

Balkan PERSPECTIVES

A magazine on Dealing with the Past

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EDIT- ORIAL

Dear readers,

Dealing with the past is a broad subject; it encompasses many processes that a society can undergo when addressing violence and political oppression in its past. In previous issues we have explored abstract and emotional topics such as the remembrance of the past, the commemoration of known and unknown heroes and how survivors deal with trauma.

This time, we have dedicated the newest issue of *Balkan.Perspectives* to the more technical and political matter of peace agreements. Not that this more rational subject is any less important. Peace agreements set the ground for everything that comes after a war. They are the outcomes of diplomacy and often assume different forms. Some peace agreements simply stop the violence whilst others define clear guidelines for the post-war period and bring about institutional reform.

After the turmoil in the 1990s, the political landscape in the Western Balkans has been shaped by several peace agreements and diplomatic negotiations. We will present and discuss some of them in this issue.

First there's the Dayton Agreement, the peace agreement that put an end to the Bosnian War. There are a lot of things that have been said about Dayton. Instead of continuing the discussion further, we present the different voices prevalent in the media in Bosnia and Herzegovina on the 20th anniversary of the agreement in 2015. The different headlines clearly show that opinions are divided, and that there is still not a clear and final verdict on the Dayton Agreement.

International diplomacy involving warring Balkan states continued in the 1990s, the next set of negotiations taking place in

1999 in Rambouillet, between the Federal Republic of Yugoslavia and a delegation of Kosovo-Albanians. The NATO drafted agreement was eventually not accepted by the Yugoslav delegation, an outcome that led to the bombing of Yugoslavia by NATO. The negotiations and its results are still contested. Julijana Mojsilović takes us back in time and allows us to relive the negotiations.

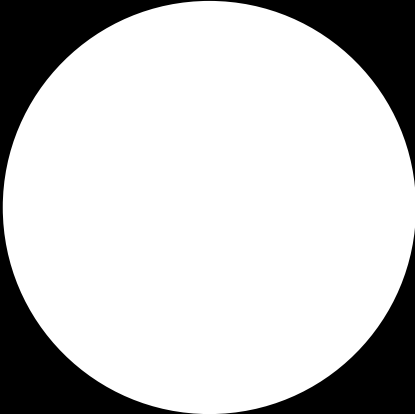
Just two years later, the spotlight was on Macedonia to sign an agreement. The Ohrid Framework Agreement was signed between the Macedonian government and representatives from the Albanian community in Macedonia, ending the violence between both parties. We explore how the agreement is seen today by representatives of civil society in Macedonia. Furthermore, we interview Vlado Popovski who took part in the negotiations, he gives us his first hand insight into the process at the time.

The negotiations continue to this day, as talks continue between Serbia and Kosovo in Brussels. Whilst these discussions are not to be understood as forming a peace agreement, they are contributing to the normalization of relations between Serbia and Kosovo. Our analysis of the negotiations, written by Andreas Berg, is rather pessimistic regarding the two nations' process of dealing with the past, but welcomes the talks as a first step in a long process towards peace.

We hope you'll enjoy reading this new issue of *Balkan.Perspectives*!

Sincerely,
Maike Dafeld/ Editor in chief

Do you believe in Peace Agreements?



Bosnia and Herzegovina

I believe that the Peace Agreement in Bosnia and Herzegovina has not fully justified its purpose, because it has not led to prosperity for the country, or public and political stability. However, the Peace Agreement has introduced a new “era” in Bosnian history. Bosnia and Herzegovina has, at least, achieved some sort of statehood and seen an end to the war. Twenty years after the Peace Agreement was signed, the citizens of Bosnia and Herzegovina still live in the “post-war era”, in a seemingly prosperous country.

Božana P., 37

From my perspective, one of a child that was happy to witness the Dayton Peace Agreement and the end of the war in Bosnia and Herzegovina, peace agreements are an excellent tool for stopping conflicts and preventing further casualties. Since this is mostly just a formal solution, a solution for stopping a conflict, I am of the opinion that peace agreements may be improved only through essential efforts of the stakeholders in achieving long-term solutions with a view to achieving true well-being for the conflicting parties.

Belma P., 32

Unfortunately, I do not believe in peace agreements, because those that I know in Bosnia and Herzegovina have mostly been imposed from outside. I think that this is just a temporary solution and only puts on hold problems that have escalated in a society, no matter of what nature. If a society fails to resolve centuries old misunderstandings and achieve a common understanding then a peace agreement is just a piece of paper, which sooner or later will be violated.

Amela M., 28

Macedonia

I find it not difficult to believe in peace agreements. The fact that history teaches us about them, take for example the Ohrid Agreement which interrupted armed conflict and therefore political dialogues were given the opportunity to bring peace.

Elham B., 29

Yes I do believe in peace agreements but in order to have those agreements surviving and establishing actual peace, many conditions have to be fulfilled. Firstly, the conflict has to be assessed and agreements have to be accepted by society. Otherwise those agreements which are brought from the outside won't accomplish their goal, which is bringing back peace and opportunity for better future of the society.

Danijela Z., 23

It's quite a tricky question actually, because peace agreements are agreements signed by governments and not by peoples. So if we can say that the government is a democratically chosen one and does represent the wishes of the majority of the people in its country, and if we assume that the two or more governments are going to respect the treaty, then I guess yes I would maybe not say believe in agreements as “believe” seems like quite a strong word, but I do think they can stand for something, work well and achieve a certain goal.

Ana-Marija K., 25

Kosovo

I don't believe in peace treaties, because I believe that these agreements are made legally and are written rules. The real treaties, which I believe have to be made in order to achieve peace, are related to cooperation and solidarity amongst two populations, or among specific groups within a population. This means cooperation, the harmonization of interests and the avoidance of conflicts or other issues that lead to the exacerbation of bad relations and conflict. Hence, I don't believe in peace treaties if they are not a practice that came as a result of civic and state mobilization. And, I don't believe in treaties that are signed and remain in a file.

