



COLONEL ZOLTÁN KOVÁCS

**THE ESTABLISHMENT OF KOSOVO'S STATEHOOD AND ITS
REGIONAL AND GLOBAL CONSEQUENCES**

Thesis of a doctoral (PhD) dissertation

(Thesis Book)

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1. Description of the Scientific Problem

Studying the security situation in the Balkans, Serbia in particular is of utmost importance for Hungary. Geographical vicinity and historical ties make the region important to our homeland. Kosovo appeared as a new theme in the process of the fragmentation of the former Yugoslavia; since it was not about the independence of a republic, but an autonomous province. The stability of the region has a direct impact on Hungary's security; therefore its study is of great importance.

After the end of the civil war, the fate of Albanian minorities in Macedonia, Montenegro and Serbia remained unresolved. A drive for self-determination arose in all republics among ethnic Albanians, but they were realised in a different form. The Montenegrin leadership were right in their assessment that local Albanians could be valuable allies and that bloodshed could be avoided by providing rights for minorities. In Macedonia and in Serbia, ethnic Albanians used violence to gain independence. While Kosovo Albanians succeeded in achieving this, their Macedonian counterparts did not, and an integration process like the one in Montenegro started.

Many questions stem from the crisis process. The answers are important for the region, for Europe and indeed the entire World; since the answers can indicate how long the present stability in the Balkans can last, and how to apply crisis management experiences that was gathered in the Balkans.

In order to answer these questions, I study the historical background of the crisis, its direct antecedents, its escalation, and political and attempts to achieve a military settlement. I finish my study by focusing on the Unilateral Declaration of Independence and the reactions to it. I only deviate from this in a few instances in which significant events occurred prior to the closure of this dissertation (25 May 2019).

2. Research Objectives

The aim of my research is to identify what circumstances led to Kosovo's Unilateral Declaration of Independence and what effects this action can have on the independence aspirations of other ethnic separatist groups. As the subject develops, I seek answers to the following questions:

1. Why were there differences in the independence aspirations of ethnic Albanians in different former Yugoslav republics?
2. What internal and external factors caused the escalation of the Kosovo crisis? How did Kosovo gain its independence?
3. Can the Kosovo example be a precedent for secessionist groups elsewhere?
4. What can the international community and the local state do in order to avoid and effectively settle armed conflicts of such an ethnic nature?

3. Research Hypotheses

1. Ethnic Albanians living in different republics of the former Yugoslavia belong to the same cultural environment and share political values and assertions of their interests. Differences in processes between Macedonia, Montenegro and Serbia are the consequences of the different reactions of the majority and the different support/guidance from the international community.
2. The peaceful or aggressive actions of the local state and support/guidance of the international community play a key role settling ethnic conflicts.
3. Kosovo's independence could be seen as precedent, but ethnic groups seeking independence can only use it if one or more significant regional or global powers support their case.
4. In avoiding ethnic crises a special emphasis must be put on an understanding that it would be beneficial for the majority to make concessions for the minority, instead of risking an armed conflict that could lead to the loss of territories.

4. Research Methods

I find, collate, select, organize and analyse both Hungarian and international literature on the subject. I draw down the historical chronology; identify connections; introduce key players and organizations. I elaborate on the evidence provided by the collected material by adding induction and deduction, justifying my hypotheses, drawing conclusions and making proposals for the utilization of my results.

Research and development has been mainly based on my previous work in the subject and practical experiences (personal meetings and interviews and the continuous tracking of events) gained.

5. The Structure of the Dissertation

Introduction

At the beginning of the study, I clarify the scientific problem, lay down my objectives and hypotheses, and identify research methods.

Historical overview of the relationship between Serbia and Kosovo

I identify historical aspects of relations between Serbia and Kosovo from the beginnings, through the end of Ottoman occupation, the Balkan wars, the two world wars, the Tito era, the disintegration of the former Yugoslavia to the war and international intervention in Kosovo.

Evaluation of key personnel taking part in the conflict

I identify Serbian, Kosovar and international key personnel in the run-up, escalation and settlement of the crisis. I introduce their roles and shed light on how their motivation influenced events.

Recent independence aspirations of Kosovo Albanians and its political, social and military aspects

I follow events from the Kosovo Albanian perspective and identify the effects of Serbian oppression of ethnic Albanians. I draw on basic characteristics of Rugova's peaceful resistance, and the rise and dominance of the Kosovo Liberation Army (Ushtria Çlirimtare e Kosovës – UCK).

