¹ Council on Foreign Relations, Montevideo Convention on the Rights and Duties of States; http://www.cfr.org/publication/15897/montevideo_convention_on_the_rights_and_duties_of_states.html (accessed June 1, 2010)

¹² Kohen; 2006, 2 -6

law, and law like that can not impose duty on people not to secede.¹³ It just seems that in some cases international law is less critical than in other. This can be connected with Kohen and its controversial interpretation of who has the right of self-determination. It really varies from case to case.

In a modern literature, term external self-determination can be interpreted just like it was mentioned in paragraph above. In this concept, self-determination is perceived as a process in which secessionist groups try to break away from the state structure that does not represent them, and gain access to the international scene. It has been mentioned by many authors that this concept is not coherent with the norm of territorial integrity.

1.3 The Dissolution of Yugoslavia and Self-Determination

The dissolution of Yugoslavia, country which consisted of six republics, and two autonomous regions, sets an example of unique case where different parts of the country had different demands and reasons why they decided to gain independence at the beginning of 1990s. This process continued at the beginning of the twenty first century, and again it raised a question “Who has a right to self-determination?”, and how this right was interpreted by international community. The number of authors argue that the concept of self-determination influenced the events happening in Yugoslavia in the past twenty years. Steve Terrett, in his book on Dissolution of Yugoslavia and the Badinter Arbitration Commission claims that “the very existence of territorially-defined ethnic groups seeking independence from a sovereign state would surely locate the problem, if not the solution, within the sphere of self-determination.”¹⁴

¹³ Borgen ; <http://www.asil.org/insights/2008/02/insights080229.html>; (accessed on May 13, 2010)

¹⁴ Terrett, Steve. *The Dissolution of Yugoslavia and the Badinter Arbitration Commission: A contextual study of peace-making in the post-Cold world*; (Ashgate Publishing Company Limited 2000), Aldershot, England; 269

Kohen argues that the dissolution of the SFRY was based on specific ground which had little to do with the assertion of a general right of secession under general international law.¹⁵

The 1974 Federal Constitution of Yugoslavia states that Yugoslavia was formed by the free will of the constitute nations, "...proceeding from the right of every nation to self-determination, including the right to secession..." Right under heading "Basic Principle" it was explicitly stated that all Republics had a right of secession.¹⁶ In each declaration of independence given by Croatia, Slovenia and Macedonia, term self-determination was used as their guaranteed right as one of constitute nations of Yugoslavia.¹⁷

As James Crawford points put, most of the new states, which came into existence after dissolution of Yugoslavia, were created through complex and violated process at the beginning of 1990s, which was concluded with the Dayton Peace Agreement in 1995.¹⁸ This beginning of the end of SFRY, in 1991, did not finish its story during the nineties. Even though five new countries emerged, the new question was opened with NATO intervention in Kosovo in 1999, but also with government change in Montenegro in 1997, and the arrival of Mile Đukanović on the political scene.

Starting from the beginning of dissolution of the SFRY, Crawford argues that the breakdown in the constitutional arrangements occurred in May 1991, when the normal rotation arrangements for the federal presidency were rejected by the Government of Serbia.¹⁹ On 25th June 1991, Slovenia and Croatia declared their independence, and this act was followed by civil war in Croatia. After the referendum, Macedonia, one of the least developed Republics of the SFRJ, also proclaimed its independence on 17th November 1991. Crawford argues that it is

¹⁵ Kohen; 2006, 32.

¹⁶ *ibid.*

¹⁷ Terrett 2000; 169

¹⁸ Crawford, 1999, 160 -161

¹⁹ *ibid*; 169

important to note that Serbia and Montenegro claimed legal continuity with the former Yugoslavia, and in their view other four constituent Republic were in secession from Yugoslavia, and that this process was not dissolution of ex country. One of the biggest problems emerged in Bosnia and Herzegovina which conducted referendum on 1st March 1992, which was boycotted by Bosnian Serbs, and on 3rd of March it proclaimed its independence. Only when Dayton Peace Agreement was signed on 14th of December in 1995, was the territorial integrity of Bosnia and Herzegovina guaranteed, in relation to the Federal Republic of Yugoslavia, which was now represented by Serbia and Montenegro, and in relation to the two constituent entities, The Federation of Bosnia and Herzegovina and the Serb Republic (Republika Srpska).

The international response to whole situation was establishment of the Arbitration Commission president by M. Robert Badinter, President of the French Constitutional Court. The main task of the Commission was to give legal advices dealing with the crises which emerged in Yugoslavia. Formally, Yugoslavia corresponded closely to the boundaries which existed in 1918. The Commission stressed out the doctrine of *uti possidetis* which stated that: "...it is well established that, whatever the circumstances, the right to self-determination must not involve changes to the existing frontier at the time of independence (*uti possidetis juris*) except where the States concerned agree otherwise". As Castelliano claims *uti possidetis* required that administrative boundaries of the old federal state be maintained and given international legitimacy. He argues also that later developments in the former country represented a threat to the doctrine of *uti possidetis* mostly because of Dayton Agreement which set out the boundaries through the process of occupancy and negotiation rather than geographic history. This rule was very important in the case of Bosnia and Herzegovina where Badinter Commission was asked whether Serbian population in Croatia and Bosnia and Herzegovina has the right of self-determination, and the answer was "No". The detailed answer said that: "The Commission

considers that international law as it currently stands does not spell out all the implication of the right to self-determination. However, it is well established that, whatever the circumstance, the right to self-determination must not involve changes to existing frontiers at the time of independence (*uti possidetis juris*) except where the States concerned agree otherwise.”²⁰

1.4 International Legal Provision in respect to Montenegro, Kosovo and the Serb Republic

Looking back from today, one might argue that Montenegro would have become independent country much earlier, if only the United States, the European Union and Russia had not intervened, and made a pressure for two countries, Serbia and Montenegro, to form the Union in 2003. During years of confrontation with Milošević’s regime, Mile Đukanović, president, and later prime minister of Montenegro, managed to create control over all levers of federal power in the country. So in February 2003, the Federal Republic of Yugoslavia was replaced by a loose union of two Republics. Each of these two republics had its own president, parliament and government. International community had in its mind that by integrating these two Republics into the Euro-Atlantic institution, it would be easier to deal with the future of Kosovo.²¹

By the constitution of the Union of Serbia and Montenegro, it was agreed that for three years none of the republics would have a referendum dealing with the question of independence. This agreement allowed Montenegro to schedule its referendum on 21 May 2006, in which 55% of votes were cast for independence of Montenegro. Serbia, which was the undisputed successor state of the Union, acknowledged Montenegro’s independence, by which this state became the

²⁰ Castellino 2000; 117 - 118

²¹ Woehrel, Steven. Serbia and Montenegro: Current Situation and U.S. Policy; CRS Report for Congress, received through the CRS Web; *Congressional Research Service, The Library of Congress 2006*; <http://www.usembassy.it/pdf/other/RL30371.pdf> (accessed May 18, 2010)

192nd Member State to the United Nations.²² The agreement asserted that the Serbia would inherit the FRY's sovereignty over Kosovo as laid out in U.N. Security Council 1244.²³

Christopher Borgen claims that there has been much controversy when it comes to the case of Kosovo. Most common argument, as he points out is that "Kosovo is different from other secessionist claims because Kosovo has been under international administration as the international community considered the situation so volatile. Reintegrating such a territory is different from assessing a claim by a separatist group that, on its own, is seeking to overturn the authority of the pre-existing state and unilaterally secede. While secessions are primarily an issue of domestic law, Resolution 1244 internationalized the problem. It also moved Kosovo from being solely under Serbian sovereignty into the grey zone of international administration."²⁴

Kosovo was one of two autonomous regions in the SRFY, besides Vojvodina. With the rise of Milošević and its regime, Kosovo lost its status within Serbia in 1989. It was the part of the Federal Republic of Yugoslavia from 1992 till 2003, and later on in the Union of Serbia and Montenegro, till the date Montenegro proclaimed its independence under constitution of the Union at that time.