Albulena N., 26

It is very hard to believe that these agreements, which are signed by someone representing a country, can practice in real life. Of course, as an idea it is the most peaceful way to end a war or to end a council about something negative. But the content of these agreements is always a mystery. For example you have the agreements between Kosovo and Serbia, but the real deals were never published. The only things that get public are those, where they think they start practicing it - but after the two years, since agreements have been signed, we still don't have any conclusions about what they actually agreed on or what has helped both countries, Kosovo and Serbia, to develop and to go towards the European Union. So it's still very hard to believe in Peace agreements. It's a big concept.

Ramadan S., 21

Peace agreements are the best way, I truly believe in that. However, it gets difficult while speaking about the region. It is still not the time, but I hope we will have peace agreements in the future, especially with Serbia.

Kushtrim L., 32

Serbia

In part, but it depends to what extent the countries entering into a peace agreement are civilised.

Mara A., 24

Not anymore. The peace agreements entered into following World War I and World War II were different. These agreements were entered into between several countries and the rest of the world, and it was impossible not to comply with them. They no longer have that importance.

Jagoda N., 64

I do not believe in them at all. If a signatory receives the support of a great power, the fight for obtaining greater rights than those defined in the agreement slowly begins. Also, when circumstances become more favourable for one of the signatories, limits are exceeded and the agreement is violated.

Aleksandar M., 38

About peace agreements – a short introduction



A peace process is an agreement where one or more conflicting sides agree to start a process, aiming to settle differences. When it comes to peace agreements, several problems need to be addressed to help make it more successful. Special attention needs to be placed on; establishing a new administration, judicial and police systems, vetting former combatants, dealing with war criminals and war crimes, building trust, addressing the issue of and caring for refugees, and establishing stable state institutions, to mention just a few. In addition, we need to keep in mind that each war, each conflict is different and peace agreements need adapting to each individual case.

According to Erwin A. Schmidl, one of the main difficulties in peace operations is the potential lack of long-term commitment. The Balkans is a good example, only long-term commitment can be a way out of the current status quo. This issue is why it is difficult in many cases to know whether peace operations are running successfully. It is difficult to measure, and can only be examined after a timespan of several decades. Still, as will be visible later on, some agreements made in the Balkans have fulfilled their initial purpose, but now need reconstruction and modifications.

Peace agreements are contracts projected to end a violent conflict or war, or at least to a large extent alter it, so that at a later stage it can more constructively be dealt with. There are various types of agreements that can be made during a peace process. The United Nations uses the following classifications: Truce, Cessation of Hostilities, Ceasefire and Armistice Agreements, Preliminary Agreements, Pre-negotiating Agreements, Framework and Comprehensive Agreements, Interim Agreements and Sub-Agreements.

A 'Truce' refers to a process in which the parties enter talks, but a 'Truce' is not peace. A 'Cessation of Hostilities' is a temporary end of violence, usually at the beginning of a peace process. A 'Ceasefire' is implemented under the peace process itself and is part of a bigger negotiation settlement. It provides enough space for negotiations and human aid, but it does not resolve the main cause of the conflict. When made at the end of a conflict, it usually involves the withdrawal of forces, disarmament and the demobilization of combatants. It also becomes an integral part of the overall peace process. An 'Armistice' shows that the participants have agreed to stop fighting permanently.

RAMBOUILLET: WAR AS A CONTINUATION OF POLITICS

Five months after the first threat of bombing against the Federal Republic of Yugoslavia, which at that time consisted of Serbia and Montenegro, the NATO delegation achieved some sort of agreement with the Yugoslav military and political officials from the Joint Staff of the Yugoslav National Army (YNA). As it turned out, this only meant postponing the inevitable. The agreement implied a partial withdrawal of Serbian forces from Kosovo, limited deployment of new troops and equipment and the consent of Serbia to the presence of unarmed observers from the Organization for Safety and Cooperation of Europe (OSCE).

In practice, however, things were not quite the same as agreed. Salient, orange jeeps transporting OSCE verifiers arrived in Kosovo, but this did not improve the situation in any significant manner. New negotiations followed in January 1999, but were again fruitless. The former Yugoslav president, Slobodan Milošević, refused to accept international forces that would guarantee cessation of hostilities in the province. Since he was convinced that Kosovo Albanians and their guerilla forces, the Kosovo Liberation Army (KLA), had no chance of separating the province from Serbia and removing it from any influence from Belgrade, Milošević refused the proposals of the international community, one after another. Since he considered Kosovo as part of his territory, he thought that any foreign intervention would mean interfering with internal affairs of an independent state, and if such decision was ever made, he hoped that Russia, and maybe China, would veto a potential NATO decision on military intervention at the UN Security Council. Every one of these calculations turned out to be wrong.

RAMBOUILLET AS THE LAST CHANCE

The negotiations were conducted at a castle in the town of Rambouillet, some 60 kilometers away from Paris. They started in February 1999 and lasted for almost three weeks. Milošević was not present, having stayed in Belgrade, but he was controlling the Serbian negotiation team. The President of Serbia at the time, Milan Milutinović, was present in Rambouillet and occasionally took an evening flight to Belgrade to receive instructions from Milošević.

The Kosovo delegation was lead by Hashim Thaçi, the political representative of KLA, who was in his twenties back then, a tough negotiator, who controlled the somewhat less unified team of Kosovo Albanians. One of the members of the Kosovo delegation, for example, was joking with journalists, telling them that “Ibrahim Rugova was even accompanied to the toilet, in order to prevent him from entering another room and signing the agreement.”

The negotiations boiled down to shuttle diplomacy of members of the so-called contact group, which consisted of representatives from the USA, Russia and the EU; Christopher Hill, Boris Majorski and Wolfgang Petritsch. There were no direct meetings between the Albanian and Serbian delegation. One of the key actors of diplomacy was Madeleine Albright, the former US Secretary of State. Not even her frequent visits and discussions with Thaçi were fruitful.

