

Kosovo

chronology

(1974-2017)

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Introduction:

The Political Context of the Announcement of the Internal Dialogue on Kosovo

„Therefore, it is important, or more important than ever, to look into the mirror, boldly, and clearly see all the scars, wounds and flaws on our own face, but also to try and heal as much as possible, in desperation not giving up on ourselves because of the problem which we are facing. “

Aleksandar Vučić, President of the Republic of Serbia (July 24. 2017.)¹

It seems that this sentence, as well as the entire authorial text of the President of the Republic, means at least a verbalized call to Serbian society, but also to the general public (the international community in the first place) that at the very center of political power in Serbia there is a will to finally talk about Kosovo and create concrete and long-term solutions for Kosovo. The invitation to dialogue within the Serbian society, but also from mid-2017, somewhat more frequent meetings of Belgrade-Prishtina officials within the framework of the Brussels Dialogue, this time at a presidential level, represent some kind of progress in comparison with the period from August 2015 (Brussels II) to April 2017, when the newly-elected presidents of Serbia and Kosovo became Aleksandar Vučić and Hashim Thaçi.

However, according to UNMIK chief Zahir Tanin, at the UN Security Council meeting² in May 2017, the situation in Kosovo is generally stable, but the level of trust between the two communities is declining due to numerous irresponsible statements by politicians and diplomats. It is precisely the statements of ministers in the Serbian government, as well as the policy of impunity for violators that threaten the events that call for the cooperation of the two societies, which happened in the past few months in Serbia, an indicator that - although there is a call for dialogue and negotiations in Brussels - the basis of Serbia's official policy towards Kosovo is still tailored to the extent of defending the bloody policy of Slobodan Milošević's regime. The price of such a policy is still paid by the citizens of Serbia and Kosovo, regardless of their nationality. This is evidenced by recent statements by Nela Kuburović, Serbian Justice Minister, Aleksandar Vulin, Minister of Defense, and Ivica Dačić, Minister of Foreign Affairs.

On May 16, 2017, Serbian Minister of Justice Nela Kuburović pointed to the necessity for Prishtina to fulfill its obligations on the issue of the Community of Serb Municipalities (ZSO) as soon as possible, and drew attention to the actions and statements of William Walker, as well as France's refusal to extradite Ramush Haradinaj to Serbia. At the same session, as Istiner³ observed, which, under the Government Act, was supposed to be attended by the Prime Minister (at that time in China) or the first Vice President and Foreign Minister, Ivica Dačić, the Minister of Justice stated the following:

1 Why is Internal Dialogue Important about Kosovo, Blic, 24.07.2017: <http://bit.ly/2x1crUb>;

2 Kuburović at the UN: Prishtina continues to use the blackmail dialogue, N1 Info, May 16, 2017: <http://bit.ly/2jmaX1G>;

3 Ibid;

: *"I will remind, everything in Kosovo and Metohija started from lies that were put up by people like William Walker who today does not even hide his
: Great Albania ambitions and projects, and it is known that he opposes the Special Court which is supposed to prosecute the crimes committed by the
: so-called "Kosovo Liberation Army" (KLA). (...) The illegal decision on aggression against the FRY came primarily from William Walker's report, although
: there was no humanitarian catastrophe or persecution of Kosovo Albanians in 1998-1999 in Kosovo and Metohija."*⁴

Then, two days after the publication of the authorial text of the President of the Republic, the matter becomes clear when the statement⁵ of Minister Vulin from July 26 is read:

: *"As always, when Vučić raises issues of vital importance to Serbs and Albanians, it turns out that there are no honest interlocutors among Albanians. The
: statements of Rama and Pacolli should prevent dialogue, harm Vučić and prevent him from uniting Serbs around Kosovo and Metohija."*

After that, on August 16 of this year, when the UN Security Council again reviewed a three-month period on the work of the UNMIK mission in Kosovo, Ivica Dačić stated the following:

: *"The Serbs lived in Kosovo for centuries, that is confirmed by the churches, four of which are under the protection of UNESCO. It's not right to laugh,
: Mrs. Çitaku, show one of your monuments from that period, so I could laugh ... Do you think that it should not be mentioned anymore and that it was
: legitimized by the fact that it happened? Will anyone mention the need for the Serbs to return? The statistics are disastrous. "If there was a genocide,
: that means that now there should be fewer Albanians"*

He noted⁶ that, according to the census from the time of the SFRY, there were 43,885 Serbs in Priština, and according to the 2011 census, only 430 remained:

: *"That's 100 times less for 30 years. So, is that ethnic cleansing and genocide against Albanians or Serbs? There are now 32 Serbs in Uroševac, 600 times
: less than before, in Podujevo there were 2,242 Serbs, and 12 today, which is 200 times less. In Prizren, where I was born, there were previously 11,650,
: 2011 - 231, and today only 27. Every comment is superfluous and so please don't use those false facts that you are the victims of ethnic cleansing again.
: Whoever is responsible for the crimes should answer, but the biggest victims are Serbs."*

So, there is a call for internal dialogue, but in their statements, Serbian officials claim and repeat the following three theses:

There was no violence against Kosovo Albanians during the 1998-1999 period, therefore there was no reason for NATO intervention;

Members of the Serbian people are the biggest victims of the conflict in Kosovo;

The Albanian side is the one that hinders dialogue, while the Serbian side is "committed" to the dialogue;

It is precisely because of these three neuralgic points of official Belgrade towards Kosovo that the policy of denying war crimes and ethnic cleansing campaigns against Kosovo Albanians is the basis of any previous Belgrade policy towards Kosovo and it continues.

Nevertheless, in order to remind both state officials and the wider public, we want to present the chronology of pre-war, war and post-war years, with particular reference to the negotiations between the official Belgrade and Prishtina. In January 2015, the Initiative⁷ sent the "As seen, as told" OSCE report to the Government of Serbia (on whose mandate Minister Kuburović refers to) in which the campaign of ethnic cleansing against the Kosovo Albanians was described, as well as the entire conflict between the forces of The Yugoslav Army, Serbian police and paramilitary units against the KLA forces. Also, after the continuous interruptions of Mirëdita, dobar dan! festival In June this year, in an open letter⁸, we invited the President of the Republic to, among other things, stand with those who have promoted values of reconciliation and cooperation for years, and that a wider social dialogue is needed, but that

4 There was no persecution of Kosovo Albanians, no humanitarian disaster, Istinomer, 16.05.2017: <http://bit.ly/2xz8vAX>;

5 Vulin: There are no honest speakers among the Albanians, RTS, 26.07. 2017: <http://bit.ly/2y8tVfi>;

6 Minister Dačić at the session of the UN Security Council on the work of UNMIK, Website of the Ministry of Foreign Affairs of Serbia, 16.08. 2017: <http://bit.ly/2eVud0Z>;

7 YIHR sent the OSCE a report to the Government of the Republic of Serbia, the Youth Initiative for Human Rights Website: <http://bit.ly/1541MbQ>;

8 An open letter to the President of the Republic of Serbia, Aleksandar Vucic, Youth Initiative for Human Rights Site, June 2, 2017: <http://bit.ly/2vUFCoG>;

the point of gathering should be the message “It’s a shame to hate! ”.

The reactions of the opposition, representatives of religious communities, the Serbian Academy of Sciences and other non-governmental organizations to the opening of the dialogue on Kosovo were mostly reserved or with a negative attitude. Saša Janković⁹, the president of the Free Citizens’ Movement (PSG), stated that, for him, a call for an internal dialogue was a cowardly shadowing behind the people. “ Dragoljub Mićunović¹⁰, in front of the Democratic Party, said in an interview with *Vreme* that although he did not accept the invitation to dialogue because it’s set on lies, he still considers it unnecessary to officially reject the call because that would be abused. He also stated that he conditionally supports the dialogue on Kosovo: that the media opens for the opposition and for dialogue to be returned to democratic institutions. Saša Radulović¹¹ (Dosta je bilo) presented his plan for Kosovo in an article for the “*Nedeljnik*” where he estimates that the dialogue aims to ejects Kosovo out of the preamble of the Constitution, in which he argues for a new international conference of the great powers which should come out with a new international treaty that would replace Resolution 1244. Other opposition parties either raised doubts in the dialogue (New Party, SDS Boris Tadić, Vuk Jeremić) or characterized the dialogue as a betrayal (Dveri and the Serbian Radical Party). However, the only party that proposed the framework for dialogue is the LDP, which presented the Platform for Kosovo¹² on August 2 of this year. The leader of this party, Čedomir Jovanović, in an interview¹³ with “*Večernje Novosti*” on September 18, announced the possibility of co-operating with the Democratic Opposition over the Platform for Kosovo.

On the other hand, only a few days after the authorial text of the President of the Republic, Vladimir Kostić, the president of the- Serbian Academy of Sciences and Arts (SANU) told *Blic* that “the dialogue on Kosovo and the conversation, not the war, is the only way to go in order to overcome the long-standing misunderstandings of the two peoples ”. He also added that “SANU will be honored to participate in defining the future of its people, and the dialogue on Kosovo and Metohija is precisely the question on which it breaks and therefore they have an obligation to express their views.” Interestingly, Kostić¹⁴, in the same statement, pointed out that his opinion does not reflect the attitude of SANU, but that his words represent his personal attitude.

Patriarch of the Serbian Orthodox Church, Irinej, said on September 17 that he believes that in terms of Kosovo, Serbian President Aleksandar Vučić thinks the same as the Serbian people and the Church, and that he relies on Russia to help Serbia preserve what has always been Serbian.¹⁵ Serbian Deputy Prime Minister Zorana Mihajlović expects the Serbian Orthodox Church to be a good partner in the internal dialogue on Kosovo and to not put pressure on Serbian President Aleksandar Vučić before the start of talks on Kosovo. “Serbia needs a new policy that aims to improve the lives of our compatriots in Kosovo, the policy of protecting our cultural and religious heritage, preserving economic interests and reconciliation with the Albanian people,” Mihajlović said in a statement on the same day, responding to a statement by Patriarch Irinej.¹⁶ The next day, Bishop of Bačka, Irinej, reacted: “Mihajlović actually denounced and deliberately made worthless the invitation of Mr. Vučić to a truly necessary dialogue on the future of Serbia and every citizen of Serbia in the southern Serbian province.”¹⁷

On the issue of Kosovo, Prime Minister Brnabić stated on August 27, almost by swearing on the current Constitution, that Serbia would never recognize the independence of Kosovo. However, in the same statement, she added: “Serbia has done a lot to implement what was agreed during the dialogue, while Prishtina should start working on the most important points of the agreement, primarily on the position of the Serbian community.” Shortly after the emergency press conference of President Vučić on September 12, on the occasion of forming a new Kosovo Government - in which the President of the Republic, among other things, indicated that the dialogue will be institutionalized in October, but that “they will respect the Constitution, but that

9 Jankovic on the Dialogue: Vucic is cowardly behind the people, N1 Info (July 26, 2017): <http://bit.ly/2fgPICh>;

10 Dragoljub Mićunović, No dialogue on lies, *TIME* (No. 1387 / August 2, 2017): <http://bit.ly/2xjEKz>;

11 Sasa Radulovic, My Plan for Kosovo, *Nedeljnik* (August 31, 2017): <http://bit.ly/2hdjLBR>;

12 LDP, Platform for Kosovo, (August 2, 2017): <http://bit.ly/2ybciLB>;

13 Čedomir Jovanović, Jankovic are closer to those who started embassies, *Večernje Novosti* (September 18, 2017): <http://bit.ly/2xbpZwZ>;

14 Kostić presented his views, not the views of SANU, *Blic* (July 29, 2017): <http://bit.ly/2xjKiro>;

15 Irinej: I believe that Vucic refers to Kosovo as a nation and church, N1 Info (September 17, 2017): <http://bit.ly/2fgyhgo>;

16 Mihailovic: SPC not to put pressure on Vucic, N1 Info (September 17, 2017): <http://bit.ly/2xjA0rf>;

17 Bishop Irinej: We think with our head and we will not be silent about KiM, *Dnevnik* (September 19, 2017): <http://bit.ly/2hfjCh1>;

the fighters for the interests of Serbia are not only those who just respect the Constitution, the end! “- Prime Minister Brnabić¹⁸ declares the following on September 18:

∴ *“The contribution of the Serbian Government to the internal dialogue on Kosovo and Metohija will be visible through the establishment of a working group for logistical support to the President of the Republic of Serbia, Aleksandar Vučić, and all citizens who want to participate in that dialogue. This will be the dialogue of a wider circle of people in Serbia and I will not, as President of the Government, say how I think that this or that should be done, but I will listen to all parties, the position and opposition, the Church and the NGOs, because that is the dialogue that is being conducted by the president of the state.” This is how Prime Minister Ana Brnabić responded to the question of RTV on September 18th, on what will be her contribution to the internal dialogue on Kosovo and whether she thinks that Kosovo should get a chair in the United Nations.*¹⁹

With the hope of a genuine intention to embark on a dialogue on the issue of Kosovo, we consider it necessary to introduce all important events and processes that took place in the territory of Kosovo or (as some rounds of negotiations) were important to address the issue of Kosovo, from 1980 to the writing of this document, that is, until 2017.