After the war in Kosovo, and humanitarian intervention in form of NATO air strikes, the United Nations Security Council passed Resolution 1244, which allowed UN's administration of Kosovo, and it represented the final framework of resolving the final political and legal status of Kosovo. For the next nine years, the UN participated in the administration of Kosovo. On balance, it appears that Resolution 1244 neither promotes nor prevents Kosovo's secession. Although the operative paragraph 1 of Resolution 1244 states that a political solution shall be

²² Erler, Gernot. After the Referendum: Montenegro, Serbia, and the Regional Context; *Central and Eastern European Online Library*, 2006. www.ceeol.com (accessed May 14, 2010)

²³ Woehrel <http://www.usembassy.it/pdf/other/RL30371.pdf> 2006

²⁴ Borgen ; <http://www.asil.org/insights/2008/02/insights080229.html> 2006

based on the principles of Annexes 1 and 2, those annexes are silent as to the governmental form of the final status. Besides Resolution 1244, Kosovo's independence can be seen in international law as secession. Thomas Franck in the case of Kosovo argues that while international law does not foreclose on the possibility of secession, it does provide a framework within which certain secessions are favored or disfavored, depending on the facts. The key is to assess whether or not Kosovo meets the criteria for the legal privilege of secession.²⁵

Rick Fawn, in his article "The Kosovo and Montenegro, Effect", argues that recent moves towards independence in Montenegro and in Kosovo have provoked political and violent responses in other part of the worlds, such as in the Serb Republic, Serb dominated entity in Bosnia and Herzegovina.²⁶ Fawn claims that the cases of Montenegro and Kosovo encouraged stateless minorities, but also nationalists in central authorities. In this process, he sees the Serb Republic as a direct target of the effect of Montenegrin's and Kosovo's independence, and as something which will change status of the Serb Republic for sure. Still, he recognizes international influence in this entity, and maintains that it will keep being a part of Bosnia and Herzegovina, contrary to Kosovo. In 2007, observers came to a conclusion, that majority of Serbs, living in the Serb Republic, keeps favoring secession from Bosnia. Treat with referendum in the Serb Republic, keeps representing a huge problem for international peacemakers. Not regarding rhetoric coming from the smaller entity of Bosnia and Herzegovina, only relevant agreement which exists in front of international law is Dayton Peace Agreement. By this Constitution every further action which would change the borders of Bosnia is illegal and not in consistence with international law.

²⁵ Borgen ; <http://www.asil.org/insights/2008/02/insights080229.html> 2006

²⁶ Fawn, Rick. The Kosovo – and Montenegro – Effect; *International Affairs* 2008 Volume 84 Issue 2. 269-94; <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> ((accessed May 14, 2010)

Going through different literature and work of different authors, the gap emerges in defining correlation between self-determination movements in different circumstances, which are very different, but still very connected, especially in the case of Montenegro, Kosovo and the Serb Republic. The authors who researched the question of Montenegro and Kosovo mostly focused on the effect which these cases might cause in the future in other parts of the worlds, but no one really focused on their interconnection, and whether one case affected the other. As for the relation between Kosovo and the Serb Republic, many speculations have been made, but it will be very interesting to find out what has exactly changed, and whether Kosovo's independence had any effect on the Serb Republic whatsoever. Most of the authors use these three regions as the examples in international law, but there has been very little talk about mutual effect which they did or did not produce.

CHAPTER 2: MONTENEGRO'S INDEPENDENCE AND ITS EFFECT ON THE STATUS OF KOSOVO

In the second chapter I will focus on the cases of Montenegro and Kosovo and the relationship which exists among them. In order to understand whether there was some connection or not, it is important to know the roots of the self-determination demands in both cases, but also to focus on the period after 2006 in order to see how Kosovo government reacted to the proclamation of Montenegro's independence. Politician's statements and media reports will give a better insight in the period between 2006 until 2008. First, I will focus on Montenegro and the roots of its desire to become independent. Here I will examine a debate over their identity, change in the political scene in the mid nineties, the role of the international community and minorities in Montenegro's independence, and then connect it to the situation in the Kosovo at the time of Yugoslavia, during the nineties, but what is more important in the period before Kosovo proclaimed its independence. I will also deal with the role of the international community in the case of Kosovo, and the exact effects Montenegro's independence had on Kosovo, its citizens and politicians.

2.1 Montenegrin identity

In order to understand the origin of the Montenegro's recent desire for independence, which emerged in 1997, it is important to comprehend their identity, and its interpretation. Montenegrins were often called Southern Serbs. Whether they were Serbs or different nation was very controversial, and it influenced Montenegrin's history in its crucial moments dealing with the question of independence. Debates over their origin exist between different authors as well. According to Srđan Pavlović some argue that the region of Montenegro was for centuries refuge

for the remnants of a defeated Serbs, and others claim that Montenegrins should call themselves different nation, because of their political history and because of longstanding existence of an apparent horizontal identification among Montenegrins. Even though Serbs and Montenegrins share the same language, religion and cultural and traditional customs, debates over whether During the 1960's and 1970's, when many national sentiments were awaking again, Serb national forces managed to dominate in Montenegro. This was the time when campaigns regarding Albanian national sentiments in Kosovo were also rising. First ones who started this whole process were Albanian university professors and intellectuals who were considering an option for a higher autonomy and bilingual educational system in Kosovo.²⁷

2.2. Debates over independence and the division in political scene in Montenegro

One could argue that the crucial moment in the recent Montenegro's history happened with the division in political sense, and the polarization of the population, depending on how they identify themselves in the 1997. Political parties and their programs became a line of division among those who felt more Serbian and those who felt like real Montenegrins. Supporters of the Socialist's Peoples Party (Socialistička Narodna Partija, SNP), the People's Party (Narodna Stranka, NS) and the Serbian People's Party (Srpska Narodna Stranka, SNS) were in favor of unified state, and were proud of their Serbian identity. The population which felt more Montenegrin supported the Liberal Alliance of Montenegro (Liberalni Savez Crne Gore, LSCG). Somewhere in the middle was Democratic Party of Socialists (Demokratska Partija Socijalista, DPS).²⁸

²⁷ Pavlović, Srđa „Who are Montenegrins? Statehood, identity, and civil society“ in the Montenegro in Transition: Problems of Identity and Statehood, ed Florian Bieber. (Nomos Verlagsgesellschaft, Baden – Baden 2003), 83 -106

²⁸ Pavlović, 2003, 103

One of the major reasons why shift in policy direction happened between Montenegro and Serbia during the nineties were sanctions and economic decline, which strongly influenced on Montenegro's future direction. Milo Đukanović, newly elected president in 1998, saw an improvement in relation with the West after Dayton Peace Agreement was signed as an opportunity to build better relations with the West, and to loosen relationship with Serbia.²⁹

2.3 The role of the international community in Montenegro's secession from the Union of Serbia and Montenegro

As mentioned before, territorial integrity plays one of the crucial roles in international law, and it is one its fundamental principles. Taking this in consideration, the international community is very conservative when it comes to the recognition of new frontiers, and new countries. That is why it is no wonder that the acknowledgement of new states usually comes as a last resort.³⁰

The main question arising was whether the referendum on independence in Montenegro, which was inevitable and just postponed with the intervention of international community, would really facilitate the independence of Kosovo. This, together with the stability in the region, was the main concern of the international community.