GERRY ADAMS? NO, THANK YOU.

During one such meeting, while taking a walk along the paths of the castle, Albright tried to convince Thaçi that Kosovo Albanians should sign the agreement and solve their problems.

The negotiations at the castle in the city of Rambouillet, some 60 kilometers away from Paris, started in February 1999 and lasted for almost three weeks. Slobodan Milošević was not present, having stayed in Belgrade, but he was controlling the Serbian negotiation team. The President of Serbia at the time, Milan Milutinović, was present in Rambouillet and occasionally took an evening flight to Belgrade to receive instructions from Milošević. The Kosovo delegation was lead by Hashim Thaçi, the political representative of KLA, who was in his twenties back then, a tough negotiator, who controlled the somewhat maladjusted team of Kosovo Albanians.





According to a source from the Albanian delegation, part of the talks went as follows: "If you sign it, we will make you the new Gerry Adams (the leader of the Sinn Féin party in Northern Ireland, the political wing of IRA)," suggested Albright.

"Gerry Adams? No, thank you. The IRA is on the list of terrorist organizations, which would mean that the KLA would also be placed on that list," answered Hashim Thaçi without much thought. According to the same source, Albright, who was surprised by this answer, proposed three possibilities to Thaçi: "You sign it, the Serbs refuse to do so, we bomb them; you refuse to sign it, the Serbs do sign it, you will be left to the mercy of the Serbs; if both of you refuse, there is nothing else we can do. Think about it." The young Albanian leader was not moved by this either. His fundamental request was the right to a referendum for secession from Belgrade, which the international community did not support at the time. Without the fulfillment of this request, his delegation refused to negotiate. On the other hand, the European members of the contact group advocated the greatest possible autonomy of Kosovo within Yugoslavia, which Belgrade was willing to sign, but the Kosovo Albanians refused.

THE NEW AMERICAN CONDITION – A GUARANTEE FOR FAILURE

Sources in Rambouillet at the time of negotiations and some later analyses have suggested the following version of events. That the USA, dissatisfied with the refusal of the Albanians and the potential Serbian consent to the political part of the agreement, introduced new elements at the last moment, which it could be assumed with certainty that Belgrade would refuse.

The new elements were added to the military aspect of the agreement. As well as a provision for the presence of NATO troops in Kosovo, the new request was for unhindered movement across Serbia. According to some sources, this request also extended to free use of the barracks of the Yugoslav Army with no compensation for infrastructure damages resulting from the movement of troops. During an interview with Reuters at the time, the President of Serbia, Milan Milutinović, said that there was no Serbian politician who would sign that, because it essentially equalled occupation.

The agreement itself was never fully published. However, a "leak" revealed that it established the position of 'the head of implementation mission', who would be authorized to make decisions that would be binding for the signatories. The head of the implementation mission would be the only person authorized to interpret the political part of the agreement, and the commander of the international or NATO forces would be in charge of interpreting the military part of the agreement. According to information that "leaked", there was one provision in particular that was unacceptable for Serbs. It expressly provided that the specified solutions would be applied for three years, and that after this period, a decision on the final status of Kosovo would be made at an international gathering, which was interpreted as an independence referendum by Belgrade. Such a solution opened up the possibility of legalizing the secession of Kosovo after three years through a referendum of the Albanian population.

On the other hand, the military part of the agreement that the USA inserted as a special annex B (status of multinational implementation forces) was allegedly formulated in such a way that it would be unacceptable for Yugoslavia, since it would allow a situation that the Serbian delegation saw as a military occupation. Among other things, Annex B called for: a withdrawal of all Yugoslav and Serbian military and police forces from Kosovo with the exception of 1,500 soldiers and 75 policemen and the withdrawal of all military machinery from Kosovo, not just tanks, cannons and other heavy arms, but all defensive means.

The guarantee for the implementation of the agreement in Kosovo would be NATO troops. NATO would also be responsible for the control and regulation of land traffic in Kosovo and airspace above the province. Even airspace of up to 25 km outside Kosovo, above the territory of Yugoslavia, would be NATO's responsibility, with a prohibition for Yugoslav airplanes to enter that airspace without a special permit from the relevant NATO commander. Some foreign actors present in the negotiations in Rambouillet claim that they interpreted parts of the agreement in a different manner, especially the political aspect, claiming that after three years both Serbs and Albanians would have the same right to decision making. According to some sources, the West did not really agree to allow Kosovo to obtain anything more than greater autonomy.



(DIVIDED) UNITED NATO

During negotiations, cracks appeared in the Alliance itself. The Italians persistently insisted on an agreement and avoiding the bombing of Yugoslavia. Some other participants also had dilemmas regarding the end of conflict in Kosovo with international assistance, but in the end the need for preserving the unity of NATO prevailed, in the year the Alliance was marking half a century since its establishment on April 4, 1949.

After 18 days of February negotiations in Rambouillet, the negotiations continued in March in Paris, when both delegations would give their final answer and either sign or refuse to sign the agreement. The Albanian side informed foreign diplomats that it would sign, whereas the Serbian delegation presented numerous amendments regarding the political part, and it absolutely refused to accept the military part of the agreement.

The Serbs asked for more time, and although the US President Bill Clinton told journalists that maybe it was necessary to wait for a while, this did not happen. Others were of the opinion that it made no sense to try to accommodate the “tactics of Serbian obstruction,” as they called it, in a time in which, according to intelligence data, Yugoslavia was increasing its military presence in the province.

After the Albanian ‘YES’ and Serbian ‘NO’, the bombing of Yugoslavia started on March 24, 1999 and lasted for 78 days. It ended with the Kumanovo Agreement that Milošević agreed to after receiving counsel from the Russian politician Yevgeny Primakov. According to a source near the Yugoslav President, Primakov told him that Russia could not help him in avoiding the bombing and that it was not sure that, if a land intervention ensued, which actually had not been planned, at least not immediately, NATO would stop on the administrative border of Kosovo.