18 Brnabić Serbia will never recognize Kosovo, N1 Info (August 27, 2017): <http://bit.ly/2xetkJo>;

19 Brnabić: I will not say what to do with Kosovo, RTV (September 18, 2017): <http://bit.ly/2xce0PX>;

Chronology

1974: Although they were defined as autonomous provinces of Serbia, and not as republics in full, Kosovo and Vojvodina, according to the 1974 Constitution, became constituent elements of the federation. Their representatives, therefore, had a special membership in the rotating collective presidency of the state that assumed power after Tito's death. Each autonomous province had its own central bank and a separate police, school and judicial system, a provincial assembly, as well as representatives in the Socialist Republic of Serbia's Assembly, and, which at the time was the most important, the communist party of the province, in the case of Kosovo, the League of Communists of Kosovo.²⁰

1981: After the death of Josip Broz Tito, requests from Kosovo Albanians for the full status of the republic increased (which included the right to secession). Since March of that year, beginning with the rebellion of students of University of Prishtina, mass protests took place throughout the province, but the demonstrations met a fierce response, first from the provincial authorities, and then the armed response of the republican and federal security organs. In the province, the units of the federal army were deployed, which was preceded by the declaration of a state of emergency. As unrest lasted for the next seven years, according to official data, some 7.000 Kosovo Albanians were sentenced to shorter sentences, while 1.750 of them were sentenced to longer sentences, up to 15 years, in connection with nationalistic activity.²¹

1985: On May 1, the famous case of Đorđe Martinović, an official of the Yugoslav People's Army in Gnjilane happened. Martinović, according to the official government version, suffered self-inflicted injuries on the field. However, in spite of those claims, domestic newspapers, Belgrade's Politika, in particular, was leading the campaign of accusation that Martinović was impaled by at least three persons of Albanian nationality.²² Doubts in the official version of the event have caused the case of Đorđe Martinović to be one of the galvanizers of the erosion of multiethnic confidence in Kosovo.

1986: The memorandum, this unfinished draft of an academic document, touched upon various issues, among which alleged conspiracy against Serbia, led by Slovenia and Croatia. Such a devastating nationalism for the unity of the state was considered a sin in the SFRY, and was fiercely attacked throughout the country, even originally from Slobodan Milošević. The consequences, however, were explosive, nowhere as much as in Kosovo, where the Memorandum warned Serbs that they face total genocide if they do not stop and reverse the process of "Albanianization" of the province.²³

1987: The critical date for Serbian nationalism and the future of Kosovo was April 24, 1987. Slobodan Milošević, a prominent figure in the Serbian Communist Party, the League of Communists of Serbia, went to Kosovo for dialogue with local Serbs over their complaints. While in a meeting with their representatives in Kosovo Polje, a large group of persons who manifested support for Serbian demands was suppressed by local police who used batons. The mass gave resistance, and then Milošević came out to address the crowd. In that moment, he made himself a hero of the Kosovo Serbs, telling them in front of the television cameras: "No one can beat you". In that moment, he accepted their controversial nationalistic demands as his own. By the end of 1987, Milošević took control of both the party and the SR of Serbia after the famous Eighth session of the Central Committee of the League of Communists of Serbia, defeating Ivan Stambolić.²⁴

²⁰ Analysis of the OSCE Verification Mission to Kosovo: As it has been seen, so to speak, OSCE (ODIHR), Document edition - Humanitarian Law Center, p. 3, 1999: <http://bit.ly/2x0h6Ec>;

²¹ Ibid, p. 4: <http://bit.ly/2x0h6Ec>;

²² Dragan Vlahovic, Martyr from Kosmet, Glas javnosti, September 8, 2000: <http://bit.ly/2y5SjOW>;

²³ Analysis of the OSCE Verification Mission to Kosovo: As it has been seen, so to speak, OSCE (ODIHR), Document edition - Humanitarian Law Center, p. 4, 1999: <http://bit.ly/2x0h6Ec>;

²⁴ Ibid, p. 4-5: <http://bit.ly/2x0h6Ec>;

Anti-bureaucratic Revolution „Oj Srbijo, iz tri dela, ponovo ćeš biti cela“ (Hey Serbia, of three parts, you will be whole again)

1988 - 1989.

Political turmoil and clashes at the political top created conditions for the rise of Milošević and widespread national protests in Serbia. During 1988 and 1989, the protests reached a peak in the “anti-bureaucratic revolution,” a series of large rallies and demonstrations of industrial workers, Serbs from Kosovo, their allies and other groups, with the support of Milošević, as well as in the retaliatory protests of the Albanians from Kosovo. The events were called the “anti-bureaucratic revolution”, a bit ironic, due to the dramatic flow of demonstrations and their significant political consequences. A series of high-ranking Yugoslav officials and regional governments, who were called “bureaucrats” by the protestors, went from power infamously in the midst of a rebellion that ended with violence and repression. The wave of protest and the upcoming events mark the crucial episode of the Yugoslav conflicts after Tito.²⁵

1988.

November 17: At the session of the Provincial Committee of the League of Communists of Kosovo, Kaqusha Jashari, President of the Presidency of the Kosovo Council was replaced, and Azem Vllasi’s membership was relieved.

November 17-21: The biggest demonstrations of Albanians after 1981 due to the replacement of Vllasi and Jashari.

November 19: In Belgrade, in Ušće, a million people present at the rally of support to Yugoslavia, which was actually a confirmation of the support of the Serbian people to the leadership of Serbia, especially to Slobodan Milošević. In his speech, he announced the removal of certain people, and as a priority, he stated establishing peace and stopping “terror” in Kosovo in order to unite Serbia.

In support of the dismissed officials of the League of Communists of Kosovo (Azem Vllasi and Kaqusha Jashari) and preserving the autonomy of SAP Kosovo, on February 20, 1989, about 200 miners remained in the cave Stari Trg at the Trepča mine. The miners also demanded the replacement of Rahman Morina, recently elected president of the provincial committee, as well as Ali Shukriu. As early as February 21, there was a general strike in the whole province. Two days later, Serbia’s Assembly brings amendments to the Constitution, which restores jurisdiction over the judiciary, the police, the national defense and foreign affairs of the provinces (although amendments should be approved by provincial assemblies). In Kosovo, workers in the general strike are joined by students and a large number of professors, while at the same time the Presidency of the SFRY sends federal police as reinforcements.

1989.

After Albanian demonstrations, in 1982, Kosovo Serbs (led by Kosta Bulatović, Miroslav Šolević and others) began to fight against “perfidious pressures from the position of the state”, and the center of the movement became the city of Kosovo Polje, a former Serbian colony. At the same time, an anti-Albanian campaign is launched in Serbia, the central theme of which is the “genocide” of Serbs in Kosovo, and which shows the emigration of Serbs as planned ethnic cleansing by the provincial leadership. In April 1982, 21 priests of the Serbian Orthodox Church, including several future bishops (Atanasije Jevtić, Irinej Bulović, Amfilohije Radović), refer to the highest ecclesiastical and state organs “The Appeal for the Protection of the Serbian population and Its Sacred Places in Kosovo and Metohija”, which speaks of “Planned genocide against the Serb people” and actualized the Kosovo vow. In 1983, church newspaper publishes a feuilleton by Atanasije Jevtić, “From Kosovo to Jadovno”, which describes cases of “brutal and animalistic rape of Serbian women, girls, older women and nuns from raging Arbanas” and compared the suffering of Serbs in Kosovo with the sufferings in the Independent state of Croatia (NDH). Writing about the Albanians, church authors generally emphasize their

evildoings, describing them as rapists, desecrators and abusers.²⁶

Since the end of the protests in 1981 to 1986/87 through books, petitions, newspaper articles (dominated by Politika with its sections Echoes and reactions and Večernje Novosti), the anti-Albanian mood grew which the Serbian intellectual elite articulated into the SASA Memorandum. The anti-Albanian campaign was also reflected in the tour of the relics of Prince Lazar throughout Yugoslavia, organized by the Serbian Orthodox Church from Vidovdan in 1988 to August 1989. All of these actions represented a preparatory ground for the nationalist mobilization of the Serbian people directed towards the “other”, and most focused on the dehumanization of the Albanian population in Kosovo.

February 26-27: After the extended session of the SFRY Presidency, a state of war was proclaimed in SAP Kosovo and a federal army with tanks was sent to Kosovo with the support of additional forces of the federal police. The next day, the miners are slowly starting to get out of the pit because Morina (temporarily) resigned.

February 28: In Belgrade, a mass of 600.000 people gathered in front of the Federal Assembly in response to the Kosovo protests shouting “Give us weapons!” And “Arrest Vllasi!”. At the protest, the speech of Raif Dizdarević, the then president of the Presidency of the SFRY, who called for the unity of the people of Yugoslavia was booed. At the rally Slobodan Milošević announced the arrest of Azem Vllasi, which will take place three days after the protest.

In early March the same year, police in Kosovo detained a total of 240 prominent figures of Albanian ethnicity, including Vllasi, for opposing amendments to the Constitution. After the demonstrations of Albanians in late March 1989, according to Human Rights Watch, the police killed 24 people.²⁷

Albanian representatives in the Assembly of Kosovo boycotted a vote on this issue on March 23, 1989, but despite the failure of the proposal to meet the required two-thirds majority, the proposals for amending the constitution were formally accepted, and the Serbian Parliament would confirm them on March 28.

June 28: Milošević’s rise to the position of patron of the Serbian nation throughout Yugoslavia was immortalized on June 28, 1989 at Gazimestan, during the celebration of the 600th anniversary of the Kosovo Battle. In his speech, Milošević called Kosovo the heart of Serbia, which later became a widely accepted political slogan. Then, in front of around 300,000 people, he said that “even armed battles are not excluded”, which is nowadays interpreted regularly as the announcement of Yugoslav wars: We are again engaged in battles and are facing battles. They are not armed battles, although such things cannot be excluded yet.”

Milošević’s speech symbolically marked the end of the Yugoslav idea, and he became the national leader of Serbs from the communist leader of Serbia. On the occasion of Milošević’s Gazimestan triumph, Rugova (1989) uttered almost prophetic words: “Gazimestan is a chauvinist manifestation. Not only the Serbs fought against the Turks. Albanians, Croats, and Bosnians took part in the battle. This is an event of importance to all Yugoslav nations. My impression is that in Yugoslavia there are forces that almost wish for terrorist activities in Kosovo. I can only warn the Serbs that whenever there is a small nation, and the Serbs are a small nation, trying to impose their dominance in the Balkans, it ended with its personal tragedy.”²⁸

The Hague Prosecution submitted this speech of Milošević as evidence of his war intentions. Prosecutor Jeffrey Nice said at the trial that “an armed battle, fight, was not excluded, even at that moment.” On Vidovdan in 1989, in 5.000 buses, 50 regular and extra-scheduled trains and several tens of thousands of cars, an unprecedented number of people gathered at one event. After the end of the speech, the masses chanted the song “Who says, who lies that Serbia is small.”

1990 - 1992.

As the Kosovo Assembly was dissolved in June 1990, 114 of its 180 MPs attempted to proclaim Kosovo independent of Serbia on July 2, that is, a

26 Damjan Pavlica, Contemporary History of Kosovo, Peščanik, September 19, 2011: <http://bit.ly/2y5BXG7>;

27 Miloš Ćirić, Bombing for Beginners, Peščanik, February 23, 2012: <http://bit.ly/2xYZ7xe>;

28 Damjan Pavlica, Contemporary History of Kosovo, Peščanik, September 19, 2011: <http://bit.ly/2y5BXG7>;

full republic within the SFRY. This decision was declared illegal by Serbia and the SFRY, so on September 7, 111 MPs, who secretly met in Kačanik, declared the independent Republic of Kosovo. The charges were therefore brought against them. In December of that year, Kosovo Albanians boycotted elections for the Serbian Parliament.

In September 1991, members of the Kosovo Assembly, who continued to resist the efforts of the Serbian authorities to proclaim their activity illegal, organized a referendum on sovereignty. Voter turnout of the Albanian population, according to their claims, was 87% who all voted for independence. Kosovo's coalition government was formed in October and received diplomatic recognition of Albania on October 22 of the same year.²⁹

The government of Kosovo aspired to have its own police forces and fund its activities by collecting taxes from the Albanian population of Kosovo, but it had to act outside the official institutions to avoid Serbian police and security forces arresting its members. The first parallel elections were organized in Kosovo in May 1992. At that time, the wars of the former Yugoslavia had already started, the SFRY ceased to exist, and four of its six republics declared independence, while Serbia and Montenegro united in forming the new Federal Republic of Yugoslavia (FRY) in April 1992.

1992 - 1997.

During the first half of the 1990s, Kosovo became a police state under the authority of Belgrade. After the Belgrade authorities took over provincial institutions, hundreds of thousands of Kosovo Albanians were fired from state institutions and social enterprises. Serbian security forces have repeatedly violated human rights. Police violence, arbitrary arrests and torture were a common occurrence.