The reason why the European Union was strongly objecting to the idea of Montenegro's independence was that it was not sure how it would influence Kosovo and further nation-state building in the region. Even though, in 1992, Badinter's Commission decided that Montenegro has a right to self-determination, the EU was of the opinion that it might just lead to further fragmentation of the country, which might influence not only Kosovo, but also the Serb Republic and Albanians in Macedonia. In this context Kosovo was the biggest obstacle to Montenegro's

²⁹ Bieber, 2003; 22 - 28

³⁰ Fawn, <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> (accessed May 14 2010)

independence at the beginning of 21st century, even though Priština and Podgorica never gave any official statement about the issue.³¹

One of the main concerns was not the fact that with Montenegro's independence, the third Yugoslavia would cease to exist, but the fact that it might endanger the Dayton Peace Accords for Bosnia and Herzegovina.³² Huszka sees this as a main reason why Western leaders were not in favor of Montenegro gaining its independence at the very beginning of twenty first century. Creation of peace in Bosnia was a long term process in which international community invested too much effort, work and money, and it was not ready to see it fail. The EU skepticism about Montenegro's independence changed over time, but still the EU insisted that the referendum must be held in strict accordance with the democratic standards and the recommendations by the Venice Commission of the Council of Europe, which suggested that Montenegro retain the minimum 50% turnout requirements contained in current law, for the referendum to be valid.³³

2.4 Montenegrin's multiculturalism vs. ethnically pure Kosovo

In order to understand Montenegro and Kosovo and the situation in each country, it is important to look at the structure of its population, and the role and percentage of minorities in each of them. In the cases of Montenegro and Kosovo, minorities had played a decisive role in deciding why political orientation went one way, and not the other. The minorities in Montenegro were the main group of population who supported the political change and the direction of Montenegro's governments in its politics after 1997. Contrary to this, Kosovo's minority which consisted mostly of Serbs and did not have such a powerful influence.

³¹ Van Meurs, Wim. "The Belgrade Agreement" Montenegro in the *Transition: Problems of Identity and Statehood* ed Florian Bieber (Nomos Verlagsgesellschaft, Baden – Bade 2003), 78-79

³² Huszka, 2003, 43

³³ Woehrel <http://www.usembassy.it/pdf/other/RL30371.pdf> 2006

Going back to the nineties, when presidential elections were held in Montenegro, Mile Đukanović was elected as the new president of Montenegro. His rhetoric emphasized pro-Western orientation, free-market reform, fight against corruption and criminality, the rule of law, and most importantly minority rights. This last component of his pre-electoral campaign was crucial in gaining the votes of almost 23% of Montenegro's population which belonged to other ethnic groups. Data from 1991 census show that in Montenegro ethnical structure was mixed, and that 61,86% declared themselves as Montenegrins, and other 38,14% of population declared themselves as Serbs, Muslim, Albanians, Croats and others. B92, the independent Serbian web portal, TV and radio station, wrote in 2001 on a survey dealing with the question of Montenegro's independence that: "Montenegro's future will not be decided by ethnic Montenegrins but by the Republic's minority Muslims, Croat and Albanian population, according to survey results...the referendum results would depend on the polarizing of Croats, Albanians and Muslims on one side with pro-Serbs and pro-Yugoslavia Montenegrins on the other".³⁴

Contrary to Montenegro, today around 90% of Kosovo's population is Albanians. Out of two million people living in Kosovo, the remaining 10% is mostly represented by Serbs.³⁵ According to Kupchan, cities like Priština and Prizren once had a large community of Serbs, but after the war its demographic structure was drastically changed, and now these towns are mostly Serb-free zones. For Albanians and Serbs it is very difficult to have a normal life in a places where the other ethnic group was predominant. The communities became very polarized and normal dialogue is very hard to achieve. Boris Tadić, Serbian president, claimed that Kosovo's independence was unacceptable for him and that if it happens it will drive a stake through the

³⁴ Bieber, Florian; The Instrumentalization of Minorities in the Montenegrin Dispute Over Independence; (*European Centre for Minority Issues* 2002); http://www.ecmi.de/download/brief_8.pdf , (accessed 5 May 2010)

³⁵ Kupchan, Charles A.; Independence for Kosovo: Yielding to Balkan Reality; *Foreign Affairs*, Vol. 84; No. 6 (Nov. – Dec. 2005); p. 14 – 20; <http://www.jstor.org/stable/20031773> (accessed May 2, 2010)

heart of Serbian democracy. On the other side, Kosovo's prime minister, Bajram Kosumi made a clear statement that the people of Kosovo will be the only one deciding on the future of Kosovo. While Serbian government encouraged Kosovo's Serbs to boycott election and the work of the government, Serbs living there were the ones who found themselves in a political isolation.

2.5 Kosovo as more than just a recent problem

Situation in which Albanians and Serb living in Kosovo saw each other as the main enemies did not happen over night. With the death of Josip Broz Tito in 4 May 1980 Yugoslavia was left without a real successor who would be able to hold all republics together. The economic crisis was seriously threatening to the whole country. Motivated by bad situation in the country, Albanian students went protesting on the streets of Priština, and other cities in Kosovo. Slowly these protests turned into riots with pro-nationalistic character, and one of the slogans which could have been heard was "Kosovo – Republic". Seeking for more autonomy and better living standards, Kosovo Albanians found themselves the main target of Serbian nationalism. In the years to come, Serbian intellectuals, with the support of the Serbian Orthodox Church, started to use the oppression of Serbs and Montenegrins in Kosovo as an excuse to wake nationalistic feelings in these two Republics. Nationalistic feelings, as well as the oppression of Serbs at the time of Tito were Milošević's main arguments at that time, as well as awakened sentiment which portrayed Kosovo and Metohija as the cradles of the Serbian nation.³⁶

It could be argued that Kosovo's desire to get more autonomy, or to even get the status of the republic, goes way back before the recent developments during the 1990s. Majority of Kosovo's population are Albanians, who had not been recognized as a "people of Yugoslavia" in the time of Tito, implying that they never had the same rights as other nations in the SRFJ.

³⁶ Morrison, Kenneth. *Montenegro: A Modern History*. (I.B. Tauris & Co Ltd 2009, New York)

During the sixties, seventies and especially eighties, this sentiment of gaining more autonomy from Serbia was rising. After the disintegration of Yugoslavia, Kosovo's status was never discussed, until 1998 and 1999, when NATO intervened in the conflict which emerged in this part of Serbia.

It is very difficult to draw any parallels between Montenegro and Kosovo, because these are two distinct cases. First of all, during the existence of Yugoslavia, they had different status. By the Constitution of Yugoslavia Montenegrins were recognized as a "people" and by that they had a right to secede. Kosovo was never a republic. Like Vojvodina, it was only an autonomous region, and most of its habitants, who were Albanians, did not have the status of a "people of Yugoslavia", and by that they were not given the right to secede. Looking into political scene, Montenegro was predominantly exposed to the Serbian nationalism. Its population is even today divided among those who consider themselves Serbs and those who feel like Montenegrins. It appears that it is not even a matter of birth, but more of a political belief.