Julijana Mojsilović is a journalist from Belgrade. She has worked for numerous media outlets in the region (Slobodna Dalmacija, Jutarnji list, Balkan Insight), as well as foreign publications and press agencies (Associated Press, Reuters). She has also worked as a PR expert for international companies and a PR advisor to the cabinet of Zoran Đinđić. She mostly worked in crisis PR. Julijana Mojsilović lives and works in Belgrade.

The Dayton Peace Agreement headlines of Bosnia and the Pares

Headlines advertise articles and are therefore crucial to the extent in which texts are being read. In order for a headline to be interesting and to attract the attention of readers, key quotes from the text that carry an important message are used. As regards reporting about the Dayton Peace Agreement, society in Bosnia and Herzegovina is still waiting for important messages that would indicate concrete changes.

The Dayton Peace Agreement confirmed ethnic divisions and war conquests, it abolished the category of ‘citizen’ from the Constitution of Bosnia and Herzegovina, forcing citizens to declare themselves as belonging to one of the ethnic groups, and opened the doors for clientelism and corruption in all fields. Based on headlines in Bosnian media, it is possible to feel the agony brought by the Dayton Peace Agreement. They show all disagreements and the inability to compromise, blockades of any changes, the “frozen war”, as one of the headlines reads. The media devote great attention to consequences of the Dayton Peace Agreement on its 20th anniversary, and for justified reasons. The US journalist and political analyst, Franco Galdini, calls Bosnia and Herzegovina a “country with three presidents, 13 prime ministers and no decent government”, outlining the fact that the American intermediation in creating the Dayton Peace Agreement has turned Bosnia and Herzegovina into chaos 20 years after the war.

Despite this, in international politics the Dayton Peace Agreement is increasingly being mentioned as a successful project that should be a model for the solution of the conflict in Syria.

*Radio Sarajevo: headlines of the newspaper
Oslobodenje*

Agreement in the in News Portals

- 1_ The Congress requests a special envoy for Bosnia and Herzegovina

The USA requests a verification of the effects of Dayton

The resolution of the US Congress should speed up the accession of Bosnia and Herzegovina to the EU; constitutional reforms based on the Dayton Agreement need to be implemented; there are difficulties in establishing efficient political institutions, as stated in the resolution

- 2_ Today is the anniversary of Dayton: the Agreement that froze the war

- 3_ Mesić: Dayton created a dysfunctional state

The Dayton Agreement – General Framework Agreement for Peace in Bosnia and Herzegovina with 12 Annexes was initialed on this day 18 years ago

- 4_ 20 years later: Dayton again the cause of argument between Dodik and Izetbegović

- 5_ **Seventeenth anniversary of Dayton**

The Dayton Peace Agreement, which was initialed on November 21, 1995 by the former President of Bosnia and Herzegovina, Alija Izetbegović, President of Croatia, Franjo Tuđman, and President of Serbia, Slobodan Milošević, officially ended the three-year war in Bosnia and Herzegovina

- 6_ **Banja Luka:** The conference on the occasion of the 20th anniversary of Dayton was opened with the composition “Give us peace”

- 7_ Mesić in favor of Dayton 2 and a Bosnia and Herzegovina consisting of multi-ethnic cantons

The former President of the Republic of Croatia, Stjepan Mesić, believes that it is time for a new international conference during which

the change of the internal set-up of *Bosnia and Herzegovina* would be discussed, and his proposal is to reshape *Bosnia and Herzegovina* into a civic state consisting of several multi-national cantons

- 8_ **Unpacking of “Dayton” is dangerous for Srpska**

The Declaration of the Croatian National Parliament about the establishment of four federal units constitutes an unpacking of the Dayton Agreement, which is very dangerous for Republika Srpska, said parliamentarians from the Serb Democratic Party (SDS) and the National Democratic Movement (NPD) at the Representative Council of the Parliamentary Assembly of Bosnia and Herzegovina during an interview in the show “Challenges” on the BN TV station. The support of the Deputy President of the Alliance of Independent Social Democrats (SNSD) of the Declaration of the Croatian People’s Party (HNS) constitutes national treason, said an SDS parliamentarian, Aleksandra Pandurević.

- 9_ **No more drawing of borders in the Balkans**

On the occasion of the anniversary of the Dayton Peace Agreement, Professor David Chandler believes that the agreement is good only for the international community

- 10_ **Radmanović: If we have Dayton, we do not need a referendum**

Radmanović and Nikolić discussed in Belgrade the current political situation in the region and WWI

- 11_ **Picula: Dayton is to be amended – Bosnia and Herzegovina needs a new constitution!**

Zagreb – “The system in Bosnia and Herzegovina should be changed generally. Dayton is becoming a serious obstacle for any kind of initiative for establishing a European democracy in Bosnia and Herzegovina, with a prosperous economy”, said Tonino Picula, an EP member.

- 12_ 1Dayton needs to be enforced, not amended

- 13_ **“Only Dayton can keep Srpska in Bosnia and Herzegovina”**

A revision of the Dayton Peace Agreement strived at by Western countries aims at a disappearance

of Republika Srpska, due to which all Serbian political parties in Bosnia and Herzegovina must have a joint attitude. This was the message of the Assembly of the Association “Creators of Republika Srpska”, which was held in Pale.

14_ **Has the time come to amend the Dayton Agreement?**

Some in Bosnia and Herzegovina see it as a “straitjacket”, put on Bosnia and Herzegovina, and others see it as a “guarantee for the protection of national interests”. Torn between these two options, this country has been stagnating for 19 years since the signing of the Dayton Agreement

15_ **Dayton: Nothing new even 14 years later**

The Dayton Peace Agreement was signed on this day in 1995, at the American military base Wright Patterson near Dayton.

16_ Today is an anniversary of Dayton, the Agreement that stopped the war

“This is not a just peace, but this is more just than a continuation of the war. In such a situation, and in such a world, a better peace could not have been achieved”, said the first President of the Presidency of the Republic of Bosnia and Herzegovina, the late Alija Izetbegović, visibly shaken, after the ceremony of signing the Dayton Peace Agreement on December 14, 1995 in Versailles in Paris.