Serbia's attempts to settle the Kosovo situation

I analyse the stance of Serbian authorities, paramilitary organisations and the public stance towards the Kosovo question. I introduce the process of the rise extreme Serbian nationalism and its consequences. I touch on attempts to settle the situation with military force and its failure, and failed political actions of the Serbian leadership to avoid Kosovo's independence.

Anti-terrorist operations of the Yugoslav security forces in Kosovo in 1997-1999

I detail the leadership, organization, strength, equipment and tactics of the Yugoslav security forces (Yugoslav Army, Police and paramilitary forces), and their role in the conflict.

Standpoint of the international community

I highlight efforts of the international community to settle the crisis and to stabilise the security situation. I outline the most important opinions, and attempts to achieve a peaceful settlement. I evaluate each actor's motivations and introduce the background of their activities.

NATO's air operations against Yugoslavia

I detail the start and conduct of NATO's operations against the Federal Republic of Yugoslavia. I introduce the stages of the operation, examine the effectiveness of the operation and evaluate its consequences.

UNMIK's role in the crisis settlement

I introduce UNMIK's (United Nations Interim Administration Mission in Kosovo) structure, its mission and its tasks. I review and translate UNSCR 1244, which was the basis of the operation. I evaluate UNMIK's activities and their effects on the status settlement. I draw conclusions from the connections between the work and activities of UNMIK and Kosovo's Unilateral Declaration of Independence.

KFOR's role in the crisis settlement

I introduce the causes and circumstances of the establishment of KFOR and review its tasks. I introduce the Military Technical Agreement. I evaluate tasks conducted by KFOR and its achievements. I evaluate KFOR's effects on the status settlement.

Kosovo Albanians' political attempts of to gain independence

I review the preparation and execution of Kosovo Albanians' political activities to gain independence. I introduce the standpoint of major individual Kosovo Albanian actors. I evaluate their political actions and their lasting consequences.

Serbian attempts to regain control over Kosovo after the establishment of the international protectorate

I introduce the standpoints and activities of Serbian leaders with different backgrounds. I point out the ideology-independent nature of Serbian nationalism. I evaluate the effectiveness and consequences of Serbian actions.

Status settlement attempts of the international community

I review standpoints of individual international actors on Kosovo's status. I introduce the conduct of status talks. I evaluate the effectiveness and consequences of the status-talks.

Kosovo's Universal Declaration of Independence

I review direct antecedents and the conduct of the unilateral declaration of Kosovo's independence. I introduce Kosovo Albanian arguments and international reaction to the declaration of independence.

The International Court of Justice's view on the declaration

I highlight the problem which was introduced to the court. I review arguments of the parties in court. I introduce the ruling and different reactions provided by the parties and international actors. I evaluate the potential consequences of the decision.

Regional and global consequences of Kosovo's independence

I evaluate the effects of the Unilateral Declaration of Independence on the Western Balkans, Europe and the World's relevant crisis areas. I establish whether the unilateral declaration of Kosovo's independence can be viewed as precedent, and what circumstances are required for the action to be repeated.

Overview and conclusions

At the end of the dissertation I summarize my results, draw possible conclusions, compare my results with my original hypotheses, summarize new scientific results and make proposals for further utilisation.

6. Summarized Conclusions

A long historical process full of conflicts led to the Kosovo conflict and the unilateral declaration of Kosovo's independence. Kosovo Albanian independence ambitions appeared in

the form of peaceful demonstration, obstruction and extreme violence. By the mid-1990s violence became the dominant tool for Kosovo Albanians to reach their objective.

The armed resistance of Kosovo Albanians however, would never have been able to reach success against the Yugoslav state and its security forces, which had resources far surpassing that of the Kosovo Albanians without support. The balance was tipped in favour of the Kosovo Albanian side by strong support from the international community, mostly the United States of America. Ultimately, NATO's military intervention permanently settled the matter. KFOR's entry to the province institutionalized the deprivation of Serbian power in Kosovo. With this, Yugoslavia lost its sovereignty over Kosovo, and the province moved towards independence.

Mistakes made by the Yugoslav leadership led to the loss of an armed conflict between FRY and NATO. As a consequence, the FRY and later its successor state, the Republic of Serbia has lost first *de facto* and then *de jure* its authority over Kosovo. The fall of Yugoslav domination, the so-called democratic change of regime and consecutive trial of ex-Yugoslav leaders in the ICTY became further consequences of the conflict.

Although the Yugoslav Security Forces reached their military objectives and managed to clear Kosovo from most of ethnic Albanians, the development of the political objective failed to materialize. It proves that the military and political goals of an operation must work in harmony. Operations of a security force do not stand alone; they must be conducted in order to achieve a political objective. The reason for this failure was the of the Yugoslav leadership's miscalculation of the degree of resolution within the international community.