Even after 1989, when Kosovo lost its status of autonomous province, it continued to seek more rights, power, and autonomy inside of Serbia. The war which began in Kosovo in 1998 between Kosovo Liberation Army and Serbia was stopped when the United States and other NATO countries launched air strikes, forcing Milošević to withdraw his military. Under the terms of UN Security Council Resolution 1244, the region was governed by a UN Mission in Kosovo (UNMIK). This Resolution has never defined the final status of the province and this position was backed by all parties in Serbian parliament. One of the slogans which was used often was "more than autonomy, but less than independence"³⁷. For Serbia, Kosovo's independence was never an option.

³⁷ Woehrel <http://www.usembassy.it/pdf/other/RL30371.pdf> 2006

2.6 Montenegro's proclamation of independence

While the result of referendum showed 55% of votes were cast for independence, population of Montenegro stayed polarized. Right after the proclamation of independence, Podgorica and Belgrade had an obligation to continue working closely for the good of their citizens. Serbia and Montenegro were closely interconnected throughout the history, so even after the “peaceful breakup” it was necessary for these two countries to work together on many issues. For Montenegro, the biggest challenge was to incorporate the remaining 45% of the population who were not extremely happy with the results of referendum. It seems that Montenegro's main goal was Euro-Atlantic integration, which would come only as a result of strengthening its economy, administration capacities, police reform, and combating organized crime and corruption.³⁸ As for Serbia, Montenegrin's independence meant dealing with its most urgent problem, and that was Kosovo.

Montenegro and Serbia quickly established bilateral agreements, but Belgrade did not get Montenegro's support when it comes to the status of Kosovo. Montenegro's government stressed before proclaiming independence that it will not take side on Kosovo's independence, declaring that any partiality would be unhelpful for both, and that it might harm its own stability.³⁹

This has not stopped Serbian politicians from using the Serb Republic as a place where riots and potential referendum might happen if Kosovo becomes independent. Bracing for the ultimate loss of Kosovo, Serbian officials intervened rhetorically in the Bosnian crisis. Serbia's prime minister, Vojislav Kostunica blasted the international community, accusing the West of fomenting the crisis by "mistakenly challenging Bosnia's division into entities". He linked the fates of Kosovo and the Serb Republic by saying that the international community was

³⁸ Erler; www.ceeol.com (accessed May 17, 2010)

³⁹ Fawn; <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> (accessed May 14, 2010)

mistreating the Serb population in both places.⁴⁰ Vuk Drašković, Foreign Minister of Serbia and Montenegro, at that time, pointed out that if Kosovo is not only Serbia's problem, rather that places like the Turkish part of Cyprus, part of Macedonia with Albanian majority, Basque, Northern Ireland, South Ossetia or Abkhazia will feel the effect of its independence if it happens.⁴¹

2.7 Three no's for Kosovo

While Serbia had to deal with the dissolution of the State Union, the difficult Kosovo talks, and the full cooperation with the ICTY, international community had a few of decisions of its own. The Contact Group set guiding principles which were endorsed by the UN Security Council. "Three No's" were point out regarding Kosovo's future, and those were: no return to the situation pre-March 1999; no union of Kosovo with a third country or part of it; and no partition of Kosovo.⁴² It was considered that partition would not resolve anything, but rather trigger more problems in the Balkans. It seems then the United States and the European Union were too timid to intervene and to have a larger role during the Milošević regime in the nineties, so in the case of Kosovo they did not want to make a same mistake. Since the NATO air strikes in 1999, international community never disregarded an option that Kosovo might get its independence, even though at that time it did not use this option often.

The United States have ruled out the partition of Kosovo from the beginning, arguing that dividing Kosovo would neither represent a just solution, nor offer a lasting peace. The European

⁴⁰ Lippman, Peter; 2007. Crisis and Reform: a turnaround in Bosnia?, *OpenDemocracy*, http://www.opendemocracy.net/article/crisis_and_reform_a_turnaround_in_bosnia ; (accessed May 17, 2010)

⁴¹ Di Lellio, Anna and Kadare, Ismail. *The Case For Kosova, Passage To Independance*. (NTHEM Press 2006. New York)

⁴² Erler; www.cceol.com (accessed May 17, 2010)

Union was hoping that by providing financial and political support it will foster Kosovo's economy and bring Kosovo's Serbs and Albanians together to a peaceful coexistence.⁴³

After Montenegro seceded from Serbia, it was expected that the separatist movement in Kosovo would become lauder and stronger then ever. While the international community tried to stay neutral, the situation in Kosovo was becoming very intense. According to a World Bank study from 2005, around 15% of Kosovo's population lived in extreme poverty. Only one half of citizens in Kosovo were connected to a central water system, and just 28% to sewerage system. The rate of unemployment was around 65%.⁴⁴

The international community did not change their attitude towards Kosovo's independence in years to come. While announcing the recognition of Kosovo by the United States, Secretary of State, Condoleezza Rice explained that

“The unusual combination of factors found in the Kosovo situation including the context of Yugoslavia's breakup, the history of ethnic cleansing and crimes against civilians in Kosovo, and the extended period of UN administration – are not found elsewhere, and therefore make Kosovo a special case. Kosovo can not be seen as precedent for any other situation in the world today”.⁴⁵

Russian Duma, on the other side, issued a statement that said:

“The right of nations to self-determination cannot justify recognition of Kosovo's independence along with the simultaneous refusal to discuss similar acts by other self-proclaimed states, which have obtained de facto independence exclusively by themselves.”⁴⁶

It appears that the United States, as the rest of the international community was not ready to leave Kosovo on its own. Internationalization of the problem meant that they were not ready to see

⁴³ Sletzinger, Martin C. and Gelazis, Nida; Kosovo: Mission Not Yet Accomplished; *The Wilson Quarterly* (1976-). Vol. 29. No. 4. (Autumn, 2005) p. 35 – 41; *Woodrow Wilson International Center for Scholars*; <http://www.jstor.org/stable/40261487> ; (accessed May 2, 2010)

⁴⁴ EurActiv, After Montenegro, Kosovo next step?; published 23 May 2006; <http://www.euractiv.com/en/enlargement/montenegro-kosovo/article-155532> (accessed May 19, 2010)

⁴⁵ Borgen, <http://www.asil.org/insights/2008/02/insights080229.html> ; accessed on 10th of May 2010

⁴⁶ Ibid.

another war erupting in the same region again. Working and resolving Kosovo issue became a “must do” for all world powers.