17_ **17th Anniversary of Dayton**

The Agreement that froze the war

18_ **After three weeks of negotiations in Ohio**

A baffling peace

19_ A dramatic end of negotiations about Bosnia in Dayton

Diplomatic maneuvers in Dayton

Adis Susnjar worked on the Sarajevo editorial board of the newspaper “Nezavisne novine” between 2005 and 2010. He worked as a coordination officer as part of the regional PR team for promoting the Initiative for establishing a Regional Commission for finding the facts of war crimes and other major violations of human rights committed in the territory of the former Yugoslavia (REKOM). He is currently working as a coordinator at the Association of Journalists of Bosnia and Herzegovina. He graduated from the one-year study course of journalism at the “Media plan” institute in Sarajevo (Press Department) and the Faculty of Philosophy in Sarajevo (Department of Comparative Literature and Librarian Studies) in 2004.





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What is Dayton to Us?

I am not really sure to what extent it is advisable to, twenty years later, recall the time when the smoke of peace appeared above the Wright-Patterson military base. I do know that a month before that I first heard about the city of *Dayton*, where negotiations were expected to take place. No matter what is said about this now, I have to admit that I am still nurturing this feeling of hope. At the time the Peace Agreement was signed, my son was attending the first grade of primary school. Maybe it is utterly egoistic, but the five or six minutes it took for his walk to the school were my nightmare back then. My husband was killed in June, only ten days after we both, in the middle of wartime Sarajevo, enrolled our son in the first grade. Psychologists would probably say that I, wishing to suppress the loss, projected my grief and fear onto my son, however, I was sure that the war could not get under my skin anymore.

Between then and now, I can hardly count the times I have described the Dayton Agreement (a synonym for peace and the definition of numerous post-war problems) as everyone else has: as a straitjacket, as a barrier for progress, as the greatest culprit for the inability to ever become a normal country. However, I have never realized the most important thing it brought: the end of war.

I met Richard Holbrooke. It was just a few years after the agreement had been signed, and I remember even then he was not particularly satisfied with the solutions designed in Dayton. However, his indubitable energy to bring together the incompatible and reconcile the warring parties was protruding from his every gesture, which accompanied all of his explanations: yes, Dayton is not ideal, but it brought peace and now it is up to Bosnians and Herzegovinians -Serbs, Bosniaks, Croats and all the others – to agree, to amend it, to improve it.

During his life, Holbrooke advocated a more robust implementation of the Dayton Peace Agreement. However, he also had no qualms about saying that members of the Peace Implementation Council failed to provide sufficient support. The fact that he was a visionary is also supported by the fact that on the occasion of the fifth anniversary of Dayton he publicly advocated for a more aggressive accession of Bosnia and Herzegovina to the EU. He even criticized the former commander of NATO's forces – the American General Smith – for insufficiently energetic actions towards Bosnia and Herzegovina's accession to this alliance.

With a typically American preciseness, he was also able to define the domestic actors: he honored Alija Izetbegović for his courage to stay in Sarajevo, and he always emphasized that for this very reason Slobodan Milošević waved the white towel of capitulation and fully gave up on Sarajevo. But he also did not hide his dissatisfaction with the insufficient engagement of Izetbegović's party, the SDA, to create a multi-ethnic state. Even back then, 15 years ago, he was in no doubt: The status of Kosovo, the ultra-hot regional topic at the time, would not change the borders of Bosnia and Herzegovina, Republika Srpska would remain an entity, as would the Federation. When speaking about the future of Bosnia and Herzegovina, he preferred strengthening local self-governance, one of the models that Europe sees as its own achievement.

None of the key Dayton actors (Izetbegović, Milošević, Holbrooke, and Franjo Tuđman) are still alive. But Dayton is. Sometimes – in this domestic political pot – it seems more alive than ever.

Actually, this also bears a great truth, maybe even the greatest. Dayton is a framework in which, as we have seen based on our experience over the past twenty years, we can move, meet and work. In which we can take our fates in our own hands and be responsible for them. The use and abuses of Dayton is a completely different topic. Without doubt, Dayton is the least culpable for poor policies, for the unscrupulous enrichment of the elites at the cost of the people, for the scandalous state of economy, for low salaries and miserable pensions.

The culprits for this swamp of corruption and crime in which we live are the politicians. They see themselves as the owners of the country, religion and the people. Does Dayton prevent any prosecutor's office and court – from the municipal court and prosecutor's office to the Court and Prosecutor's Office of Bosnia and Herzegovina – to fight organized crime, greedy politicians or any other kind of mafia? Does Dayton obstruct the ambitions of any government to invest the money of taxpayers in factories and the creation of new jobs instead of their own pockets? This is the essence of our story. Dayton is the red cloth that they use to scare us, to heat up fears and animosities to provide themselves with alibis. In order to avoid having to provide justification for crimes committed against their own people. Or, even worse for them, to be forced to repay the money.

Vildana Selimbegović was born in Travnik in 1963, where she attended the local grammar school. She later graduated from the Department of Journalism at the Faculty of Political Sciences in Sarajevo. From 1988 to 1994, she worked at 'Večernje novine' in Sarajevo. In 1994 she moved to the magazine 'Dani,' where she held the positions of editor, assistant editor-in-chief, deputy editor-in-chief, executive editor, deputy director, and on two occasions as editor-in-chief (2000-2003 and 2005-2008). Due to her professional work and engagement, she received an award by Žene 21 (1997 and 2001), and in 1998, she was awarded a prize for contributing to the development of democracy and respect for human rights by the EU and US Government. Since October 2008 she has held the position of editor-in-chief at the newspaper Oslobođenje.