These processes had a positive effect on the regional security and provided an opportunity for Serbia to settle its relations with the West, but the conflict caused severe human casualties and material damage to the country. Additionally, the loss of Kosovo will remain an open question for Serbia for a long time.

Leading international actors agree that the UN must be a primary arena for conflict resolution, specifically the Security Council. In Kosovo's case it was introduced in UNSCR 1244. The Kosovo case carried weight within the international community regarding regional stability, and for the potential effects it might have on individual states. Members of the international community based their standpoint on the above factors.

This duality caused major problems in the UNMIK's functioning. The UNMIK's objective was not to create an independent Kosovo, but to establish widespread autonomy

within the Federal Republic of Yugoslavia. However, Kosovo Albanians' determination and establishment of institutions independent from the FRY, played an important role in preparations for independence.

UNMIK's actions created a basis for an independent democratic state and developed its institutions, as well as educated a sufficient local cadre. With these actions, UNMIK – in direct contravention of UNSCR 1244 – pushed Kosovo further from its status within the FRY.

During status settlement all parties emphasised that This situation cannot be taken as precedent in any form for other crisis areas. This standpoint was maintained by Russia, even when the above-mentioned events took place. One can draw the conclusion that the Kosovo case did not change the main international actors' behaviour. It is possible that some international actors could gain inspiration from Kosovo, but will avoid drawing any parallel between the two situations.

In Kosovo's neighbourhood and in the EU there are differences whether the independence of Kosovo can be viewed as a precedent. As a consequence of its rich and volatile history, many EU countries have different levels of ethnic conflict; namely: Flemish–Walloon opposition in Belgium, the Greek-Turkish standoff in Cyprus, the problem of Northern Ireland in the United Kingdom, the Basque question in Spain, and the situation of the Hungarian minority in Romania and Slovakia.

The time that has elapsed since the declaration of independence proves that EU nations have no reason to fear the Kosovo case being a precedent for their individual situations. Secessionist movements have not gained real momentum in any EU country; the possibility of the eruption of armed conflict is negligible.

To look further, a number of countries in the World have minority groups seeking independence. From great powers, Russia and China stand out, and the Kurdish population, which inhabits five different countries should be mentioned. It is a fact that, so far no minority groups could gain independence citing the Kosovo example. The Kurds are a good example, having tried to utilise the troubled situation after the second Gulf war without success, mostly because they lack the support of the United States of America.

At the moment there are two real exceptions, both of which are special from an important aspect. Only six months after the declaration of Kosovo's independence, two secessionist territories (Abkhazia and South-Ossetia) took a similar path in Georgia. In both cases strong support from Russia was required to gain independence, but aside from Russia,

only a few of their closest allies recognise this action. Events that took place recently in Ukraine are also not far from this situation. The independence of the Crimea and the situation in Eastern Ukraine also has similarities. Russia does not draw any parallel between the two situations, but the policy followed is similar to that of the Kosovo case.

The question is how the precedent has affected these cases. It is a partially political, partially psychological question. Some critiques of the Crimea point to Kosovo as an example; those approving the situation avoid any mention of it. The use of precedent is a question of political influence. We cannot count on a political player like the United States of America to represent a consistent approach to the question. States are equal in International Law, but in reality, as a consequence of different geopolitical situations and power status there are inequalities. The observation of double standards is therefore inevitable.

Leaders of sensitive territories must be aware of the fact that their situation may be similar to that of Kosovo, but can achieve different support of regional or global power. International support for independence is in general of a political, rather than legal nature. The successful ambitions of an ethnic minority's independence are greatly dependent on external support. This fact greatly diminishes the danger represented by the Kosovo precedent. Generally speaking it can be stated that Kosovo's independence did not change the process of state emergence, and there will not be an increase of secessionist intentions as a consequence of Kosovo's independence.

7. New Scientific Results

New scientific results reached during my research can be summarized as follows:

1. Ethnic Albanians living in different republics of the former Yugoslavia belong to the same cultural environment and share political values and assertions of their interests. It was proven during my research that differences in processes in Macedonia, Montenegro and Serbia are the consequences of the different reactions of each majority group and the different support/guidance from the international community.
2. Kosovo's independence was helped by three factors that worked together: first the Belgrade leadership representing Serbian majority, which by not being able to handle Kosovo Albanian independence ambitions escalated the situation in Kosovo to an international crisis; second the behaviour of leading powers of the international

community who first decided on international intervention, then with consensus entrusted international institutions (UN, NATO, EU) with the normalisation; third the Kosovo leadership and society, who spent two decades following 1999 with promoting international recognition of Kosovo.