2. 8 Psychological effect of Montenegro’s independence on Kosovo

According to informative agency “Serbianna”, main differences in the cases of Kosovo and Montenegro, and their aspiration towards the independence lie in the relations to Serbia. While Serbians have had strong ties with both Kosovo and Montenegro for centuries, they are also very different. Serbia and Montenegro share the same culture, religion and language, and this was the main argument why Serbia opposed to Montenegro’s independence, claiming that historical ties are just too strong and too connected. As mentioned earlier, 90% Kosovo’s population are ethnically Albanians with the different language and, different religion from Serbs. Relations between Albanians and Serbs have been intense since the beginning of eighties. From the beginning of nineties they have been leading completely separated lives, and since the war has ended, Albanians insist that Serbia has lost its right to govern them.⁴⁷

Montenegro’s independence will give a new momentum to the secessionist movement across the border. For them, gaining independence was never closer than on the day when referendum results were published in Montenegro. Alex Anderson, the Kosovo director of International Crisis Group referred to the possible domino effect of Montenegro’s independence. He claimed that even though Montenegro’s independence can not have any legal effects on Kosovo’s final status, separation might have a psychological effect even though processes are very different.⁴⁸

⁴⁷ ibid

⁴⁸ Serbian, Montenegro’s independence strengthens Muslim separatists in Kosovo; Published : May 22, 2006; <http://www.serbianna.com/news/2006/01745.shtml> ; (accessed May 19, 2010)

While Serbian politicians focused on the fact that Kosovo is a cradle of Serbia, and that Montenegrin independence could make things worse for Serbians living in Kosovo, as Serb leader Marko Jokšić claimed, Kosovo's politicians tried to make a link between Montenegro and the independence of Kosovo. The Prime Minister of Kosovo, Agin Ceku, declared that by the end of 2006, Kosovo would join Montenegro as a new state, and that both countries will be very important for the stability of the whole region. Dukagjin Gorani, Albanian analyst, argued that the concept of keeping Kosovo in Serbia is untenable, and that Montenegro's independence created a precedent which is undeniable, what means that Kosovo's independence is also inevitable.⁴⁹ For him the fact that six hundred thousands Montenegrins had the right to a referendum, and that two million of Albanians do not have right to self-determination was unthinkable.⁵⁰

2. 9 International mediations and independence of Kosovo

One of the main tasks of the United Nation in 2006 was mediation of negotiation between Serbian and Kosovo's governments. First talks on the position of Kosovo started already in February 2006⁵¹, even before referendum in Montenegro. In the end of 2005, United Nations Secretary General, Kofi Annan, appointed Martti Ahtisaari to lead a process of a future status of Kosovo. Ahtisaari developed a few proposals for Kosovo's future status, which set a series of recommendations on province's status and protections for minorities.⁵² Under U.N. supervision, Belgrade's offer of a broader autonomy has been rejected by Albanians in Kosovo, who decided

⁴⁹ *EurActiv*, <http://www.euractiv.com/en/enlargement/montenegro-kosovo/article-155532> ; (accessed May 19, 2010)

⁵⁰ *Serbianna*, Montenegro's independence strengthens Muslim separatists in Kosovo; Published : May 22, 2006; <http://www.serbianna.com/news/2006/01745.shtml> (accessed May 19, 2010)

⁵¹ *MSNBC*, Key dates in Kosovo's drive for independence; <http://www.msnbc.msn.com/id/23292262/> (accessed May 20, 2010)

⁵² Bureau of European and Eurasian affairs; Background Note: Kosovo; published 10 January 2010; *U.S. department of State, Diplomacy in Action*; <http://www.state.gov/r/pa/ei/bgn/100931.htm>; (accessed May 20, 2010)

to demand a secession and a full sovereignty. The Contact group for Kosovo set an end of this year as a provisional deadline for the conclusion of the talks. Javier Solana, the European Union foreign policy chief, emphasized that talks about future of Kosovo might be delayed because Serbia planed to hold a referendum on a new constitution and early general elections. The key point of referendum was stressing out that Kosovo was an integral part of Serbia. While Kosovo Albanians decided to boycott referendum, Vojislav Kostunica, Serbian prime minister, said that he consider talks on Kosovo's future failure, because solution should not be imposed but rather agreed on.⁵³

Even though there has been much controversy about the referendum, and possible frauds, the official results on a new constitution showed that 54.9% registered voters chosen preamble which describes Kosovo as an integral part of Serbia. The referendum was held just week before the international community was planning to grant independence to Kosovo. Right after the referendum, the Serbian government announced that early elections would be held at the end of January 2007. Both referendum and early elections managed to postpone the decision about Kosovo for another year and more, but the EU, the US and Kosovo Albanian leaders decided that the results of referendum would not influence the final outcome of Kosovo status talks.⁵⁴

In mid 2007, UNMIK Chief Joachim Raucker and Priština's negotiation team made an agreement that parliamentary and local elections would be held in November.⁵⁵ Independent election monitors reported that Hashim Thaci's Democratic Party had come first with 34%. All

⁵³ *Serbia-s PM*; UN Mediation On Kosovo Has Failed, published: 20 October 2006; <http://www.mail-archive.com/sorabia@yahoogroups.com/msg12940.html> ; (accessed May 20, 2010)

⁵⁴ Alić, Anel; Serb constitution may delay Kosovo status; published 10 November 2006; <http://www.isn.ethz.ch/isn/Current-Affairs/Security-Watch/Detail/?ots591=4888CAA0-B3DB-1461-98B9-E20E7B9C13D4&lng=en&id=52682> ; (accessed May 20, 2010)

⁵⁵ BE92. Kosovos Elections in Neovember; published 27 July 2007; http://www.b92.net/eng/news/politics-article.php?yyyy=2007&mm=07&dd=27&nav_id=42668 ; (accessed May 20, 2010)

parties in Kosovo backed a quick declaration of independence from Serbia. Tachi declared that with their victory the new century begins for Kosovo, as well as that this was a move towards freedom and independence. The Serb minority boycotted the election, protesting against the independence plans.⁵⁶

Kosovo declared its independence on February 17, 2008. In its declaration of independence, Kosovo committed itself to fulfilling its obligation under Ahtisaari Plan. As part of Ahtisaari Plan, the Kosovo Government rapidly enacted laws on minority protection, decentralization, special protection zones for Serb cultural and religious sites, local self-government, and municipal boundaries.⁵⁷ By now, 69 out of 192 U.N. member countries have recognized the independence of Kosovo.⁵⁸

In order to understand Montenegro and its desire to become independent, as well as Kosovo, it was necessary to look into the Montenegrin identity, political changes which happened in the mid of nineties in Montenegro, the role of minorities and international community in both cases, as well to try to find link between these two events. In legal terms, link which could connect Montenegro, Kosovo and self-determination movements can not be made. Montenegro and Kosovo have to be perceived as two different cases, with different background and reasons for the secession. If we take a look at them separately the events happening were leading both of them in the direction of independence from Serbia. Kosovo would become independent in any case. From 1999 it was under international supervision, and Serbia did not have power over it. It seems more that the case of Montenegro and the events happening there

⁵⁶ Robinson, Matt; Ex-guerrilla wins Kosovo elections before showdown; published: 18 November 2007; <http://uk.reuters.com/article/idUKL1864620020071118> ; (accessed May 20, 2010)

⁵⁷ Bureau of European and Eurasian affairs; <http://www.state.gov/r/pa/ei/bgn/100931.htm>; accessed 20 May 2010

⁵⁸ Who Recognized Kosovo as an Independent State?; <http://www.kosovothankyou.com/>; accessed on 20 May 2010

had a psychological influence on Kosovo, which was then used by Albanian politicians in order to speed up the whole situation.

CHAPTER 3: INFLUENCE OF KOSOVO'S INDEPENDENCE ON THE STATUS OF THE SERB REPUBLIC

In the third chapter I will focus on the Serb Republic and the events which followed the declaration of Kosovo's independence. In order to understand position of the Serb Republic in Bosnia ad Herzegovina, I will start this chapter with the short history of the Serb Republic and the way it was created. I will also explain process of power sharing in Bosnia and Herzegovina, so it can be easier for reader to understand lack of centralization which even today exists in the country. I will analyze role of one of the leading figures in the Serb Republic, Molorad Dodik, who is now considered as a main threat to Bosnian future. Then, I will identify certain feature happening after Kosovo's declaration of independence, and the reactions which came from the Serb Republic. I will conclude this part of my thesis with prospect for the future of the Serb Republic.