While the war raged in Croatia and Bosnia and Herzegovina, the majority Albanian population of the province exercised passive resistance, refusing to participate in the political structures of Serbia, not going to the polls and boycotting the population census. After taking over the provincial institutions, the Serbian authorities shut down most of the Albanian speaking schools and ceased paying salaries to Albanian high school professors. Kosovo Albanians have begun a non-violent build of their own parallel institutions, such as education, health and the tax system. A parallel system of private schools was organized on the basis of donations and taxes. Albanian students attended classes in private homes, empty companies and abandoned school buildings.

Milošević's government did not allow the development of parallel institutions in Kosovo, and the Serbian police continued to break into the educational and other institutions of Kosovo Albanians. Members of the security forces routinely harassed, detained and beat up teachers, students and administrators of Albanian schools. This period is considered by the Albanians as a period of "wild, totalitarian, military-police regime", under which the Albanian population suffered severely.

The leader of Kosovo Albanians, Ibrahim Rugova, during the 1990s was known for advocating peaceful resistance to the regime of Slobodan Milošević, which is why he was called the "Balkan Gandhi". In the first half of the 1990s Rugova's strategy of nonviolent resistance had the broad support of the Albanian population. After the end of the wars in Croatia and Bosnia in 1995 and their full independence, a non-violent strategy begins to be questioned, and among the Albanians there is an increasing number of those who advocate armed resistance.

During 1996, Milošević's authorities settled around 16.000 Serb refugees from Bosnia and Croatia in Kosovo, some of them against their will.³⁰

That same year, the Kosovo Liberation Army was formed, which, from 1996 to 1999, grew out of a scattered group of guerrillas into an armed movement and then into an armed force. With its tactic, the KLA often put the civilian population in jeopardy. KLA units sometimes set ambushes or attacked police and military outposts from a village, and retreated after that, thus exposing the civilians to retaliation.³¹ After such attacks, the crimes of larger proportions sometimes followed, which further influenced the popularization of the KLA and contributed to the internationalization of the conflict. In addition, certain elements of the KLA are also responsible for attacks on Serbs, Roma and other non-Albanian population, but also against the Kosovo Albanian political opponents.

29 Analysis of the OSCE Verification Mission to Kosovo: As it has been seen, so to speak, OSCE (ODIHR), Document edition - Humanitarian Law Center, p. 5, 1999: <http://bit.ly/2x0h6Ec>;

30 Ibid, p.5-6: <http://bit.ly/2x0h6Ec>;

31 Human Rights Report, Ordered: War Crimes in Kosovo, Samizdat B92 (2001), p.38: <http://bit.ly/2wfbUin>;

On September 1, 1996, Slobodan Milošević and Ibrahim Rugova, separately in Belgrade and Prishtina, signed an agreement on the normalization of the educational system in Kosovo. The text of the agreement contains only a few paragraphs, the most important of which is the one that emphasizes that the “agreement, because of its social and humanitarian value, is above any political debate” and the one that predicts the formation of a mixed commission in charge of its implementation. It is little known in the public that there is an annex to the Milošević-Rugova agreement, the so-called Roman document containing a list of objects in which Albanian students should return. The published agreement does not contain provisions on issues such as funding, curricula, recognition of diplomas and the allocation of space where classes in different languages will be conducted.

As stated in the report of the Humanitarian Law Center³², in all other respects, the situation in Kosovo education was identical to that before the signing of the agreement. After a one-year standstill, the mixed group met again in early October 1997 in Prishtina and Belgrade. The talks were terminated without any progress and mutual blame for such an outcome. Dissatisfaction over non-implementation of the agreement took place on October 1, 1997, when more than twenty thousand Albanian students took to the streets of Prishtina, where they intended to peacefully express their protest through a walk. Police used tear gas and batons to disperse the assembled students. The force was also used against citizens who in other parts of the city expected the arrival of a student parade.

War Chronology of Kosovo

1998.

War crimes and crimes against humanity by the Yugoslav forces (the Yugoslav Army and police units, as well as paramilitary units) in Kosovo were the focus of international attention since the start of the NATO bombing on March 24, 1999. The civilians were targets of war crimes and other violations of international humanitarian law since the very beginning of the conflict in Kosovo, that is, since January 1998. Below is the chronology of most serious war crimes contained in the documentation and reports of various organizations, most notably Human Rights Watch³³ and the OSCE report “As Seen, As Told”³⁴ from January 1998 to June 1999.

The offensive of the police forces, as well as the Yugoslav Army, had a clear goal of suppressing the support of civilians to rebels. Government forces attacked civilians, systematically destroyed cities and forced thousands of people to leave their homes. The police persistently plundered homes, demolished already abandoned villages, burned down the crops and killed cattle, but also killed summarily - all of which constituted a violation of the humanitarian law. Most of the killed and injured were civilians. According to the UNHCR, at least 250.000 people were displaced between May and September 1998, and among the displaced there were many women and children. There were attacks on the territories where the KLA was active, such as Drenica and the area around Orahovac, and especially the area along the border with Albania.³⁵

February 28 - March 1: Units of the Serbian Special Police have attacked the municipalities of Likošane and Ćirez in the Drenica region of Kosovo by attack helicopters, armoured vehicles and heavy shelling. Ten members of the Ahmeti family were killed and four brothers of the Sejdiu family died while in detention.³⁶

March 5 - 7: The Serbian special police attacked the family complex of Adem Jashari, the local leader of the KLA, in Donji Prekaz. It was estimated that 58 members of the Jashari family were killed, including eighteen women and ten children under the age of sixteen. At least six ethnic Albanians were killed in unclear circumstances in the nearby village of Lausha.

32 HLC, “Education in Albanian (1997)”: <http://bit.ly/2vTF2rm>;

33 Human Rights Report, War Crimes in Kosovo (2001): <http://bit.ly/2wfxM8R>;

34 Analysis of the OSCE Verification Mission to Kosovo: As it has been seen, so to speak, the OSCE (ODIHR), the Documentation Document - Humanitarian Law Center, 1999: <http://bit.ly/2x0h6Ec>;

35 Human Rights Report, Ordered: War Crimes in Kosovo, Samizdat B92 (2001), p. 78: <http://bit.ly/2wfbUin>;

36 Ibid, p. 68;

May 25: The Serbian special police executed at least nine, and maybe twenty-nine Albanians, in Ljubenić, a village near Peć.

May 31: It is estimated that 300 members of the special police forces attacked the village of Novi Poklek in Drenica. Police forces kidnapped ten Albanian men, one of whom was found dead and nine were missing and are presumed dead. The police robbed and burned more than twenty homes.

July 19: The KLA kidnapped about eighty-five Serbs during the offensive in Orahovac on July 19, 1998. Thirty-five were later released, but the fate of the others was unknown.³⁷ According to the Tribunal, thirty-five Serbs disappeared from the Orahovac municipality on July 17 and 18. The KLA briefly took control of the Belačevac mine near Obilić on July 22. On that day, members of the KLA captured nine Serbs and they are still on the list of missing persons of the International Red Cross.³⁸

August 27: The most brutal KLA crime recorded, is the killing of twenty-two Serb civilians in the village of Klečka - the Serbian police claimed that they found human remains and a kiln used for the cremation of the bodies in the village. The way in which the charges are presented seriously jeopardizes their credibility. Two Kosovo Albanians, Luan and Bekim Mazreku were charged in April 2000 in the Niš Court for allegedly killing two Serb civilians in Klečka.³⁹

September 9: The bodies of thirty-four people, including Serbs and Albanians, were found in an artificial lake near the village of Glođane. The evidence suggests that the perpetrators are members of the KLA.⁴⁰

September 27: The offensive of the Serbian and Yugoslav authorities ended at the end of September with heavy fighting around Suva Reka in the Drenica area. Observers discovered bodies of twenty-one Albanian civilians executed in a forest near the village of Gornje Obrinje on September 27. The following day, Human Rights Watch researchers and journalists visited this site and documented the murders, as well as the killing of 13 Kosovo Albanians in nearby Golubovac.⁴¹

1999.

January 15: The Serb special police killed a total of forty-five ethnic Albanians in Račak. According to the Human Rights Report on crimes in Kosovo, the police attack was probably caused by the KLA ambush in which several Serb policemen were killed a few days earlier. Police responded by firing at civilians, torturing prisoners and with summary executions. The Račak massacre was well documented by the OSCE mission and was immediately condemned by Chief of Mission William Walker. The Yugoslav authorities said that the Albanians were KLA fighters and were killed in the battle, and they threatened to expel Walker from the country - calling him "the representative and protector of separatism and terrorism". Louise Arbour, Chief Prosecutor of the ICTY, was denied access to Kosovo on January 18, where she planned to investigate the incident in Račak. The Račak massacre caused public outrage in the West, and Western governments began to agree on how diplomacy could be backed by force. NATO intensified threats to military action that conditioned the cessation of attacks on civilians.⁴²

March 24: With the beginning of the NATO bombing, the killings took place throughout Kosovo, but some prominent Kosovo Albanians were specially targeted. The first murder reported was the murder of a famous lawyer and human rights activist Bajram Kelmendi and his two sons Kastriot and Kushtrim Kelmendi in Prishtina on the night of March 24. Other prominent Albanians were killed at about the same time in other parts of Kosovo. On March 25, Serbian forces broke into the home of a distinguished doctor in Đakovica, Dr. Izet Hema, and killed him in front of his wife. The famous lawyer Urim Rexha and the leader of the Democratic League of Kosovo (LDK) Mark Malota were also killed on the same day

37 The Kosovo diplomatic monitoring mission was established after the compromise agreement (from June 16, 1998) Milosevic-Yeltsin, on the basis of which the FRY accepted the presence of independent observers to replace the Kosovo Verification Mission of the OSCE in September 1998.

38 Human Rights Report, Ordered: War Crimes in Kosovo, Samizdat B92 (2001), p. 84: <http://bit.ly/2wfbUin>;

39 Ibid, p. 84;

40 Ibid, p. 84;

41 Ibid, p. 80-81;

42 Ibid, p. 92;

in Đakovica. Two LDK high-ranking activists in Mitrovica were also killed under unclear circumstances: Agim Hajrizi and Latif Berisha. Probably the most distinguished Albanian who was killed is Fehmi Agani (killed on May 6 in Kosovo Polje), a professor and leading figure of the LDK. Agani as a politician was respected by most of those who dealt with Kosovo politics: his party, the KLA, international negotiators, and even Serbian negotiators.⁴³

March 25: Refugees reported that more than sixty ethnic Albanian men were executed in Bela Crkva, including twenty members of the Popai family and twenty-five members of the Zhuniqi family.

March 25: Through a careful analysis of the available evidence of the mass murder of dozens of Kosovo Albanians, of whom 42 were identified, conducted on March 25, 1999 in the village of Trnje (Suva Reka municipality), the Humanitarian Law Center (HLC) found that there was a reasonable suspicion that Božidar Delić, retired General Major, and 10 other persons, mostly members of the YA from the 549th Motorized Brigade of the YA, whom he commanded, and one part members from the Ministry of Interior of Serbia, according to the previous plan and agreement, executed those murders and that they were responsible for the criminal offense of War Crimes against Civilians.

March 26: On March 25, 1999, or around that day, the villages of Velika Kruša and Mala Kruša (Orahovac) were attacked by the forces of the FRY and Serbia. The locals sought shelter in a forested area outside Velika Kruša, where they could see Serbian police officers systematically robbing and burning local people's homes. In the morning of March 26, 1999 or around that day, the Serbian police discovered villagers in the forest. The police ordered women and small children to leave and go to Albania. The police then searched the men and boys and took their identity documents, and then they were forced to walk to an abandoned house between the forest and Mala Kruša. When men and boys gathered in the house, Serb policemen opened fire on the group. After several minutes of gunfire, the police piled hay over men and boys, igniting it in order to burn the bodies. As a result of the shooting and fire, approximately 105 Kosovo Albanian men and boys were killed by the Serbian police.

March 26: One of the most brutal crimes in this municipality happened on March 26, 1999. According to the indictment of the War Crimes Prosecution in the Suva Reka case, police officers, armed with personal weaponry, set off from the yard of the Suva Reka police station to houses next to the Reštane road inhabited by Albanian citizens. The policemen threw them out of their houses which were searched, looted and burned, some people were killed, while the others, under threats of murder, forced to leave the city and cross into the Republic of Albania. A number of men, women and children were taken away in a local pizzeria "Calabria", in which two hand grenades were thrown. After that, it was fired at anyone who showed signs of life. Armed policemen also killed Jashar Berisha who was later brought, while Abdullah Eshlani was taken from the Suva Reka detention unit and taken to Nedxad Berisha's house, where he was shot. The police officers of the Prizren police department and the employees of the hygiene utility company transported the bodies and buried them in a mass grave at a military shooting range near the villages of Ljubižde and Koruša. At the beginning of April 1999, according to Vlastimir Đorđević's order, a mass grave was dug by construction machinery and the remains were transferred to refrigerated trucks, which were transported to Batajnica by the members of the Special Anti-terrorist Unit (SAJ) of the Ministry of Internal Affairs of Serbia. In this crime, a total of 48 people were killed, of which 46 members of the Berisha family.⁴⁴

March 28: On March 28 in Podujevo, in the Gashi family yard, members of the Scorpions unit fired several dozen projectiles at a group of 19 Albanian civilians, women and children from automatic rifles. "Scorpions" who were part of the Special Anti-Terrorist Unit (SAJ) of the Serbian Ministry of Internal Affairs, then mortally wounded 14 civilians. The oldest victim was 69, and the youngest was two years old. Members of the Bogujevci and Duriqi families were killed in the crime.