3. Kosovo's independence can be used as precedent, but only if the above mentioned factors are present. If the majority group fails to handle independence ambitions so that they become a regional security threat; if the international community decides on crisis resolution and gives the task to international organisations; and if the minority group is able to convince major international players to support its independence. Failing any of these conditions, achieving independence is doubtful and using Kosovo as precedent is useless.
4. The primary and best although not the only way of managing separatist ambitions is the avoidance of ethnic conflicts. Special emphasis must be put on understanding the fact that it is beneficial for the majority to make concessions for the minority, instead of risking an armed conflict that can cause the loss of territories. It is also important to state however, that armed ethnic conflict does not lead to independence automatically, since the loss of territory can be realised by covert or open annexation of a great power, which is not recognised by the international community.

8. Recommendations for Practical Use and further Research

My work identifies effective crisis settlement methods for many potential ethnic crises around the World. Leaders of majorities are advised to contemplate meaningful negotiations, as it can avoid a lasting armed conflict. On the other hand, a strong warning is formulated towards minority groups to tailor their ambitions in accordance with realities of potential international support.

Furthermore, I hope my work will be inspiring for fellow scientists they will utilise my results in researching the avoidance, background, evolution, and effective resolution of ethnic conflicts.

In my opinion, further research is required into establishing what role was played by the historic, social and religious background of the region and the personalities of major

actors in the Kosovo crisis. Results stemming from this research could identify the evolution of potential crises in different environments and with other leaders.

List of publications

The process of disintegration of the Former Yugoslavia
Master's thesis ZMNE 2001

Evaluation of ex-Yugoslav member states based on the theory of Regional Security Complex
Felderítő Szemle nr. 1. 2013. 5-17. pp

Intelligence support for peace operations
Társadalom és Honvédelem 2013/3-4. 336-343 pp

International consequences of the independence of Kosovo
Hadtudományi Szemle, 2014. VII. year nr. 3. 165-171 pp.

The effects of Kosovo's independence on secessionist groups' independence ambitions
Felderítő Szemle nr. 3. 2014 73-80 pp

Independence ambitions of Kosovo Albanians – freedom fight or terrorism?
Military science and the 21st century (conference book 2014) 49-60 pp

Anti-terrorist operations of the Yugoslav security forces in Kosovo in 1998-1999
Felderítő Szemle nr. 1. 2017. 23-35. pp

Croatia's security services (book chapter)
in Foreign Security Services Zrinyi Kiadó 2018 32-35 pp

Slovenia's security services (book chapter)
in Foreign Security Services Zrinyi Kiadó Zrinyi Kiadó 2018 56-60 pp

Background of IJC's decision on Kosovo's declaration of independence and its regional and international consequences
http://www.biztonsagpolitika.hu/documents/1302076511_Kovacs_Zoltan_Koszovo_fuggetlen_segenek_kerdesei_-_biztonsagpolitika.hu.pdf

The Serb nation and Kosovo
<http://www.biztonsagpolitika.hu/index.php?id=855&cat=17>

The international community's standpoint towards Kosovo
<http://www.biztonsagpolitika.hu/index.php?id=855&cat=17>

Professional-scientific biography

COL Zoltan Kovacs got his Bachelor's Degree at 1993 the Kossuth Lajos Military Academy as a reconnaissance officer. He got his Master's Degree in Defence Policy at the Miklós Nemzetvédelmi University of National Defence in 2001. He has been a PhD student in the Doctoral School of Military Sciences of the University of Public Service since 2011. He speaks English, German, Serbian and Croatian as foreign languages. He has participated in several national and international courses on Security Studies and Evaluation and Assessment. During his Master's and PhD studies he continued studying the West Balkans. He has been publishing on this subject since 2010.

He got his first assignment as Reconnaissance Platoon and Company Commander in the 31 Hunyadi János Infantry Brigade (Rétság).

Between 1997 and 2010 he worked in the Directorate of Analysis and Assessment of the Military Intelligence Office. During his work, he continuously followed the events of the Kosovo crisis and attempts to settle it. He has participated in several conferences as a speaker and as a participant. He served in foreign missions in Kosovo and in Serbia, during which he gained experience on the ground.

From 2011 to 2013 he worked in the Secretariat of the Minister of Defence. In 2014 he was posted to the Military National Security Service.

In 2015 he established the Resolute Support – Reach-back Analytical Centre (RAF Molesworth, UK), that provides analytical support to NATO's mission in Afghanistan. He continued to lead the unit until July 2019.