3.1 Multi-ethnicity in the divided country

Bosnia and Herzegovina, together with Macedonia and Montenegro, belonged to a group of less developed members of Yugoslavia, but still it represented ethnically the most diverse country in the region. This was a place where Muslims, Croats and Serbs have been living together for centuries, celebrating each other holidays, respecting each others culture and tradition, and a place with the highest percentage of inter ethnic marriages.

Beginning of nineties represented a crossroad for Bosnia's future. Following the example of Slovenia, Croatia and Macedonia, on 1 March 1992, a referendum was held in Bosnia and Herzegovina. Data which was provided by the Republic Election Commission (Službeni List 1992) showed that out of 3,253,847 registered voters, 2,073,568 citizens or 64.31 % voted in the

referendum. Out of the total number of valid votes 2,069,932 voters or 99.44% voted for independent Bosnia and Herzegovina.⁵⁹ Most Serbian voters boycotted the referendum. This decision was encouraged by Serb Democratic Party (Srpska Demokratska Stranka, SDS), which was very nationalistic.

Until March 1992 Bosnia and Herzegovina never existed as an independent country in its modern history. The beginning of its independence was also the beginning of the civil war which erupted right after the referendum. The war, which lasted for three and a half years, left the country totally destroyed, without infrastructure, economy, with two millions displaced people, out of which one million were refugees and one million internally displaced persons. In 1995, Bosnia, which once was a country where only few places were ethnically dominated by one group, was divided between ethnically clean areas.

Conflict ended in the end of 1995, when the presidents of Serbia, Croatia, and Bosnia, Alija signed the General Framework Agreement for Peace known as Dayton Peace Agreement. Dayton Agreement was concluded on 12th of December in Paris.⁶⁰ While this Peace Agreement enabled return of refugees and free movement in the country it has also created two entities as two separate units, which together created the loose union known as Bosnia and Herzegovina. The third part of Bosnia which functions for itself is the District of Brčko, which is situated in the very north of the country. According to Sletzinger and Gelazis Dayton created several layers of government structures and institutions, ethnically based schools and universities, two pension systems and twelve health care systems.

The Serb Republic did not exist in the ex-Yugoslavia. Its existence was announced for the first time on 9 February 1992, by Bosnian Serbs. As an act of resistance to the independence of

⁵⁹ Bieber, Florian. *Post-War Bosnia: Ethnicity, Inequality and Public Sector Governance*; (UNRISD 2006) 26

⁶⁰ Sletzinger and Gelazis; <http://www.jstor.org/stable/40261487> (accessed May 2, 2010)

Bosnia from Yugoslavia⁶¹ With this act Bosnian state had effectively ceased to exist.⁶² With Dayton, the Serb Republic was formally recognized as one of the two entities, and while international community has spent last fifteen years working on reducing the power of the Serb Republic and integrating many institutions and levels of governments under the central control, most of Serb citizens and politicians still consider the Serb Republic as a “separate state”.

3.2 Power-sharing system in Bosnia and Herzegovina

Bosnia today possesses several power-sharing arrangements. From 1992 until 2002, there have been two power-sharing systems. One was at national level between Serbs, Croats and Muslim, and the other one was on the level of the Federation between Croats and Muslim, who are predominant constituent nations in that entity. This system was changed in April 2002, when the High Representative, international supervisor of the peace process, imposed constitutional amendments in both entities. Now, the Federation parliament also includes Serbs, while in the Serb Republic a new Council of People has to ensure rights of Croats, Bosniaks and others. This means that there is a triple power-sharing system in cantons, entities, and at the state level. In the Federation there are ten cantons which are mostly mono-ethnic, while in the Serb Republic they do not exist because of the strong mono-national and centralist conception of this entity. Two main features of the state are a “consociational” arrangement at the level of the joint state institutions mixed with an asymmetric multinational federation. State Institutions in the country are very weak, and include only few competences like foreign policy, monetary policy, customs policy, immigrations, refugees and asylum policy and regulation, air traffic control, finance of the institutions and for the international obligations in Bosnia. Joint institutions are the Presidency,

⁶¹ Fawn; <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> (accessed May 14 2010)

⁶² Bieber 2006; 25

the Council of Ministers, the Parliamentary Assembly, the Constitutional Court, and the Central Bank of Bosnia and Herzegovina.⁶³.

3.3 Common future without a dialogue

By the end of the Bosnian war, the Serb Republic was an internationally isolated entity because most of its leadership at that time, was accused for the war crimes. Nevertheless, with Dayton Peace Agreement, the Serb Republic gained international recognition, which was one of the key demands made by Serb politicians in Bosnia. Today, the Serb Republic is one of the biggest supporters of Dayton Agreement which underlines its existence and role, preventing the abolishment of entities and change of Constitution without consensus of all parties involved.⁶⁴ Politicians in the Serb Republic perceive Dayton as a guarantee of the existence of the Serb Republic, and they will never accept any changes without the permission of Serb population. The perception of the Serb Republic in the Federation is completely different. Bosniaks in the Federation see it as a result of ethnic cleansing and genocide, and since the end of the war there have been many initiatives which would abolish the entities, empower the central government, and centralize power as much as possible. In a situation where one side tries to impose the centralized state and other tries to strengthen the entity, it is impossible to make any progress. It is not surprising that reaching any decision is a long and complicated process. Because of this, until the moment when both sides, the Serb Republic and the Federation, do not start listening to each other, and respecting each others demands it is not likely that many changes in the country will happen. This will leave country isolated from the rest of the Europe, from the process of the Euro-Atlantic integrations, and its citizens without the possibility to travel freely.

⁶³ Bieber 2006; 43 - 48

⁶⁴ Ibid. 76 - 77

3.4 Milorad Dodik, threat to a Bosnian Future?

For the past fifteen years politicians in the Serb Republic have used every opportunity to emphasize importance of the entity, often referring to it as to an independent state. At the same time, role of Bosnia and Herzegovina was often played down. The whole situation was perfect for a debate about what would happen with the Serb Republic if Kosovo proclaims its independence. International community was very worried how this will influence the status of the smaller entity. Politicians in the Serb Republic still had a close relation with Serbia and from the beginning were opposing the independence of Kosovo. Demonstrations which were organized in the Serb Republic were supported by Milorad Dodik, Prime Minister of the Serb Republic.⁶⁵ Right after Kosovo proclaimed its independence Dodik threatened to hold a referendum on independence of the Serb Republic from Bosnia and Herezgovina.

The question whether the Serb Republic will be the eighth part of ex-Yugoslavia gaining its independence was debated by politicians in the regions, but also by people living there. While Bosniak politicians usually referred to it as an entity made on genocide, the Serb Republic never stopped its claims to independence. Serbian politicians often used the argument that Bosnia and Herzegovina was made artificially and that there are no reasons why it should continue to exist as one country, when 49% of its territory and the people who live there do not want that.

In order to control the situation, Office of the High Representative was invested with broad legal authorities to dismiss officials, impose legislations, and to freeze parties bank accounts.⁶⁶ While High Representative was dismissing everyone connected with the war, or war crimes, another figure appeared in political scene of the Serb Republic, Milorad Dodik. Dodik

⁶⁵ Fotiadis, Apostolis; Kosovo Pushes Up New Ethnic Issues; published: 7 April 2008; *IPS*; <http://ipsnews.net/news.asp?idnews=41884>; accessed 25 May 2010

⁶⁶ Parish, Matthew; Republika Srpska: After Independence; *Balkan Insight* published: 19 november 2009; <http://www.balkaninsight.com/en/main/comment/23797/> (accessed May 28, 2010)

became an opposition to pro-nationalistic Serbian Democratic Party (Srpska Demokratska Stranka), with much more open-minded ideas, when he even won the prize for the politician of the year in 2007. In years to come, he changed his political attitude and saw that only nationalistic, aggressive rhetoric can bring him votes. Now, Milorad Dodik represents a real threat to the existence of multiethnic Bosnia and Herzegovina.