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Mefail Ismaili

**IT STOPPED THE
CONFLICT, BUT
NOT INTER
ETHNIC INCIDENTS**

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**THE OHRID
AGREEMENT
FAILED BECAUSE
IT WAS USED
FOR POLITICAL
INTERESTS**

The Ohrid Agreement is a political failure. It has been used for political interests by the parties in power, which even 15 years after it was signed, still talk about its implementation. If it was implemented effectively, Macedonia would not now be faced with this political crisis, which cannot be resolved even by international pressure.

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The Ohrid Agreement has failed. If it was implemented in line with the foreseen dynamics, Macedonia would be in NATO and closer to the EU. The country would not face political and economic crises, or the migration of its' citizens, who do not see a future in their country. This is how Macedonian citizens describe the implementation of the Ohrid Agreement.

Professor Halil Lita is one of many that believes that the failure to implement the Ohrid Agreement will be costly for the future of Macedonia. "The Ohrid Agreement is a political failure, which will be very costly for Macedonia - more than the conflict and the period of non-implementation combined. The responsibility lies with the political parties in power, VMRO DPMNE and BDI, which have used the implementation process to win elections", Lita explained. "Macedonia needs an annex short-term agreement for the immediate implementation of the Ohrid Agreement, or a new agreement, which will include [solutions] for the political and economic crisis, the judiciary and the crisis before 2001", he added.

Hamza Saliu from Skopje, who is retired now, believes that if the Ohrid Agreement would have been implemented on time, Macedonia might have been a NATO member by now, and closer to the European Union. "Why? Because there would be no need [for the government] to deal with a fair representation of ethnic communities, especially the Albanian one, in Macedonian institutions, and no one would be talking about the use of the Albanian flag, or fabricated cases against Albanians," Saliu underlined. "If the Ohrid Agreement, which was the main reason why the conflict of 2001 came to an end, would have been implemented in total, our country would not deal with such challenges such as the political crisis, which cannot be resolved even by international stakeholders; there would be no economic crisis, and there would be no inter-ethnic incidents in the country such as the attacks on buses against Albanians, the violence caused by hooligans in Skopje, or the arrests that came as a result of fabricated cases", he added.

Meanwhile, Krenar Bekri, who works in a private furniture company said: "The fact that even 15 years after the Ohrid Agreement was signed, panel discussions are organized to discuss the need for the agreement to be implemented highlights the huge delays in implementation."

"Despite not being implemented, the Ohrid Agreement has been downgraded," he added. According to him, the agreement has been used by political parties in power to win political points, especially in times of elections.

"Why do I say that? I say so, because this agreement has only been used to employ people, and the worst of all is that based on this agreement, young Albanians have been employed, but don't have a permanent job for many years now. The only thing they do is stay home and take salaries. Although this might look good, I think that it is detrimental because Albanian cadres are losing valuable time while staying home-time, during which they could gain some important work experience in their professions but also to advance in the institutions they have to work for. This confuses a part of the youth, which then seeks ways to abandon their country and migrate," Bekri added.

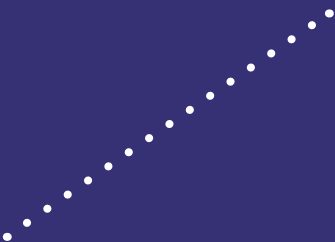
People believe that through the irresponsibility of the political parties: VMRO-DPMNE, which represents Macedonians, and the BDI (Democratic Union for Integration), which represents Albanians, the Ohrid Agreement was also misused in ethnic terms. Thus, there is a perception that the Law for the Use of the Albanian Language, for the Use of the Albanian Flag, and for the Adequate Representation of Albanians in Institutions has been misused.

Vlado Popovski: There is a lack of positive promotion of the OFA in order to overcome the distrust

In 2001, Vlado Popovski, a professor at the Faculty of Law, participated in the creation of the Ohrid Framework Agreement (OFA), as an advisor. He says that, since then, there has been a lot of progress in Macedonia in the field of equality, but work is not yet finished. According to Popovski, the greatest obstacle in the path of integration are certain political parties within the country. In an attempt to win elections, these parties often harm inter-ethnic relations. In that context, the professor says, positive promotion of the benefits of the OFA is often missing.




What is the spirit of the Ohrid Framework Agreement, that is missing from its implementation?



According to the OFA, the Republic of Macedonia must remain unitary and its territorial integrity must not be disturbed. The Republic of Macedonia is a multi-ethnic society and must remain as such, and this must be reflected in public life in all spheres. People should have the right to identity, the free use of language, culture, education, the use of symbols and the free use of either alphabet. Equality should be present for all groups living in Macedonia. The spirit is designed and conceived as an instrument of sustainability and development of democracy. You must first understand democracy as a concept of non-discrimination, as a concept of inclusion, the inclusion of all on an equal basis.

Ali Ahmeti says: “The fate of Macedonia will depend on the relations between Macedonians and Albanians.” Has the OFA helped in building better relations?

I think yes, it helped. I live in Radishani which is a melting pot. The Macedonian population dominates, but there are Albanian families with whom we are friends and help each other. Key areas in which communities have mutual respect, are those that are critical, such as social security, employment, education, use of language and culture. In that regard, the OFA fits an entire system of solutions, which was a result of an analysis of previous situations. They were not rosy at all.



What were the conditions before signing the OFA?

For five decades in the previous system, there was a declarative emphasis on equality between Macedonians, Albanians and other communities; that they are equal, that they have equal rights to education and work. But the actual situation has shown that over the past 50-60 years there has been great and evident discrimination against minority communities, especially the Albanians. By 2001, out of all Albanian children who finished primary school, only 5 to 6.5 percent continued their education in secondary schools. So 94 percent of them remained at the level of primary education.

What was the situation with Macedonian children?

94 percent were part of secondary education. The presence shows that the chances were always four times smaller for education and advancement. Given their education, that population was constantly determined and predetermined for the lowest and harshest occupations. They could not become engineers, there were not enough teachers, professions which require higher education. 1.5 to 2.5 percent were part of higher education, which means that there was a real discrimination in higher education as well. Today almost 90 percent of Albanian children are part of secondary education. Until last year, 29 percent out of 100 students were Albanian and 24.7 percent in the population. We can say that now there are no obstacles.