April 1-4: Yugoslav security forces killed at least forty-seven men in violent depopulation campaign in Đakovica.

April 27: According to witnesses, on the early morning of April 27, Serbian special police and paramilitary units, together with the YA, systematically expelled all Kosovo Albanians from the villages between Đakovica and Junik - areas near the border with Albania. The villagers from these places were forced to go the way to Meja. The security forces separated the men from the column and separated them from their families. Accord-

⁴³ Ibid, p. 179-182;

⁴⁴ Third amended indictment for the case before the ICTY / ICTY Šainović et al. (IT-05-87): <http://bit.ly/2jvzvFC>;

ing to the ICRC documentation, 282 men were reportedly abducted in Meja. The exact number of Albanian victims is not known, but it is estimated that 300 men between the ages of 14 and 60 were probably killed.

May 14: Early in the morning of May 14, 1999, Serbian security forces entered the village of Čuška, a few kilometers east of Peć. At around 8:30 in the morning, the security forces in green military uniforms with painted faces and masks, separated from the assembled group of women, children and elderly, men who failed to escape. They threatened them and took away money, jewelry and other values from more than two hundred villagers. They destroyed their documents. Then they separated 32 men between 19 and 69 years old, divided them into three groups and took them to three different houses, where they forced them to line up. Then, they opened fire from automatic weapons on them in each house.

May 22: One of the most serious crimes of this war occurred in Dubrava prison, the largest penitentiary institution in Kosovo, when the security forces of the Republic of Serbia carried out a massacre of prisoners following NATO air strikes. Following the activities of Serbian forces and the Yugoslav army in this area, NATO bombed the prison on the 19th and again on May 21 1999, killing at least nineteen Albanian prisoners and creating chaos in this institution. The Yugoslav government says some prisoners used bombing and tried to escape from prison while the security forces tried to keep order. On May 22, prison officers ordered that about 1.000 prisoners line up in the prison yard. After a few minutes, they opened fire from automatic weapons from prison walls and guard towers and threw bombs on them, when at least 70 prisoners died. During the next 24 hours, guards, special police forces and most probably paramilitary forces, attacked the prisoners who were hiding in prison buildings, basements and sewer, killing at least 12 more persons.

Proceedings Before the International Criminal Tribunal for the Former Yugoslavia (ICTY)

In the **Limaj et al.** case, the indictees (Limaj, Musliu and Bala) were charged with crimes committed in the Lapušnik prison camp. Limaj and Musliu were acquitted and Bala was sentenced to 13 years in prison for torture, cruel treatment and murder.⁴⁵

The indictment of **Haradinaj et al.** (Haradinaj, Balaj and Brahimaj) case states that, after March 24, 1998, KLA forces under the command and control of Ramush Haradinaj organized a military campaign to seize control of the area between the villages of Glođane and Dečani (Dukagjin Operational Zone). All the accused in this case were acquitted.⁴⁶

In the second indictment of the ICTY to Slobodan Milošević of June 29, 1999, it was stated that **Slobodan Milošević**⁴⁷ allegedly participated in a joint criminal enterprise (JCE) between January 1, 1999 and June 20, 1999, together with several other individuals. It was stated that the purpose of the JCE was to expel a significant part of the Kosovo Albanian population from Kosovo in an effort to secure further Serbian control over the province. During this period, the forces of the Federal Republic of Yugoslavia (FRY) and Serbia, acting on instructions or supported by the JCE, conducted a campaign of terror and violence directed against the Albanian civilian population in Kosovo. The result was the forced deportation of some 800,000 Albanian civilians in Kosovo. In order to facilitate expulsion and displacement, the forces of the FRY and Serbia deliberately created an atmosphere of fear and pressure through the use of force, threats of force and acts of violence. Throughout Kosovo, the forces of the FRY and Serbia systematically shelled towns and villages, burned houses and agricultural holdings, damaged and destroyed cultural monuments and religious objects of Kosovo Albanians, killed Kosovo Albanian civilians, and sexually abused Kosovo Albanians. Slobodan Milošević died in the detention unit in Scheveningen (The Hague) on March 11, 2006, and the proceedings against him were completed on March 14, 2006.

Vlastimir Đorđević⁴⁸, who from June 1, 1997 to January 30, 2001 was Assistant to the Minister of the Interior of Serbia (MUP) and Head of the Public Security Department (RJB) MUP and was responsible for all units and staff of RJB in Serbia, including Kosovo, from January 1 to June 20, 1999,

45 ICTY case, Ljijaj and Others (IT-03-66): <http://bit.ly/2xfliRk>;

46 ICTY case, Haradinaj and Others (IT-04-84 and IT-04-84bis): <http://bit.ly/2gxENf>;

47 ICTY case, Milošević (IT-02-54): <http://bit.ly/2fd3I7Q>;

48 ICTY case, Djordjevic (IT-05-87 / 1): <http://bit.ly/2wS8UrT>;

was sentenced to 18 years in prison for deportation, other inhumane acts (forcible transfer), murder, persecution on political, racial and religious grounds (crimes against humanity) and murder (violation of laws and customs of war). The forces of the Federal Republic of Yugoslavia (FRY) and Serbia, acting on instructions, on the incitement, or with the support of Đorđević, committed crimes that resulted in the forced deportation of some 800,000 Kosovo Albanian civilians, the killing and destruction of cultural monuments.-

The defendants in the **Šainović et al. case (Šainović, Ojdanić, Pavković, Lazarević, Lukić, Milutinović)**⁴⁹ were charged with crimes committed during the campaign of terror and violence directed against the population of Kosovo Albanians at the beginning of 1999. It is alleged that each of the accused individually participated in a joint criminal enterprise aimed at changing the ethnic balance in Kosovo in an effort to ensure further control of the Serbian authorities. This plan was implemented through punishable means, including deportations, murders, forcible transfers and persecutions of Kosovo Albanians. Milan Milutinović was acquitted of all charges, while others were sentenced to several years in prison.

Proceedings Before Domestic Courts

Podujevo

For crimes in Podujevo, War Crimes Department of the Higher Court in Belgrade validly convicted members of the “Scorpions”, Zeljko Đukić, Dragan Medić and Dragan Borojević, to 20 years in prison, and Miodrag Šolaja to 15 years in prison. In 2005, a member of “Scorpions”, Saša Cvjetan, was sentenced to 20 years in prison.⁵⁰

Suva Reka

War Crimes Department of the Higher Court in Belgrade sentenced a former commander of the Suva Reka police station Radojko Repanović to 20 years in prison for war crimes against the civilian population.⁵¹

Orahovac

Deciding on the appeal, the Court of Appeal in Belgrade found guilty one person for the criminal offense of War Crimes committed on May 9, 1999, at the exit from the municipality of Orahovac. This person, in the capacity of a member of the MUP of Serbia, in carrying out the duties of securing traffic routes, killed civilians.⁵²

Trnje (first-instance proceeding)

The Accused are charged, that as members of the 549th Motorized Brigade of the YA, on March 25, 1999 in the village of Trnje (Suva Reka Municipality, Kosovo) they participated in the killing of at least 27 Albanian civilians, including 12 women and four children. As the commander of the 549th mtbr YA battalion, Gavrilović gathered his subordinates, including the defendant Kozlin, just before the attack on the village, and issued an order, gesturing toward the village, “there must not be any survivors”. Kozlina is charged that as a guide and commander of the fighting group, following the order from Gavrilović, he killed Voci Maliqi by firing a shot from the automatic rifle in his back and telling others: “That’s how you do it.” Kozlina is charged with the killing of another 16 civilians.⁵³

Ćuška (first-instance proceedings, repeated trial)

The Trial Chamber of the War Crimes Department of the Higher Court in Belgrade, on February 11, 2014 issued a verdict finding nine defendants

49 ICTY case, Šainović et al. (IT-05-87): <http://bit.ly/2gYo84H>;

50 The case before the Higher Court of the War Crimes Chamber, Podujevo II (Djukic et al.): [Http://bit.ly/2y3S9GX](http://bit.ly/2y3S9GX);

51 The case before the High Court of the War Crimes Chamber, Suva Reka (Mitrovic et al.): [Http://bit.ly/2x2Aym7](http://bit.ly/2x2Aym7);

52 Archive of the Humanitarian Law Center, Transcripts from the trial before the High Court in Belgrade: Orahovac case (Boban Petković and Đorđe Simić): <http://bit.ly/2gWWHIZ>;

53 Humanitarian Law Center, Report on War Crimes Trials in Serbia for 2016, p. 62: <http://bit.ly/2wUAOAX>;

guilty of committing a war crime against civilians and sentenced to prison terms ranging from two to twenty years, while the two accused, Radoslav Brnović and Veljko Korićanin, have been acquitted for lack of evidence. On February 26, 2015, the Court of Appeal issued a decision that upheld the appeals of all defendants, abolished the first instance verdict and returned the case to the first-instance court for retrial. The repeated proceedings started on June 8, 2015.⁵⁴

The Kosovo Crisis and the Role of the International Community

1998 - 2000.

In September 1998, the UN Security Council adopted Resolution 1199⁵⁵, which urged Serbs and Albanians to stop fighting and start negotiations. At the same time, NATO says that the Alliance's combat readiness has been raised and issued an alert, as an announcement for air operations in Kosovo. When the NATO Alliance action was already certain in October, a delegation led by US Special Envoy Richard Holbrooke arrives in Belgrade in the latest attempt to persuade Milošević to comply with the Resolution 1199. After several days of intense negotiations, on October 13, 1998, an agreement was reached, which delayed military intervention by NATO. According to the agreement, Milošević was supposed to withdraw special and police units from Kosovo. Belgrade agreed to allow access to 2.000 civilian OSCE observers⁵⁶ tasked with overseeing and confirming the implementation of the agreement.

Although US representatives stressed that the Holbrooke-Milošević agreement opens up some kind of Kosovo autonomy, Milošević described the agreement as a guarantee of Serbian territorial integrity and the continuation of Serbian control over Kosovo. Representatives of Kosovo Albanians expressed suspicion that the bringing of international observers would prevent further clashes, and Ibrahim Rugova urged NATO to send troops immediately to Kosovo, which he considered the only option to defend Kosovo Albanians from Serb special forces. For the first time since the Second World War, on October 5, 1998, the state of imminent war threat was declared in the FRY.

In mid-month, representatives of NATO come to Belgrade to sign the final agreement established during the Milošević-Holbrooke talks. However, Milošević does not conclude an agreement with them, but tries to avoid the implementation of certain provisions of the agreement. At that time, at the General Staff meetings of the Yugoslav Army, talks are also about the course of negotiations with Holbrooke, and the Chief of General Staff, Momčilo Perišić, publicly declares that the danger of military intervention in the territory of the FRY "has not yet been resolved." At the end of the year, there is a new escalation of the conflict in Kosovo, NATO Commander for Europe, Wesley Clark, comes back to Belgrade, and his talks with Milošević end without concrete results.

Meanwhile, the US ambassador to the Republic of Macedonia, Christopher Hill, led the mediation process between the Albanian delegation led by Rugova and the Yugoslav and Serbian authorities. It was these meetings that shaped what would be the peace plan to be discussed during the period of the planned NATO occupation in Kosovo. During the period of two weeks, threats intensified, which led to the culmination of the NATO activation order. NATO was ready to start air strikes, and Richard Holbrooke went to Belgrade in the hope of reaching an agreement with Milošević. Officially, the international community called for a fight. It was particularly demanded that Yugoslavia end its offensive against the KLA as it tries to persuade the KLA to reject its bid for independence. Moreover, attempts were made to persuade Milošević to allow NATO peacekeepers to enter Kosovo. This, they argue, enabled the peace process of Christopher Hill to continue and bring a peace agreement.

On October 13, 1998, NATO issued orders for the activation of limited air strikes in Yugoslavia, which should begin within 96 hours. On October 15, the Agreement on the Verification Mission⁵⁷ was signed, which began the cease-fire, and the deadline for the withdrawal of Serbian heavy armed

54 Ibid, p. 68;

55 UNSC Resolution no. 1199: <http://bit.ly/2x0cjUM>;

56 Miloš Ćirić, Bombing for Beginners, Peščanik: <http://bit.ly/2xYZ7xe>;

57 Agreement on the OSCE Verification Mission in Kosovo: <http://bit.ly/2fh7RYr>;

forces was extended until October 27. The withdrawal of Serbia began on or about October 25 1998, and the Eagle Eye operation (part of the verification mission in charge of monitoring the withdrawal of the armed forces) began on October 30.

The Kosovo Verification Mission was a large contingent of unarmed peacekeeping observers of the Organization for Security and Co-operation in Europe who moved to Kosovo. The fighting continued in December 1998, after both sides ceased the cease-fire, and this increase in violence culminated in the murder of Zvonko Bojanić, the mayor of the Kosovo Polje municipality. The Yugoslav authorities responded by launching repression against members of the KLA and civilians.

1999.