Dodik's short term strategy and the goal is to detach the Serb Republic from the rest of the country, especially from its dependence on the central state institutions dependence upon the central state institutions. The Dayton Constitution incorporates principle of "consociationalist" which dictates that every decision has to be made by the consensus of all three ethnic groups. This means that Dodik and the Serb Republic can block every decision made in the country. The Serb Republic has its own police, courts, tax system, national flag and legal regime.⁶⁷ All this shows that the Serb Republic already functions as an independent country in some respects.

3.5 Supporting the idea of the secession

According to Matthew Parish, most of Serbs in the Serb Republic would support the option for secession from Bosnia and Herzegovina if that would be an option ever. In the minds of people is still thinking that Bosniak and Islamic culture and political thinking will be enforced on them. This creates paranoia which then influence on every other segment of a life. Parish, in his article "Republika Srpska: After Independence", argues that the only thing still holding Bosnia together is Office of the High Representative, which is supported by diplomatic pressure and military forces. He claims that it would be really easy to dismantle the country which only shares the same currency, car registration plates, army, border control and State Court. He argues

⁶⁷ Parish; <http://www.balkaninsight.com/en/main/comment/23797/> , accessed 28 May 2010

that just like in case of Montenegro, by the time the formal declaration of independence is made, the event will be a done deal.⁶⁸

Research by observers in 2007, right after Montenegro declared its independence, showed that public opinion of Bosnian Serbs continues to favor separation. It has also shown that this new awakening of secessionist sentiment came right after Montenegro declared its independence in 2006.⁶⁹ It just seems that opinion can not be change over night. The perception which most of the Bosnian Serbs have is that Bosnia and Herzegovina is not their country. They feel more attached to Serbia. It seems that no matter what international community does, until the moment when the actual communication among two entities starts, with the respect of all three sides towards the other two, every successful self-determination movement, in some other part of the world, will create a new desire in people's head that they should do the same. In the case of Montenegro, effect was not big, maybe because of the special relations which Montenegro had with Serbia, maybe because of the way how it happened, but still, it made the Bosnian Serbs think about the possibility to do the same.

Dane Cvitković, president of nationalistic group "The Choice is Ours" is one of many who think that Bosnia and Herzegovina is untenable.⁷⁰ He argues that separation would improve regional politics, economy and social relations in both part of Bosnia. In 2007, "The Choice is Ours" organized the petition which advocated independence of the Serb Republic. The petition was written in the name of the people of the Serb Republic who want to become part of European Community, but do not want to disappear like a nation. In order not to prevent that they have to separate themselves from the union of Bosnia and Herzegovina which was forcefully created.

⁶⁸ Ibid.

⁶⁹ Fawn; <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> (accessed May 14, 2010)

⁷⁰ Independent Republic of Srpska; *Slobodna Srpska*; published: 1 January 2007; <http://www.gopetition.com/petitions/independent-republic-of-srpska.html> ; (accessed May 28, 2010)

They pointed out that all symbols of Bosnia do not represent their culture and identity, and that they do not want to live in a country where power will be in the hands of majority, again emphasizing the fear that the Bosniak majority might reduce their rights. At that time the number of signatures reached number 40.000, meaning that this petition found numerous supporters in the smaller Bosnian entity.

“The Choice is Ours” was one of the nongovernmental organizations who threatened with more than protests in the case that Kosovo separate itself from Serbia. Right before Kosovo became declared its independence; everyone was debating what might happen with the Serb Republic, starting with ordinary people, politicians, media, and international community. In February 2008, inevitable happened. Kosovo proclaimed its independence.

3.6 Reactions in the Serb Republic to Kosovo’s independence

It was very likely that Kosovo’s independence would challenge status and position of the Serb Republic, and this was what many in the region expected. In most of the cases the ones raising this question were Serbian politicians and media, but no one could have claimed that international community did not wonder the same thing.

Kosovo declared its independence on February 17, 2008. While the government of Montenegro decide not to make any statements at that time, situation was perfect for the nationalists in the Serb Republic to raise their voice and to compare two regions. Besides them, leadership in Serbia saw the Serb Republic as a way to strengthen its own position in opposition to Kosovo’s independence.⁷¹

A few days before Kosovo’s independence Serbian nationalist warned that if Kosovo becomes independent and recognized by the EU, it will push the Serb Republic to declare

⁷¹ Fawn; <http://www3.interscience.wiley.com/journal/119391507/abstract?CRETRY=1&SRETRY=0> (accessed May 14, 2010)

independence from Bosnia and Herzegovina. This opinion was backed by the Serb Movement of Independent Association (SPONA) and other nationalistic group The Coice is Ours. SPONA declared that if the EU decides not to respect “international law”, the Serb Republic and its parliament should be able to declare the entity’s independence without a referendum.⁷² The Prime minister of the Serb Republic, Milorad Dodik referred to the problem very carefully, saying that if independence of Kososo happens it might help people to develop same ideas in the other places as well. Dodik maintained this position in months to come, never really connecting Kosovo and the Serb Republic, and claiming that if the Serb Republic decides to choose a separate path from Bosnia it will not have anything to do with the case of Kosovo. Still, Dodik showed his support to the Serbian people, so he attended governmental-organized protests in Belgrade. It is unclear whether the reason was the support to Vojislav Koštunica, prime minister of Serbia, who adopted much radical policies himself. Koštunica blamed the US and the EU for recognizing Kosovo, asking from them to “annul” it.⁷³ The Office of the High Representative responded as expected. It declared that the borders of Bosnia and Herzegovina are guaranteed by Dayton Agreement, as well as its territorial integrity, and that case of Kosovo can not be connected to the Serb Republic.

3.7 “The Choice is Ours”

The Choice is Ours (Srpski Narodni Pokret “Izbor je Naš”) is a nongovernmental organization fighting for the “freedom” of the Serb Republic in the past few years. With a very nationalistic rhetoric, even before Kosovo became independent this group was making petitions in which they were emphasizing human rights and freedom of the choice of the Serbian people,

⁷² SETimes.com; Bosnian Serb nationalist threaten secession; published: February 15, 2008; http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/02/15/feature-01 (accessed May 28, 2010)

⁷³ Loza, Tihomir; Republika Srpska: Minister of Noise; Transition Online; issue: 03/04/2008; *Central and Eastern European Library*; www.cceol.com; (accessed May 28, 2010)

which they would never have if they remain a part of Bosnia and Herzegovina.⁷⁴ Right after Kosovo declared its independence The Choice is Ours decide to react and to ask from the parliament of the Serb Republic to proclaim independence and to break away from Bosnia. In their opinion secession of Kosovo was illegal act, and taking that in consideration the Serb Republic should do the same thing.

Dane Čanković, president of “The Choice is Ours” sent an open letter to the prime minister, Milorad Dodik, asking him to make a declaration by which government would proclaim independence of the Serb Republic.⁷⁵ Čanković managed to gather around 50.000 signatures. In this letter, Čanković was referring to the national feelings, historical existence of Serbians in this territory, and trust which people of the Serb Republic have in him. Letter referred also to the case of Kosovo, pointing out that not one world leader has a good argument which would justify why Kosovo can be independent and the Serb Republic can not. Čanković maintained that only Bosnian Serbs could help the Serb Republic with justified arguments which will lead them to independence. He never provided these arguments, but he claimed that they have economical, political, and national background.