How did OFA help in overcoming these conditions?

The community itself has highlighted these problems drastically. In 2001 there was a conflict, that had other causes, but the main focus was quickly on the subject of equality, the rights and freedoms of the Albanian community. If there were no territorial solutions to ethnic issues, they had to be solved within the system. The OFA recognized all the rights and established mechanisms for adopting certain laws. The mechanisms included a complex of identity interests, use of language, access to education, local government, the use of symbols, culture. The 'Badinter majority' principle was established. Any law must receive a majority of votes from the representatives that belong to the minority communities. Equitable representation joined the corpus of constitutional values. Once you put it in the Constitution, no law can be adopted without providing measures of equitable representation. In 14 years, the conditions that were gleaming for 50-60 years and were suppressed, have radically changed.

Over the past years, the Government have not implemented measures for building confidence between the communities, coexistence and mutual acceptance.

Does the OFA provide it?

What is provided by the OFA is written, and what is not provided, it does not obstruct. There is a lack of measures to increase the mutual trust in the spirit of integration and solidarity among the citizens, measures to increase the loyalty of citizens to the state, experiencing the country as their own, advocacy for improvement of the community life. That is the meaning of positive promotion of the OFA and its solutions. In this regard there are shortcomings. The promotion of the OFA by the Macedonian politicians is insufficient. I think that the OFA, to some extent, is defined negatively in some Macedonian ideological or political circles. Their perception is that the deal has taken something away from the Macedonians and given it to Albanians.

Why is it still so?

I can conclude that there is a dose of conservatism among Macedonians regarding the Albanians, a dose of prejudice. Albanians are seen as a community that does not consider the unification in Macedonia, but of Albania. But I think those claims are manipulative and instrumentalized, assuming that the citizens support conservative Macedonian policy that will lead to support at the elections. Both in the Macedonian and Albanian political corpus there is a sharpening of international relations, and threatening these relations is now out-of-date. Citizens have proved that they are against politicians who constantly consider the inter-ethnic relations unfriendly. Manipulation of inter-ethnic relations, in order to maintain the ratings and gain points, is still a negative factor hindering the improvement of relations. There is still some distrust. There is still a good deal of negative promotion of the OFA. Although actually, the government fully performs its obligations, each year brings an action plan and each year agrees on employments. They take steps, but do not promote in a positive way what they do. Instead, they represent it as if under compulsion, "Look, we would not do it, but we have to."

What do you think about the events in Goshince, in Kumanovo or the tragedy of Smilkovsko lake?

There is much speculation that it was an Albanian-Macedonian conflict. The cases are not closed. Citizens, regardless of their ethnicity, have made their own judgements about what happened in Kumanovo. I do not believe in anything, but I personally have doubts. There has been speculation that it was commissioned, that the motive was something other than what is being said. Anything that is our problem comes from above, not from below. But we have a drastic change, a step forward, results, and it's a factual situation.

Does the issue of federalization go against the OFA?

That is a manipulative idea of irresponsible centers, no matter if they are Macedonian or not. The OFA states that the unitary character and territorial integrity must remain. Anything outside that definition is not only against the OFA but also against the Constitution. The multi-ethnic nature of the Republic of Macedonia must remain in every sphere. Any discussion of federalization is not only contrary, but also harmful because it possibly sets internal administrative and political boundaries. The sustainability of the state is possible only through the complete equality of citizens.

*The interview was conducted by
Maja Vaseva.*

The Brussels Agreements

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Progress or Process?

The 'Brussels agreement' reached in April 2013 between Serbia and Kosovo, and its continuing dialogue process, has been called a milestone in relations between Pristina and Belgrade, an admission that the two sides will work together to reduce tensions and negotiate on key differences while refraining from blocking each other's path to the European Union. Is it true? Or is the new dialogue simply a new setting for old arguments?



April 2013—After 10 endless rounds of negotiation, somewhere deep in the EU bureaucracy in Brussels and under the watchful eye of Baroness Catherine Ashton; Kosovo Prime Minister Hashim Thaci and Serbian Prime Minister Ivica Dačić signed off on a list of agreed-upon principles and obligations aimed at normalizing relations between Pristina and Belgrade. The signatures committed the two to resolve a series of frozen arguments, including the adjustment of legal frameworks allowing Kosovo rule of law and institutions to apply and operate throughout Kosovo, and the dismantling of Serbian parallel structures funded by Belgrade. Meanwhile, Kosovo Serbs would be guaranteed a place in the Kosovo structures and an Association of Serb municipalities would be created in accordance with the European Charter on Local Self Governance and Kosovo law. Finally, the two would set aside the issue of Kosovo's independence by pledging that neither side would prevent the other's path to EU integration, and that Serbia would not block Kosovo from taking part in regional and international organisations, paving the way for the negotiation of several other technical agreements. After months of negotiations, the Brussels

Agreement, as it is called, was a fact. But what did it all mean? Had a new era of Serbia-Kosovo relations begun? Were the two sides ready to discuss the future, putting aside differences and grievances? Not exactly.

The weeks of dialogue in 2012 and 2013 were prompted not by the readiness of the two sides to accept each other, acknowledge their tortured past, and the reality of their new relationship but by rather more practical reasoning: Kosovo's and Serbia's mutual desire for EU membership. This desire could of course only be satisfied through the EU itself, by beginning the process of relating to each other in a realistic way, with the EU as a mediator for their demands and arguments. From the EU's perspective, a dialogue agreement was also becoming essential to its continued relationship with both Pristina and Belgrade. Continued standoffs between Pristina and Belgrade over the north of Kosovo (where in July 2011 a Kosovo special police officer was killed during an attempt by Pristina to assert control over border crossing points and customs stations) made it clear that the Serb-dominated north remained a legal no-man's land where neither Kosovo or Serbian law properly functioned, resulting in heightened tensions and

potential conflict whenever Kosovo tried to assert its control, along with the continued flourishing of organised crime (an area where Serb and Albanian cooperation has never been a problem). For the EU, always slow to take decisive action, it was no longer possible to stand to the side and hope for progress.