January 15: The bodies of 45 Albanians were discovered in the village of Račak.

January 16: The head of the OSCE Kosovo Verification Mission, Christopher Walker, attributes the massacre in Račak to the Serbian security forces. The international community condemns the massacre.

January 18: The international community is outraged by the decision of the Yugoslav prime minister to expel Ambassador Walker after his comments on Račak. Walker is given 48 hours to leave the country.

January 21: The UN High Commissioner for Refugees reports that 20,000 people have left their homes since the end of December, of which about 5,000 just in the area of Račak.

January 27: Russian Foreign Minister Ivanov and US Secretary of State Madeleine Albright meet and issue a joint statement on Kosovo.

January 29: A contact group of six countries is meeting in London and gives an ultimatum to both parties to attend peace talks in France starting on February 6. These talks last for a week, with the possibility of prolonging the second week if progress is made with the negotiations.

January 30: NATO once again agrees that the Secretary General may approve air strikes against targets in the Yugoslav territory.

February 1: Political leaders in Kosovo state they will take part in the proposed peace talks.

February 2: A spokesman for the KLA says that the KLA will also send representatives to the talks, which will complement the Albanian delegation.

February 4: After the vote in parliament, the Serbian government agrees to take part in the negotiations.

February 6: Talks start in Rambouillet, France, under the auspices of the Contact Group. They are chaired by three co-mediators representing the United States, the European Union and the Russian Federation. US Secretary of State Albright personally mediates negotiations.

February 23: At the last moment, the Albanian delegation agrees to sign a political agreement, but points out that it first wants to return home for final consultation. The Serbian side also supported the political agreement, but noted that at the last moment an agreement on the Albanian side had been changed. They continue to refuse any discussions on the military annex, as they include the presence of peacekeeping forces under NATO's leadership in Kosovo. The deputies announced that the talks will continue on March 15.

March 10: Ambassadors Holbrooke and Hill travel to Belgrade to invite Milošević to accept a provisional political agreement on Kosovo.

March 15: The talks continue at the Cleber Center in Paris. The Albanian delegation has signed a provisional agreement proposed at Rambouillet's previous month's meetings. President Clinton encourages Milošević to agree with conditions to avoid further clashes and bloodshed. March 18: The peace talks in Paris have been suspended because the Serbian delegation refuses to agree and actually leaves its earlier positions in Rambouillet. In the meantime, one-third of all FRY armed forces are in Kosovo.

March 19: The Kosovo Verification Mission has been withdrawn.

March 20: Yugoslav armed forces are launching an offensive, removing thousands of Albanians from their homes and villages, while burning

many houses.

March 21: The international community makes the last diplomatic effort, referring Ambassador Holbrooke in Belgrade to deliver a “final warning” to Milošević.

March 22: NATO approves Secretary General Solana to decide, after further consultations, on a wide range of air operations, if necessary.

March 23: Ambassador Holbrooke leaves Belgrade in the evening, since he did not receive any guarantees from Milosevic.

March 24: NATO air strikes begin. Tens of thousands of Kosovars have already fled because of heavy fighting throughout Kosovo.

March 25: The Yugoslav government cuts off diplomatic relations with the United States, France, Germany and the United Kingdom.

March 26 and 30: NATO’s decisions to escalate the air campaign.

March 27: Ethnic Albanians who escaped or were expelled from their homes in Kosovo began to go to Albania and Macedonia. In the meantime, the Russian Duma adopts a resolution condemning NATO actions.

March 29: It has been reported that refugees cross the border of Kosovo at a rate of 4.000 people per hour. There are about 60.000 refugees in Albania, half of whom arrived in the previous 48 hours.

March 30: Russian Prime Minister Primakov, Minister of Foreign Affairs Ivanov and Defense Minister Sergei talked with President Milošević in Belgrade.

April 3: NATO missiles attack the center of Belgrade for the first time and destroy the Ministry of Internal Affairs of Yugoslavia and Serbia.

April 6: NATO air strikes hit the residential area of Aleksinac, killing five people. The FRY is announcing a unilateral ceasefire that runs until April 11. Belgrade claims that the army and police will end operations in Kosovo and that the government will negotiate with Rugova. NATO rejects the offer, and French President Shirak called the proposed ceasefire unsustainable without a political agreement and a security package.

April 10: The FRY expels about 2.000 Kosovo citizens from the village of Vragolja. Belgrade warns Albania not to allow “terrorist” attacks from its territory or risking war escalation. In a conversation with the OSCE, Russian Foreign Minister Ivanov said that NATO-led deployment forces in Kosovo were “unrealistic” and called for greater UN involvement.

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April 12: UNHCR reports that 309.000 Kosovo residents fled to Albania, and that by that time there were already 119.380 refugees in Macedonia. NATO bombs a passenger train in Grdelica gorge. Nine whole bodies and four parts of the human body were found. At least 16 passengers were injured and many were missing.

April 14: NATO air strikes hit a Kosovo civilian convoy in Kosovo. FRY reports 64 dead.

April 16: The exodus of Kosovo refugees returns to a crisis level of 20.000 a day.

April 18: UNHCR reports about 359.000 refugees in Albania and 132.700 in Macedonia to date. UN High Commissioner Ogata estimates that more than half a million Kosovo citizens have fled to other countries since the start of the bombing.

April 20: NATO allows Russian Patriarch Alexy II to safely visit the Serbian Patriarch Pavle. The OSCE reports that Serbian forces and Albanian troops exchanged gunfire in the first conflict between the two armies since the beginning of the crisis. NATO Secretary General Solana directs updating of ground forces plans.

April 21: It has been reported that all EU countries have agreed to submit a proposed plan to stop the supply of petroleum products by or through the member states towards the FRY. NATO missiles in Belgrade hit Milošević’s private residence.

April 22: The decision on the NATO summit in Kosovo confirms five points and adds conditions for the suspension of the bombing. NATO announces an intensification of the air campaign.

April 23: NATO destroys the building of Serbian state television in downtown Belgrade, killing at least 16 people who were not evacuated on time. FRY agrees to accept international military presence in Kosovo after Chernomyrdin - Milošević talks in Belgrade.

April 24: Kosovo is the dominant topic at the NATO 50th anniversary summit in Washington. Member states announce plans for a visit and a regime of interrupting the flow of oil towards the FRY.

June 9: A Military-Technical Agreement⁵⁸ between the FRY and KFOR was signed in Kumanovo. This ended the NATO bombing, and Milošević agreed to withdraw the police and military forces from Kosovo.

According to the Humanitarian Law Center⁵⁹ (HLC) and the Humanitarian Law Center Kosovo (HLC Kosovo), in the period from March 24 to June 10, 1999, during the international armed conflict in Kosovo, 9,401 people were killed, injured or forcibly disappeared, of whom 758 were killed by NATO. Of the total number of people who were killed and missing, 6,511 were Albanian civilians. Among them, 220 were killed by NATO bombs. In the mentioned time period, 189 Serbs and other non-Albanians, civilians were killed. Among them are 26 children under the age of 16. A total of 46 Serbs and other non-Albanians were killed in attacks by NATO forces, while KLA was responsible for the death or disappearance of 143 Serbs and other non-Albanians.

Immediately after the arrival of KFOR in Kosovo, there were widespread and systematic burning and looting of homes belonging to Serbs, Roma and other minorities and the destruction of Orthodox churches and monasteries. Along with these devastations, the population was also targeted by harassment and intimidation aimed at forcing people to leave their homes. By the end of 2000, 210,000 Serbs had escaped from the territory of Kosovo according to Human Rights Watch.⁶⁰

June 10: UN Security Council Resolution no. 1244⁶¹ setting out the mandate of the UN Interim Administration on Kosovo adopted.

June 11: Russian President Yeltsin says relations with NATO remain frozen, despite the suspension of NATO bombing, but does not exclude improvement. Russian troops enter Yugoslavia from Bosnia, US says they have a promise from Moscow that Russians will not enter Kosovo before NATO.

June 12: Russian troops are entering Prishtina for 2 hours before NATO troops enter Kosovo and occupy positions at the airport. Russian Foreign Minister Igor Ivanov called the deployment an "unfortunate mistake". British NATO troops are entering Kosovo at dawn to begin taking control of the withdrawal of Serb forces. French and American troops are also entering Kosovo.

June 13: Hundreds of Serbian soldiers are withdrawing from Prishtina. Russian troops are still stationed at Prishtina airport and refuse to allow British and French troops to move to the airport.

June 14: Kosovo Serbs flee from Kosovo as Albanian refugees return. The ultra-national Serbian Radical Party, led by Serbian Deputy Prime Minister Vojislav Seselj, left the Serbian government. 20,000 hungry and displaced Albanian refugees were found in Glogovac, west of Pristina.

June 15: Russian troops that share control over Prishtina's main airport are seeking help from British NATO forces for supplies. The NATO peace-keeping force arrested five suspected KLA soldiers the night after a Serb was killed in Prishtina. The OSCE reports that some 2.000 refugees have begun to return to Kosovo from Albania. The remains of at least 20 Albanians were discovered by Dutch peacekeepers in Velika Kruša. Italian troops found two mass graves in the village of Korenica, near the Kosovo town of Peć. Four Albanians were killed in Prishtina. The International Committee of the Red Cross reports that at least 33.000 Serbs have fled in the past seven days of the weekend. The Serbian Orthodox Church calls

58 The full text of the Military-Technical Agreement from Kumanovo: <http://bit.ly/2y5kTzV>;

59 Human losses during the NATO bombing of the FRY, Humanitarian Law Center: <http://bit.ly/2fCAIMw>;

60 Human Rights Report, Ordered: War Crimes in Kosovo, Samizdat B92 (2001), p.38-39: <http://bit.ly/2wfbUin>;

61 UN SC Resolution no. 1244: <http://bit.ly/2fz2SCr>;

on Milošević and the government to resign. Serbian President Milan Milutinović issues a decision rejecting the resignation of the Serbian Radical Party from the Serbian Government.

June 16: NATO reports that the Yugoslav withdrawal from Zone 1 (a zone extending from Prishtina to the southern border of Kosovo) was largely completed by midnight.

June 17: A British official estimates that Serb forces killed more than 10,000 people during two months of war and ethnic cleansing.

June 18: US Secretary of State Albright and Defense Secretary Koen reached an agreement with their Russian counterparts in Helsinki on Russia's participation in Kosovo. They decide that Russia will not have a separate sector in Kosovo and that all KFOR forces will work under common rules of engagement. In addition, the agreement states that the Prishtina airport will be open to all members of the international security forces.

June 19: In light of the commitment of the International Security Forces to protect all citizens in Kosovo, Serbia urges Kosovo Serbs to return to Kosovo. The British forensic team finds more evidence of the crimes committed by Serbs in Velika Kruša. 100 bodies were found. UNHCR estimates that on June 29, 19,000 Kosovo Albanians returned to Kosovo. NATO warns that dozens of refugees have been wounded by landmines.

June 20: In accordance with the Military Technical Agreement of June 9, Serbian forces are completely withdrawing from Kosovo, and NATO Secretary General Javier Solana officially ended the NATO bombing campaign in the former Yugoslavia.

June 21: NATO officials and the Kosovo Liberation Army (KLA) have signed a disarmament agreement. UNHCR estimates that 35,400 refugees returned to Kosovo on June 21, while a total of 140,000 refugees returned to that date. Two KFOR soldiers and two civilians were killed in an attempt to detonate a large number of unexploded NATO cluster bombs.

June 22: NATO and UNHCR announce organized return of refugees to Kosovo in late June 1999. UN Secretary General Kofi Annan announces that Dominik Vian, the governor of French Guiana, will be the deputy special representative of the UN for the Provisional Civil Administration in Kosovo. KLA leader Hashim Thaci expresses the hope that the KLA and the moderate Albanian leader, Ibrahim Rugova, will be able to work together.

June 23: At the request of the International Criminal Tribunal for the former Yugoslavia (ICTY), the Swiss government freezes Milošević's assets and four other people charged with war crimes. The public opinion poll conducted in the period from June 9 to June 14, for 800 respondents across Serbia, shows that Milošević's popularity is decreasing.

June 24: The Yugoslav parliament approved a government proposal to end the state of war. Solana appeals to Kosovo Serbs to stay in Kosovo, where KFOR will protect them and urge Kosovo Albanians not to seek revenge, but to work towards the establishment of a democratic and multi-ethnic society.

June 25: The upper house of the Federal Assembly of Russia approved Russia's participation in KFOR. Thousands of Roma have left their homes due to frequent revenge of ethnic Albanians, accusing Roma of co-operating with Serbs.

June 26: The FRY officially declares the suspension of the state of war, although most restrictions on Kosovo remain in force through the Serbian parliament.

June 27: The village of Belo Polje, near Peć, was looted and burned. Russian aircraft arrived at the airport in Prishtina to deliver additional troops and equipment. German KFOR forces announce curfew in Prizren to stop ethnically motivated violence.

June 28: KFOR continues with the deployment throughout Kosovo, troops in Kosovo have now reached the number of 23,000. UNHCR begins the organized return of Albanian refugees from Macedonia to Kosovo.