The initiative was then forwarded to the Parliament of the Serb Republic. The Secretariat of Legislation of the Serb Republic declared that the legal status of the Serb Republic is determined by the Constitution, and in order to make any changes, initiative has to come either from President of the Serb Republic, Government or at least thirty representatives in the Parliament. Secretariat concluded that Čanković’s initiative, because of the reasons mentioned

⁷⁴ Ajder, Miroslav; Bosnia: To Be or Not to Be a Nation; published by *Transitions Online* on May 6, 2008; www.tol.org ; (accessed May 21, 2010)

⁷⁵ Otvoreno pismo SNP „Izbor je naš“ Miloradu Dodiku; *BHraja*, published: February 20, 2008; <http://www.bhrajaca/Vijesti/BH-teme/Otvoreno-pismo-SNP-%22Izbor-je-na%C5%A1%22-Miloradu-Dodiku.html> ; (accessed May 28, 2010)

above, can not be considered, because he has no legal grounds to be a proponent.⁷⁶ The Office of the High Representative found this initiative illegal and characterized it as a way of raising political tensions in Bosnia.⁷⁷

Here we can actually see how it is easy to influence masses. Petition and all other demands came right after Kosovo's proclamation of the independence. Even though in the petition this nationalistic group did not refer to the case of Kosovo, it is obvious that their reaction was connected to the events happening in.

3.8 Law on Referendum in the Serb Republic

Question of referendum of the Serb Republic was one of the most controversial issues in the past few years. While Dodik frequently used the threat of holding a referendum on the independence of the Serb Republic, in February 2010, he declared that he has no intentions of breaking Bosnia apart. Valentin Insko, High Representative to Bosnia, warned Dodic and other officials in the Serb Republic that if they organize referendum, which was planned for December 2009, the Serb Republic will find itself "on the dangerous path of legal uncertainty". Response from Serbian side came in the form of accusation, which blamed Insko of abusing his powers.⁷⁸

On 10 February 2010 the Parliament of the Serb Republic passed the referendum law which would facilitate holding a referendum on national questions.⁷⁹ While most of the politicians in the Federation saw this act as closer step to possible referendum on independence of the Serb Republic, Minister of Public Administration in the Serb Republic, Zoran Lipovac argued

⁷⁶ Intermezzo; Vlada RS prosljediće Parlamentu inicijativu za nezavisnost RS; published: July 10, 2008; <http://www.intermezzo.ba/latn/?page=4&kat=2&vijest=13018> accessed 28 May 2010

⁷⁷ OHR: Inicijativa za nezavisnost Republike Srpske namijenjen podizanju tenzija u BiH; *BH muslim monitoring*, published: July 5, 2008; <http://bhmuslimmonitor.info/ba/domace-vijesti/ohr-inicijativa-za-nezavisnost-republike-srpske-namijenjena-podizanju-tenzija-5.html> (accessed May 28, 2010)

⁷⁸ Nikšić, Sabina; Bosnian Serbs Adopt Contraversial Referendum Law; *Balkan Insight*, published: February 11, 2010 <http://www.balkaninsight.com/en/main/news/25743/>; (accessed May 28, 2010)

⁷⁹ BBC, Bosnian Serbs pass referendum law; published February 11, 2010; <http://news.bbc.co.uk/2/hi/europe/8510383.stm>, accessed May 28, 2010

that this law would only help citizens of the Serb Republic to decide on issues which are important for their future and life.⁸⁰

3.9 Prospects for the future of the Serb Republic

Looking back from the distance, the situation in the Serb Republic has not change radically in the past two years, since the time when Kosovo declared its independence. The only actual change was the law on referendum, which did not exist until February this year. Attention was more focused on Kosovo itself than on the Serb Republic. Most of the protest which were organized in the Serb Republic, as well as in Serbia, were emphasizing and portraying Kosovo as the cradle of the Serbian nation which could not be separated from the rest of Serbia. Rhetoric by some Serbian politicians which tried to connect the Serb Republic with the case of Kosovo did not gain so much attention in the international scene. The international community perceives Bosnia and Herzegovina as their successful creation which managed to stop the war. This country represents a place where they invested lots of time and money, and it is not very likely that they will allow any drastic changes to happen in years to come, especially without consensus of all three ethnic groups. On the other hand Serbia is trying to follow pro-Western orientation, as well as to join the Euro-Atlantic integrations. In that situation, no matter how good relations it has with the Serb Republic, choice is obvious if it finds itself in a situation to choose between smaller Bosnian entity and pro-European integrations. This all leaves the Serb Republic on “its own”, but still as a part of Bosnia and Herzegovina.

⁸⁰Bašić, Željka; Zoran Lipovac: Zakon o referendumu nikog ne ugrožava; *Glas Srpske*, published February 10, 2010; <http://www.glassrpske.com/vijest/2/novosti/35063/lat/Zoran-Lipovac-Zakon-o-referendumu-nikoga-ne-ugrozava.html> (accessed May 28 2010)

CONCLUSION

Self-determination movements today can be found in all parts of the world. Controversy comes with a debate to whom this right should be granted, and to whom denied. History has shown that while some countries were falling apart reaction from international community never came. In my thesis I focused on the cases of Montenegro and Kosovo and self-determination movements which happened there, as well on the effects which emerged in the Serb Republic. Relying on these three cases, I analyzed if domino effect exists when it comes to self-determination movements.

Montenegro proclaimed its independence after referendum, according to the Agreement which it had with Serbia. Agreement stated that Montenegro had to wait until 2006 in order to organize referendum on independence, and Serbia would be a successor country of the Union of Serbia and Montenegro. On the other hand event preceding Kosovo's independence can be traced way back into to history. Connecting Kosovo with the case of Montenegro is only justified if one argues that Montenegro's independence happened in a right time for the events happening later in Kosovo. Just like Montenegro's independence, case of Kosovo managed to influence people living in the Serb Republic.

As I have shown in a third chapter psychological effect is very important when it comes to masses and the public opinion. Nationalistic feelings which were presented in Serbia and the Serb Republic manifested itself in the shape of protest, riots, and petition for independence. My analysis has shown that independence of Montenegro might have speeded up the whole process, which does not mean that Kosovo's independence would not happen if there was no Montenegro's case before. Independence of Montenegro left Serbia in a difficult position, and with lots of problems concerning war criminals, integration into the Euro-Atlantic institution, and

of course Kosovo. Kosovo became not only Serbian problem, but rather a problem of the whole international community, which was eager to deal with it as soon as possible. From Albanian perspective this seemed like a perfect timing for dealing with the future of their “country”. These two cases are different, as well as their reasons for independence. This leads me to a conclusion that Kosovo’s independence would have happen no matter of Montenegro’s situation, and the only question still open is whether it would be in 2008, or a few years later.

The effects of Kosovo’s independence on the Serb Republic are still difficult to predict. In the third chapter I have shown that in the past two year, nothing radical happened which might have endangered the existence of Bosnia and Herzegovina. The only real pressure comes from the international community, represented by the Office of the High Representative, who is pushing towards the centralization of institutions which are prerequisite for the integration into the Euro-Atlantic integrations.

Arguing that independence of one region represents a threat for the other places is justified, but in these three cases it is difficult to find a direct link which one could follow and determine as a main source of influence on another country or region.

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