Today, three years since the agreement, all sides (Kosovo, Serbia and the EU) have benefited from it, despite many setbacks. Distrust between the two parties make progress slow and often painful, and Pristina and Belgrade continue to squabble, accusing each other of stalling on implementation and disagreeing on technical details while finding excuses to hold back on their own commitments. Nevertheless, arguments are generally over the principles of implementation rather than over the agreement itself. Progress has been made, in the sense of successful municipal elections, the integration of Serb judges and prosecutors into Kosovo structures, the closing of so-called Civil Protection organisations in the north, and agreements on energy and vehicle insurance. Most importantly, the agreements have allowed conflict to move away from streets and villages to Brussels meeting rooms, where participants are reminded that they must solve their differences in order to make progress with the EU. In exchange for compromises, Serbia has been rewarded with the opening of EU Accession negotiations and Kosovo recently signed a Stabilisation and Association Agreement (SAA) with the EU, the first step in its own journey to EU membership.

Such achievements may not sound like much to celebrate, considering the continued tension among and within the two parties. In the currently inflamed political situation in Kosovo, the agreement on the Association of Serb Municipalities has recently prompted violent protests organized by opposition parties claiming that the institution would

divide Kosovo in a similar way to Bosnia. Ignored in such protests is the fact that populist/nationalist rallies against Serbia may be precisely why the minority Kosovo Serbs feel the need for additional protections. Meanwhile, the Serbian government's recent campaign against Kosovo's UNESCO membership application undermines the normalization process and ignores the fact that most of Serbia's cultural heritage in Kosovo has been successfully protected by Kosovo Police for several years, not to mention the contradiction of preferring to score political points above allowing Kosovo to join an international organization that will oblige Kosovo to stronger protection of Serbian Orthodox monasteries and churches. The contradictions, frustrating as they are, make it all the more clear that the agreement of 2013 was not the end of a process or a crowning achievement, but the beginning of a process that continues today, and will continue for a very long time. The two sides are clearly not ready to deal with the past, but they may at least, through the dialogue, be forced to deal with the present. For now, that will have to be enough.

- 1 | *Further information (for example contact persons, further reading suggestions, relevant links, etc.)*
- 2 | *The Kosovo Government provides regular state of play reports to the public on the Dialogue, here: <http://www.kryeministri-ks.net/?page=2,252>*
- 3 | *The Serbian Government provides them here: <http://www.kim.gov.rs/pregovaracki-proces.php>*

Andreas Berg is an independent security and political consultant and advisor. He has formerly worked as a security reform advisor to the Kosovo government, a political advisor within the EU in Brussels, and a political/reporting officer for the EU in Pristina. His background is Swedish and American, with academic degrees from UC Berkeley in California and King's College London.



news & updates

3rd International Summer School “Learning from the past” in Sarajevo

This international summer school is the third summer school organized by the IUS' International Relations department; this year, in cooperation with the Faculty of Law and the Lifelong Learning Center. This year's topic is “Learning from the past - Exploring the Role of Transitional Justice in Rebuilding Trust in a Post-conflict Society”.

The first summer school, titled “Cross Continental - Interethnic Relations for Peace” (CCIRP), and the second summer school, titled “Learning from the past: 20 Years after the Bosnian War – Education for Reconciliation and Lasting Peace in Post-conflict Societies,” were both highly commended for their scope, interdisciplinary approach and innovative pedagogy involving experiential, intercultural and action learning. Like with the previous summer schools, the distinguished lecturers, renowned in their fields globally, will facilitate students' active learning by involving them in the learning process at all stages, including interactive learning activities, class discussions, site visits and action learning in a local community context.

Deadline for registration (Silver and Gold): 03/06/2016

Deadline for registration (Local): 10/06/2016

Days of the summer school: 20/06/2016 - 04/07/2016

Web Site: <http://lftp.ius.edu.ba>

next issue

Issue No. 5 of Balkan.Perspectives will explore the topic of gender, gender relations and why they are important to be considered when it comes to processes that are related to dealing with the past. We will have a look at the gender relations in the different states in the Western Balkans and see how far along we are when it comes to recognition of the different genders in the processes of Dealing with the past.

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In the Western Balkans, the focus is on projects in the field of dealing with the past and on fostering dialogue between opposing parties. This includes school mediation projects, the support of civil society, or enhancing media capacities for a more constructive approach to dealing with the past.

EDITOR IN CHIEF:

Maïke Dafeld

EDITORIAL TEAM:

Sunita Dautbegović-Bošnjaković, Vjollca Islami Hajrullahu, Nora Maliqi, Johannes Rueger, Nehari Sharri

AUTHORS:

Andreas Berg, Mefail Ismaili, Julijana Mojsilović, Nerkez Opačin, Vildana Selimbegović, Adis Šušnjar, Maja Vaseva

LAYOUT:

Kokrra

PRINT:

Envinion

TRANSLATION:

Merita Fejza (Albanian), Bjanka Osmanović (BCS), Reis Kjerim (Macedonian)

PROOFREADING:

LBG Communications (Albanian), Silvana Krzovska (Macedonian), Zinaida Lakić (BCS), Jack Robinson (English)

CONTACT:

Balkan.perspectives@forumzfd.de

PLACE OF PUBLICATION

Cologne

Forum Civil Peace Service | Forum Ziviler Friedensdienst e.V. (*forumZFD*)

Kosovo office: Sejdi Kryeziu 16 - Pejton 10000 Prishtina	Serbia office: Prote Mateje 17 11000 Belgrade
Bosnia and Herzegovina office: ul. Branilaca Sarajeva 19 B 71000 Sarajevo	Macedonia office: ul. Borka Taleski 11/4 1000 Skopje

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