June 29: UNHCR continues the organized return from Macedonia, 370 refugees returned on June 29 by UN buses from Macedonia. By this date, a total of 447,100 refugees returned to Kosovo on their own initiative. Officially, the KLA disarms its units.

June 30: The UN is taking steps to reestablish the judicial system in Kosovo by appointing three district court judges, two investigative judges and

four public prosecutors to deal with those detained by KFOR.

July 1: After two days of talks between NATO and Russia on detailed modalities of the deployment of Russian military forces, the Russian delegation returns to Moscow for consultations.

July 2: The UN Secretary General has informed the Security Council President of his intention to appoint Bernard Kouchner as his special representative at the head of the United Nations Mission in Kosovo. UN Special Envoy Sergio Vieira de Melo said he wants Kosovo Serbs and Albanians to form a council that will make political decisions in an effort to reduce violence and tension in Kosovo. After meeting with Mela, Kosovo Albanian and Serbian leaders issue joint declaration on ending violence in Kosovo.

July 6: A spontaneous protest against Slobodan Milošević's regime breaks out in Leskovac, following a TV editor's appeal against the local government. It was reported that about 20.000 people joined the protest. The talks in Moscow between July 4 and 5, between NATO and Russia solved the military technical details of Russia's participation in KFOR, in particular on precise deployments, command arrangements, and engagement rules. Works on the reconstruction and installation of equipment at the Prishtina airport have been completed.

July 7: Demonstrations against Slobodan Milošević's regime are starting in Niš. Demonstrators gather signatures for a petition, calling on Milošević to resign. There are also protests in Leskovac, as well as in Užice, where the Alliance for Change has attracted more than 5.000 people. UNHCR is organizing the return of 407 refugees from Montenegro.

July 8: Nearly 2.500 civilian policemen have committed themselves to work in the UN civilian police. Democratic Party, which has 31 out of 110 seats in the Belgrade City Assembly, urges Milošević to resign.

July 12: ICTY Prosecutor Arbour expresses the belief that the hearing of Milošević is a very realistic goal. The mass of the protesters against Milošević attacked the headquarters of the Socialist Party in Valjevo. Representatives from many countries in which there are Kosovar refugees, as well as UNHCR and the International Organization for Migration (IOM), meet in Geneva and accept UNHCR's guidelines for voluntary return.

July 14: UN war crimes prosecutor, Louis Arbour, visited mass graves in Kosovo. On that occasion, she stated: "Every step we take, every grave we discover, every indictment we bring is an irreversible step towards bringing the accused to justice." David Govan, War Crimes Coordinator of the British Ministry of Foreign Affairs, confirmed earlier estimates by the British government that at least 10.000 Kosovo Albanians were killed in crimes of ethnic cleansing.

July 15: Special Representative of UN Secretary-General Bernard Kouchner arrives in Kosovo. Kouchner urges Kosovo Serbs and Albanians to move towards "peace and reconciliation, so that people talk to each other and build democracy".

July 16: The first meeting of the Transitional Council of Kosovo met with the Special Representative of the UN Secretary General Kouchner. This council brings together all ethnic communities in Kosovo and serves as a mediator with UN officials. Ibrahim Rugova did not attend the meeting. UNHCR announces that the protection of Serbs in Kosovo is now "the most important issue". The UN estimates show that some 146.000 Serbs left Kosovo in the direction of Serbia. UNHCR estimates that up to that time 662.000 refugees have returned to Kosovo. During the week, UNHCR, with the help of German agency THW, distributed 2.000 sets of emergency shelters in the Orahovac area and plans to distribute an additional 16.000 sets.

July 17: OSCE begins recruiting for new Kosovo police forces.

July 19: German Chancellor Gerhard Schroeder met with the leader of the Serbian opposition, Zoran Đinđić, after which Chancellor Schroeder promises his support to the Serbian opposition. Chancellor Schroeder declares: "Germany supports the opposition and there is an interest in the whole of Europe that democracy comes to Yugoslavia - a democracy without Milošević". In central Serbia, Vuk Drašković, leader of the Serbian Renewal Movement, launched a campaign for early elections, stating that it is time to end Milošević's government. According to media reports, its main priority is the establishment of a transitional government under Milošević to end sanctions. He also calls for Milošević to be granted immunity from arrest or extradition.

July 22: Former Chief of the YA General Staff Momčilo Perišić calls for the peaceful removal of Milosević's regime from power. July 21, midnight, was the deadline for KLA forces to lay down all forbidden weapons and 30% of automatic weapons at secure locations. KFOR Commander General Jackson said he was "encouraged by the number of weapons handed over in the past few days."

July 23: Fourteen Serbian farmers were killed in Kosovo in the village of Staro Gracko. KFOR spokesman said that "KFOR and international police will catch those responsible for this terrible crime. We will ensure that they are brought to justice in order to face the full power of law." Five ethnic Albanians were detained after exchanging fire with KFOR troops in western Kosovo. UNHCR estimates that up to July 23, 720.700 refugees returned to Kosovo. The UN Mine Action Coordination Center becomes operational in Prishtina, and serves as a center for planning and coordination of mine-related and unexploded lethal devices in Kosovo.

July 24: UN Chief Prosecutor Louise Arbour said on July 23, that she launched an investigation into the killing of 14 Serbs from Staro Gracko. About 260 Serbs returned to Kosovo from the territory of Belgrade and Kraljevo. Accompanied by KFOR soldiers, the Serbs moved to Kosovo Polje.

July 26: A group of reservists of the Yugoslav Army in Niš begins hunger strike in protest over unpaid wages. UNHCR estimates that by July 26, 727.000 refugees returned to Kosovo. UNHCR publishes a report using data collected from 456 villages affected by the war. The report indicates that 54% of houses in these villages suffered serious damage or total destruction. -

July 28: Radio Prishtina starts broadcasting in Albanian, Serbo-Croatian and Turkish languages under the supervision of the OSCE. Donors promise \$ 2.082 billion to help Kosovo at a donor conference in Brussels. The US pledges \$556 million additional humanitarian aid and emergency non-humanitarian aid to Kosovo from a supplementary budget passed by the Congress and signed on May 21, 1999. UNHCR estimates that 734.000 refugees returned to Kosovo by July 28.

July 29: KFOR announces that three ethnic Albanians have been detained for an investigation into the killing of 14 Serbian reapers in Staro Gracko.

July 30: World leaders meet in Sarajevo at the Stability Pact Summit. US President Clinton announces that he will work with the Congress and will provide \$10 million for the strengthening of independent media, NGOs, independent trade unions and the democratic opposition in Serbia. Ibrahim Rugova returns to Kosovo.

July 31: Russian KFOR soldiers detained KLA General Agim Çeku. Since July 31, UNHCR has delivered 13.000 tents to Kosovo. It was estimated that 10.000 houses were damaged during the war.

August 1: Bomb explosion in an unfinished Orthodox church in Prishtina. There were no casualties.

August 2: According to UNHCR field reports, another 23.000 non-Albanians from Kosovo are staying in Montenegro. UNHCR estimates that until August 2, 743.300 refugees returned to Kosovo. Students and teachers return to Prishtina University.

August 3: Human Rights Watch published a report on human rights violations after the June 10 directed towards the Serbian and Roma population in Kosovo. The report suggests greater involvement of international police forces, the return of displaced persons, the prosecution of all attacks, and recommendations to the KLA leadership to "take swift and decisive action" in order to prevent further crimes against Serbs and Roma.⁶²

August 4: NATO appoints British Defense Secretary George Robertson as the next Secretary General. UNHCR estimates that almost 90% of the over 850.000 Albanians who left Kosovo during the war returned to the province.-

August 6: Ibrahim Rugova joins the Transitional Council of Kosovo.

The Fall of Milošević and the First Democratic Government of Serbia

2000-2003.

October 5, 2000: On the elections on September 24, Vojislav Koštunica, candidate of the DOS coalition, wins the presidential election. After major protests over electoral theft, Milošević descended from power.

November 2000: After the war in Kosovo ended, low intensity conflicts spilled over to the territory of the municipalities of Preševo, Bujanovac and Medveđa. After a brief lull, Albanians from the south of Serbia re-actualize their intention for the so-called Preševo Valley to accedes to Kosovo, which was first presented in an unofficial referendum held in 1992. The crisis is intensifying in November 2000 when the Liberation Army of Preševo, Medveđa and Bujanovac (OVPMB) intensifies attacks on the security forces of the FR of Yugoslavia and Serbia.⁶³ -

January 25, 2001: Zoran Đinđić elected as Prime Minister of Serbia.

March 12, 2001: The crisis in southern Serbia ended with the signing of two separate ceasefire agreements: one between Serbia and KFOR representatives in Merdare, and the other between the OVPMB and the special envoy of NATO in Končulje. The maintenance of the agreement is envisaged by the "Program for peaceful resolution of the crisis in the municipalities of Preševo, Bujanovac and Medveđa", which was made on behalf of the Government of Serbia by its deputy Nebojša Čović. The key elements of the "Čović's plan" were: dissolution, disarmament and amnesty of the OVPMB members; the withdrawal of extraordinary military and police forces; return of refugees; building multiethnic institutions with respect for human rights and economic revitalization of these three municipalities.⁶⁴

April 1, 2001: Slobodan Milošević arrested.

May 3, 2001: Serbia's MUP has retired now former RJB chief Vlastimir Đorđević, denying that this has anything to do with the "refrigerator affair".

May 7, 2001: -RJB Chief Sreten Lukić formed an operational group tasked with establishing all relevant facts about finding a truck in which unidentified bodies were found and to take appropriate legal measures based on the results.

May 18, 2001: Serbia's Deputy Prime Minister Žarko Korać in Geneva declares that "the government is working hard to get the local indictment against former Yugoslav President Slobodan Milošević extended to war crimes."

May 19, 2001: Minister of Justice Vladan Batić requests from the President of the Supreme Court of Serbia, and acting public prosecutor to clarify the "refrigerator case".

May 23, 2001: Nataša Kandić (Humanitarian Law Center) informs in writing the ministers of justice and police and the president of the Serbian Parliament that there is a truck with bodies from the NATO bombing period in the lake near Kokin Brod.

May 24, 2001: Police Minister Dušan Mihajlović explains that Sreten Lukić (from June 1998 to the end of the NATO bombing in 1999 as the coordinator of the MUP headquarters of Serbia for Kosovo and Metohija and later sentenced to 20 years in prison for crimes committed in Kosovo) was appointed Chief of the RJB- "because his file is clean, and that he can not be held accountable for crimes committed in Kosovo under command responsibility only." Prime Minister Zoran Đinđić states that members of the government were aware that Sreten Lukić was "not an angel", but that he was the most suitable of all candidates.

May 25, 2001: Police Captain Dragan Karleuša announces that the removal of the traces of crimes from Kosovo and Metohija was done by the order of Slobodan Milošević, issued in mid-March 1999 at a meeting attended by the then Interior Minister Vlajko Stojiljković, then Chief of the RJB General Vlastimir Đorđević, General Radomir Marković and others.

63 Marija Marović, Filip Eidus, Ivan Kostić, Security Perception in the South of Serbia, Balkan Center for the Middle East, December 2012, p. 16: <http://bit.ly/2w400qD>;

64 Ibid, p.. 16-17: <http://bit.ly/2w400qD>;

June 2, 2001: On the eve of the new Police Day (earlier on May 13, which is the name of the SAJ base in Batajnica), the Minister of Police Dušan Mihajlović announces that the exhumation of one mass grave has started and repeats that there are several mass graves on the territory of Serbia. It is mentioned that there were 83 bodies and three heads in the refrigerator, taken from Tekija.

June 7, 2001: Weekly magazine Vreme reports that the mass grave where the exhumation began is located on the site of the Training Arrangement for the Special Anti-Terrorist Units (SA) of the MUP of Serbia "May 13" near Batajnica. The Serbian Ministry of Internal Affairs subsequently confirms the information of "Vreme", as well as the previously announced one, that there are also mass graves at Petrovo Selo, also the SAJ's training ground.

June 15, 2001: Minister Dušan Mihajlović and the Serbian Ministry of Interior confirm that operational data point to several mass graves in Serbia, in which at least 800 people could be buried. "Vreme" (No. 546 of June 21) publishes a dramatic story of a driver with a truck full with corpses, who in the meantime found a haven abroad, and "Timočka krimi revija" publishes an information that a truck driver familiar to them during the NATO bombing from Kosovo and Metohija transported around a thousand corpses.

June 28, 2001: Slobodan Milošević extradited to the ICTY in Hague. Eternally responsible, never convicted, Milošević is the first head of state accused of:

: "...genocide; complicity in genocide; deportation; murder; persecutions on political, racial and religious grounds; inhumane acts / forcible transfer; extermination; detention; torture; willful deprivation of life; unlawful detention; willfully causing great suffering; unlawful deportation or relocation; destruction and seizure of large-scale assets that are not justified by military necessity, and it was carried out unlawfully and ruthlessly; cruel treatment; plunder of public or private property; attacks on civilians; destruction or willful damage to historical monuments and institutions dedicated to education and religion; unlawful attacks on civilian objects."⁶⁵

July - August 2001: The exhumations of two mass graves in Petrovo Selo and one in Batajnica exposed the remains of at least 110 people. Unlike Petrovo Selo, where among 74 corpses only one woman was found, in Batajnica, the remains of eight children and one fetus were found, the rest were women and men. Six persons with the surname Berisha, all from Suva Reka, were found.

September 2001: The exhumation of a mass grave near Lake Perućac near Bajina Bašta revealed the remains of at least 48 adults. In the second tomb near Batajnica, remains of at least 269 men were discovered, along with a truck trailer in which they were brought.⁶⁶

March 12, 2003: Zoran Đinđić, the first democratic president of the Serbian government, was killed.

March Violence

2004.

Ethnically motivated violence in Kosovo directed towards the Serbian community was preceded by a series of minor incidents. First, on March 15, in the village of Čaglavica, near Prishtina, a child, Jovica Ivić, was wounded. He was transferred to a hospital in northern Mitrovica in a serious condition. Then there came a protest of locals from this village as well as other Serb villages in the area (Gračanica, Sušica, Laplje village, Preoce ...). After this event and the search in Čaglavica by KFOR soldiers, a group of Serbian citizens blocked the main roads towards Skopje and Gjilan, with incidents with local Albanians.⁶⁷

In mid-March, in a number of cities in Kosovo, KLA veterans organized protests against the arrest of the commander of a branch of the Koso-

65 ICTY Case IT-02-54: <http://bit.ly/2fd317Q>;

66 Chronology of the events from May to September 2001 taken over the text of Aleksandar Ćirić "Batajnička arheologija" (VREME, No. 618 / November 7, 2002): <http://bit.ly/2w05RKv>;

67 B92 Special: Violence in Kosovo (16-22 March 2004), B92 Website: <http://bit.ly/2y398xk>;

vo Protection Corps (former Kosovo Security Forces) in Prizren, Selim Krasniqi and several of his officers. During these protests, the organizers strongly criticized UNMIK's policies towards the KLA, demanding the release of the arrested KLA fighters.⁶⁸

Three Albanian boys, Florian (9), Egzon (12) and Avni Veseli (13), from the village of Čabra / Çabrë in the Serbian municipality of Zubin Potok, drowned in the Ibar / Iber River on March 16.⁶⁹ The fourth boy, Fitim Veseli (11), managed to reach the shore. The bodies of two boys were found during the night in the river. The surviving boy gave a statement that he and his three other friends were chased by Serbs with dogs, and they sought salvation in the river. His statement was broadcast by all Kosovo's television stations during the night and the following morning, reinforcing accusations at the expense of the Serbs by comments of certain public figures that 'something must be done regarding the Serbian crimes'. This news will be the trigger for several days of violence towards the Serbian community in Kosovo on the following morning of March 17.

According to the report of the Humanitarian Law Center dealing with ethnic violence that took place in Kosovo on March 17 and 18, 2004, 15 Albanians and 12 Serbs were killed. 170 Serbs were seriously injured, 150 of them being beaten in their houses, while 20 were injured in road attacks. As for the facilities, about 800 Serb, 90 Ashkali and two Albanian houses were either completely destroyed or seriously damaged. In addition to civilian facilities, 36 Orthodox religious buildings were completely demolished and burned. According to the UN Secretary General, 954 people were injured in March violence, including 65 international policemen, 58 KPS members, and 61 members of the international peacekeeping force.⁷⁰

There are grounds to conclude that the demonstrations over the tragic fate of three Albanian boys, in an organized way transformed into violence against the Serbs, their culture and religion, and intimidation of UNMIK. Where local government officials tried to pacify the demonstrators, they soon became the targets themselves, as in Kamenica / Kamenica. There are also grounds to conclude that the silence of representatives of institutions and leaders of political parties on March 17 encouraged organizers and demonstrators to intensify violence on March 18. Their addressing to the public and calling for the cessation of violence seemed dishonest and extorted.⁷¹

This was followed by a violent reaction throughout cities in Serbia. On the night of March 17/18 gathering of citizens started without incidents, but at one point a group of about 800 young people separated and headed for the Bajrakli mosque, the only mosque in Belgrade. On the night between March 17 and 18, 2004, the mosque was set on fire.

In the clashes between police and demonstrators, 20 policemen were injured that evening, three of them seriously. After midnight, a group of about 100 protesters managed to break through the police cordon at the corner of Kralja Petra and Gospodar Jevremova. After the police withdrew from Gospodar Jevremova, demonstrators broke windows and inventory in the mosque, then set it on fire, and all this was accompanied by the exclamations of hate speech such as "Kill Shiptar", "Kill, slaughter, so that Shiptar does not exist" and "Let's go to Kosovo". Material damage was great but a library with more than 7.000 books burned, which is difficult to express in material value. The police, with the help of tear gas and shock bombs, at about 3:45 am, managed to disperse the demonstrators, some of whom were visibly in an alcoholic state. A total of 83 people were arrested for incidents. A number of related incidents were reported on the same night in Belgrade, among which there were riots in front of the US Embassy, vandal breaking of windows at the McDonald's facility in Terazije and two shops at Zeleni Venac owned by Albanians and attacking two UNHCR jeeps. With the breaking of shop windows and attacks on Roma settlements, the Islam-aga mosque in Niš was burned down. On the same occasion, at the Military Museum in Belgrade, Muslim monuments from the 16th century were destroyed, but an investigation against the perpetrators from the museum has never been launched.

March 17, 2004 was also marked by a protest organized by the Government of Serbia on March 19, due to violence committed against the Serbs in Kosovo. Prime Minister Vojislav Koštunica, members of the Government and officials of the Serbian Orthodox Church spoke at the protest. Most of the demonstrators were high school students who came to protest after public school hours. The media interrupted the program that day at 12:00 pm for three minutes in memory of the victims.

68 Humanitarian Law Center, March 2004: Ethnic Violence in Kosovo, p. 4: <http://bit.ly/2567gMh>;

69 Ibid, p. 4: <http://bit.ly/2567gMh>;

70 Ibid, p. 4: <http://bit.ly/2567gMh>;

71 Ibid, p. 3: <http://bit.ly/2567gMh> ;

Following the appeal of the accused from the riot after March 17, the Court of Appeal in Belgrade confirmed in February 2014 the fines from the first-instance marathon proceedings (September 2007- July 2013) of four months in prison to Miloš Radisavljević, Radeta Radisavljević and Bojan Hrvatina for stoning of the police cordon that secured the Bajrakli mosque. Also, the acquittal of Borisav Mitrašević, Stefan Radević, Goran Mitić and Nikola Marinković was confirmed, and the retrial was ordered for Stefan Čubrović and Vladan Bročić.⁷²

Saša Cvjetan, a member of the reserve unit of the Special Anti-Terrorism Unit “Scorpions”, was sentenced on March 17, 2004 to 20 years in prison for war crimes against Albanian civilians in Podujevo on March 28, 1999. Cvjetan was sentenced for the killing of fourteen women and children, as well as for seriously wounding five children, in which several other people took part. Shefkate, Nora, Sala, Shpend, Shpetim and Shehide Bogujevci, Fexhrie Blakqory Llugaliu and Nefise Bogujevci Llugaliu, Hamdi, Esma, Fitnete, Dafina, Arbër, Mimoza and Albion Duriqi were killed. Saranda, Fatos, Jehona, Lirija and Genc Bogujevci were seriously injured.⁷³

Vienna Negotiations

2005 - 2007.

2005.

November 11: UN Security Council appointed former Finnish President Martti Ahtisaari as UN envoy in the negotiations.

2006.

January 29: In January, the Contact Group for Kosovo adopted guidelines for negotiations and took the view that there can be no return to the situation before 1999, the division of Kosovo, nor its joining a third country.

February 20: Direct negotiations between Belgrade and Prishtina are officially launched in Vienna. The topic of the discussion is the decentralization of power in Kosovo and the transfer of competencies for several areas of daily life. The talks ended without concrete agreement.

March 17: At the meeting, the two delegations discussed the financing of Serbian municipalities and their interconnection with the authorities in central Serbia, where different views were presented.

April 3: The Office of the UN Special Envoy, Martti Ahtisaari, drafted a document which was supposed to help the convergence of positions between the two sides at this third meeting, but a concrete agreement was not reached.⁷⁴

May 4-5: The meeting discussed the formation of new municipalities in Kosovo. Belgrade and Prishtina fail to reach a compromise, so further work with experts on controversial issues was announced.

May 23: The fifth round of negotiations, devoted to the protection of religious and cultural heritage in Kosovo, was assessed as useful. Delegations agreed that physical protection of cultural and religious monuments is necessary, but they demonstrated differences in concepts of protection.

May 31: The first cycle of direct status negotiations ended with the sixth round of negotiations on economic issues, which was assessed as the most difficult so far.

July 13: Martti Ahtisaari briefed members of the UN Security Council on the course of the negotiations and his intention to organize a high-level political meeting.

⁷² Youth Initiative for Human Rights, Application of Standards of Fair Trials in the Judicial System of Serbia (2015): The Case of Ignition of the Bajrakli Mosque, p. 108-111: <http://bit.ly/1H8iN5I>;

⁷³ Podujevo II case, the War Crimes Chamber of the Higher Court in Belgrade, p. 5-6: <http://bit.ly/2fb2qtG> ;

⁷⁴ The text of the Ahtisaari Plan, Glas javnosti: <http://bit.ly/2xtBuPD>;

July 24: The first direct negotiations of top government officials on the status of Kosovo, led by Martti Ahtisaari, took place in Vienna. Serbian President Boris Tadić and Prime Minister Vojislav Koštunica have been in favor of Kosovo's broad autonomy as a compromise solution for the province's future status, and Kosovo officials Fatmir Sejdiu and Agim Ceku for independence and for Kosovo to become a country as soon as possible.

August 7-8: In the eighth round of negotiations, the two sides remained in the initial positions on the competence of new municipalities with a Serb majority, and the talks on minority rights were completed without any progress.

September 7-8: The central themes of the ninth round of negotiations were the formation of new municipalities in Kosovo and the issue of Kosovska Mitrovica, as well as the protection of churches and monasteries and the protection of the rights of national minorities. There was not much progress at this meeting either.

September 15: The tenth round of negotiations, where the decentralization talks continued, has not yielded any significant results.

September 20: The Contact Group has authorized the main international negotiator Martti Ahtisaari to begin developing a comprehensive solution for Kosovo's status.

October 19: The UN extended the mandate to its special envoy for Kosovo status negotiations by June 2007. Announcement of the proposal for the solution of Kosovo, scheduled for the end of 2006, was postponed to February 2007 due to parliamentary elections in Serbia.

2007.

February 2: Martti Ahtisaari presented Belgrade and Prishtina with a proposal for the Kosovo status resolution that does not mention "independence", but on the basis of which Kosovo would have the attributes of an independent state and access to international organizations.

February 13: The Serbian Parliament adopted a resolution rejecting all propositions from Ahtisaari's proposal which "violates the sovereignty and territorial integrity of Serbia as an internationally recognized state".

February 21-March 2: Vienna hosted the first round of final talks between representatives of Belgrade and Prishtina on the proposal for the status of Kosovo of the UN Special Envoy Martti Ahtisaari, where there has been no convergence of attitudes on the status of Kosovo.

March 10: The last round of negotiations on a special envoy proposal in Vienna ended without agreement.

April 3: At the UN Security Council session, Martti Ahtisaari presented his proposal for a solution (known as the Ahtisaari Plan) for the status of Kosovo, which envisions Kosovo's independence with international control. The Serbian prime minister has asked the Security Council to reject Ahtisaari's proposal and demand new status negotiations with a new international mediator. Following Russia's opposition to adopting a resolution on Kosovo's supervised independence, the UN Security Council decided to leave the negotiations to the Contact Group, which appointed three mediators for new talks. Prior to the start of direct negotiations, two separate meetings of "the troika" were held with the Belgrade and Prishtina delegations, in Vienna on August 31 and in London on September 18 and 19, at which the Prishtina delegation presented the mediation "trio" with the proposal for an agreement on good neighborly relations between Serbia and Kosovo as an independent state.

September 28: Belgrade and Prishtina delegations, led by the presidents and prime ministers of Serbia and Kosovo, began direct negotiations at the EU office in the UN in New York. Belgrade explained its view of essential autonomy within the borders of Serbia, while Prishtina offered "friendship and cooperation of two independent states". Both delegations adopted the New York Declaration, pledging to abstain from any provocative acts during the talks that could jeopardize the security and stability of the region.

October 14: The second round of negotiations was held in Brussels where Belgrade further elaborated its proposal of autonomy within Serbia, while Prishtina elaborated its proposal on friendship and cooperation between two independent states and full respect for minority rights.

October 22: In the third round of negotiations in Vienna, the Belgrade delegation presented its proposal on 14 principles for the continuation of the negotiations, which states that the issue of status should be the dominant topic in further dialogue. These conversations were rated as very

difficult. In the meantime, the mediating “trio” submitted its document of 14 points that sets possible common ground on which Belgrade and Prishtina could agree, to the both sides. Both delegations gave their objections to this document.

November 5: At the fourth round of negotiations in Vienna, the negotiating team of Belgrade, led by the president and prime minister of Serbia, proposed that the model of Hong Kong be considered in the context of the future status of Kosovo, which the Prishtina team rejected.

November 20: At the fifth round of negotiations in Brussels, the Belgrade team has completed its proposal for a broad autonomy of Kosovo modeled on Hong Kong with elements related to the situation of the Oland Islands in Finland, and that such a solution will be timed for 20 years. Prishtina delegation presented its vision of Kosovo’s supervised independence in accordance with Martti Ahtisaari’s recommendations.

November 28: Final negotiations without success. Prishtina’s team announced that Kosovo’s independence will be proclaimed soon and rejected the possibility of continuing negotiations. Belgrade has said it does not accept Kosovo’s independence and expressed readiness to resume talks after December 10.

December 10: A period of 120 days of additional negotiations between Belgrade and Prishtina was completed, and a mediator “Troika” report, i.e. the Contact Group’s on Kosovo report, was presented. The report by representatives of the EU, the US and Russia, Wolfgang Ischinger, Frank Wisner and Alexander Bochan-Harchenk, was delivered several days earlier to UN Secretary-General Ban Ki-moon. The “Troika” in the report stated that Belgrade and Prishtina did not reach an agreement on the future status of Kosovo, but that the talks were useful and the two sides made their proposals. The report also indicates that the two sides have committed themselves to abstaining from violence.⁷⁵

"Kosovo for Sneakers"

2008.

January 17: The UN Security Council held a session in New York on the UNMIK report on the situation in Kosovo, and president of Serbia, Boris Tadić, addressed the ambassadors of the member states. In the first, open part of the session, Tadić called on the UN Security Council to decide on the continuation of negotiations on the future status of Kosovo and Metohija and expressed Serbia’s readiness to resume these talks immediately in order to find a “compromise and sustainable” solution.

January 22: The Parliamentary Assembly of the Council of Europe adopted a resolution on developments in the process of resolving Kosovo’s status, without calling for a solution as originally sought. The resolution was adopted with 96 votes in favor, 48 Members were opposed and 24 abstained. The draft resolution was submitted by Lord Russell-Johnstone, Rapporteur of the Parliamentary Assembly of the Council of Europe for Kosovo.

February 1: Ambassadors of the 27 EU member states in Brussels have approved the legal and financial modalities of the mission to Kosovo, which will consist of 1.800 legal and police experts.

February 14: At the UN headquarters in New York at the request of Serbia, an extraordinary session of the Security Council on Kosovo was held, in which Vuk Jeremić spoke, as well as the ambassadors of the Council members.

February 16: The European Union has given the green light to send its EULEX mission in Kosovo, citing diplomatic sources in Brussels. The EU has approved sending of about 2.000 EULEX members to Kosovo, which should replace the former United Nations mission.

February 17: The Assembly of Kosovo adopts the Declaration of Independence. Initial international reactions arrived on the same day, February 17. State Department spokesman Sean MacCormack said that the US “took note” of this decision of the Kosovo Assembly, while Russia strongly

condemned this unilateral decision and urgently summoned a meeting of the UN Security Council. The UN Security Council session was held on February 18 at 3 pm local time. Ambassador of Russia to the UN, Vitaly Churkin said that Russia will insist on respecting UN Resolution 1244, which guarantees the territorial integrity of Serbia. After a two-hour debate, in which Russia supported Serbia's request for the Security Council to confirm the territorial integrity and sovereignty of Serbia, the session ended without the adoption of a resolution because of the diametrically different views of China and Russia on the one hand, and the United States and most of the European Union countries on the other. The first country that officially recognized Kosovo's independence was Costa Rica, which did it on February 17th, followed by Afghanistan. Tomorrow, February 18, 2008, the United States, France, the United Kingdom, Albania and Turkey announced the official recognition. Following the statement of Condoleezza Rice, Serbian Prime Minister Vojislav Koštunica announced the withdrawal of ambassadors from the United States.

February 18-21: After the news of the declaration of independence of Kosovo, a series of incidents on the streets of Serbia started on February 17, most of them in Belgrade. On the night of February 17/18. McDonald's restaurants on Slavija and Terazije were demolished, hooligan groups attacked the police, tear gas was thrown. The windows were broken at the LDP headquarters and the house⁷⁶ in which the president of the LDP, Čedomir Jovanović, lives was attacked. Journalists' teams of B92, Studio B, FoNet, Croatian RTL, Palma plus and RTS were attacked the same evening. At least 35 people, both policemen and civilians, were injured.⁷⁷ Since that evening police have begun guarding the government buildings and some embassies with stronger police forces. Due to the recognition of the independence of Kosovo by Slovenia, Merkator's shopping centers in Čačak, Novi Sad and Belgrade were attacked and Slovenian brands, like in the period of 1990-1991, were boycotted.

The "Kosovo is Serbia" rally was held on February 21, 2008, in front of the National Assembly in Belgrade, organized by the Government of Serbia, as an expression of opposition to the unilateral declaration of independence of Kosovo. After that, a prayer was held in front of the Temple of Saint Sava, which was served by the bishop of the Montenegrin-Littoral Amfilohije. Prayer was attended by Serbian Prime Minister Vojislav Koštunica, Serbian Radical Party deputy chairman Tomislav Nikolić and Socialist Party of Serbia's president Ivica Dačić, numerous ministers in the Serbian government, as well as the Republika Srpska Prime Minister Milorad Dodik. According to media estimates, the protest gathered hundreds of thousands of people. The Ministry of Education has decided to declare a free school day in Serbia, and a free shuttle service to Belgrade was organized for those who wanted to attend the rally. After the prayer, a group of about 200 protesters separated and attacked buildings of the embassies of the United States, Great Britain, Germany, Turkey and Croatia, as well as two McDonald's restaurants and several outlets in Terazije. The protesters burned the flags of these countries, and the US Embassy was burned down and completely destroyed. One of the protesters, Zoran Vujović from Novi Sad, was found dead in the building of the embassy. Autopsy findings showed that he suffocated in the smoke. Police arrested 192 people that night. During the riot, 130 people were injured.

The first hearing against 15 indicted persons for burning (only) the embassies of the US and Turkey was carried out in April 2013, but there were no hearings for two years, until the indictment was amended in March 2015. In September 2015, the High Court delivers the first-instance verdict that for violent behavior, nine of the 15 accused are sentenced to suspended sentences for the burning of the US Embassy in duration of five to ten months for the verification period of two or three years, while the two accused are acquitted.⁷⁸

At the beginning of December 2016, the Belgrade Court of Appeal overturned the first-instance verdict for the burning of the US and Turkish embassy in 2008 after the "Kosovo is Serbia" rally⁷⁹ and ordered that the trial be repeated. The court, however, confirmed the verdict of Draženko Nikolić, who was sentenced to five months' imprisonment with the probation period of two years due to violent behavior. The same decision confirmed the acquittal of Aleksandar Erцер and Dušan Sedlar.⁸⁰

76 LDP Letter to State Officials and the Public, LDP Website (February 20, 2008): <http://bit.ly/2fahDLA>;

77 A series of incidents in Belgrade, B92 (February 18, 2008): <http://bit.ly/2jw0NeY>;

78 Youth Initiative for Human Rights, Application of Standards of Fair Trials in the Judicial System of Serbia (2015): Embassy Burning Case in Belgrade, 2008, p. 111-115:<http://bit.ly/1H8iN5I>;

79 Mass protests in Belgrade again without adequate punishment, Press Release of the Youth Initiative for Human Rights (September 9, 2015): <http://bit.ly/2y5BeE9>;

80 Suspended suspended sentences for young people who set fire to the US Embassy, Blic (December 5, 2016): <http://bit.ly/2jyYg3X>;

Almost 10 years after the mass rioting, on July 11, 2017, the Public Prosecutor's Office issued an indictment against five high-profile police officers that, by not preventing the burning of the embassies, "caused a danger to life and body of people and property of a larger scale."⁸¹

February 26: At an emergency session of the Government of Serbia, the decision was made to oppose the unilateral proclamation of Kosovo's independence by legal and diplomatic means.

October 8: The UN General Assembly adopted the resolution 63/3 of October 8, 2008 (at the initiative of Serbia) which requested the International Court of Justice to give its advisory opinion on the following question: "Is the unilateral proclamation of independence by the provisional institutions of self-government in Kosovo in accordance with international law?"

2010.

July 22: The Advisory Opinion of the International Court of Justice of July 22, 2010. on the legality of Kosovo's independence. The president of this court, Hisashi Owada, announced that the Declaration on the unilateral declaration of independence of Kosovo is not contrary to international law, Resolution 1244, or the interim constitutional framework in Kosovo.⁸²

September 9: The UN General Assembly adopted a resolution on Kosovo submitted by Serbia, aligning the previous version with the European Union. Based on this resolution, a framework for new negotiations between Serbia and Kosovo on unresolved issues will be facilitated by the EU.⁸³

2011.

December 12: Ljubiša Diković appointed Chief of General Staff of the Serbian Armed Forces. In the "Dosije Diković" report⁸⁴, the Humanitarian Law Center found that Diković, as the commander of the 37th Motorized Brigade of the Army of Yugoslavia, knew (he must have known) that "the breakdown of the STS (Siptar terrorist forces)" took place by shelling villages, expelling the population, rape and illegal killings of Albanian civilians. Crimes were repeated, from one to another action for "breaking and destroying STS". At the beginning of January 2015, the HLC issued "Dosije Rudnica"⁸⁵ containing data on Diković's connection and units under his command with 52 exhumed victims found in the Rudnica mass grave. In February of the same year, Serbian President Tomislav Nikolić decorated Diković with Order of the White Eagle with swords 1st Class.

Technical Negotiations (Tahiri - Stefanovic)

2011.

New negotiations between Serbia and Kosovo Albanian representatives began on March 8, 2011 with the EU as mediator and full UN support. Among the main issues, the parties set up a discussion on regional cooperation, i.e. regional representation, freedom of movement and the rule of law. The first round included a discussion on telecommunications, mobility, civil registry and CEFTA issues.

The Republic of Kosovo declared independence on February 17, 2008, and this move is only partially recognized internationally.⁸⁶ Serbia referred this issue to the International Court of Justice for their advisory opinion. The verdict found that it was not unlawful for Kosovo to declare independence. After the verdict, Serbia and the European Union submitted their resolutions to the UN General Assembly, which requested technical negotiations between the governments in Belgrade and Prishtina. The resolution of Serbia and the EU was adopted by the UN General Assembly. The talks were postponed due to the fall of the Kosovo's government and early elections.

81 Accused police officers: Who is responsible for omissions ?, N1 Info (July 12, 2017): <http://bit.ly/2xpmbLa>;

82 Excerpts from the Advisory Opinion of the International Court of Justice (July 22, 2010), Peščanik: <http://bit.ly/2xb4FH3>;

83 Consistent resolution reversal in future relationships, RSE (September 9, 2010): <http://bit.ly/2xHii99>;

84 Dossier Diković, HLC (2012): <http://bit.ly/2xwAtab>;

85 Dossier Rudnica, HLC (2015.): <http://bit.ly/1RJHw2K>;

86 The independence of Kosovo has so far been recognized by 114 countries, <http://bit.ly/2fEigh1>;

After the declaration of independence, supervision by the international community had an institution called “International Civilian Offices”. This office completed its mandate in September 2012, although there are other forms of international support to the transition of Kosovo, including EULEX and UNMIK.

The talks were held in Brussels, and the mediator was the European Union represented by Robert Cooper. Borko Stefanović led Belgrade’s negotiating team, while Edita Tahiri led Prishtina’s.

ROUNDS	DATE OF THE MEETING	CONTENT OF THE CONVERSATION
I	March 8-9, 2011.	The first round involved economic cooperation between the two sides. Other issues on the agenda during the first round of the dialogue were telecommunications, air traffic, customs seals, the issue of cadastre and archives.
II	March 28, 2011.	The issues discussed during the second round of talks were electricity, freedom of movement, as well as the conclusion of topics from the first round, such as the Kosovo Customs seal, air traffic and Kosovo's participation in regional initiatives. On March 28, representatives of both parties discussed land registers and birth, death and marriage registers, as well as issues of electricity supply. Stefanović said that "some progress has been made in land records, registers and electricity supply. We have set up our proposal and we hope that it will finally be a positive end to these topics at the next meeting."
III	April 15, 2011.	The freedom of movement, registration plates for vehicles and recognition of diplomas were discussed.
IV	May 17-18, 2011.	The agreement was almost reached on the issue of cadastre and on freedom of movement; The European Union has also proposed resolving the issues of the missing and cultural heritage.
V	July 2, 2011.	The fifth round was scheduled for June 14 and 15, 2011, but it was postponed several days earlier. It was assumed that instead, it will be held at the end of June, but it was held on July 2, 2011. The cadastre solution, the freedom of movement and the issue of registers were expected. An agreement was reached on the freedom of movement across borders (both individuals and cars), on the exchange of information on registries in Serbia to help Kosovo establish its own registry and the mutual recognition of educational diplomas.
VI	September 2, 2011. (Between these two rounds of negotiations, the crisis erupted over the burning of border crossings and the killing of Kosovo police officer Enver Zumberi.)	The sixth round was scheduled to take place on July 20 and 21, 2011. Negotiations were postponed to September only the day before, allegedly because the representative of Kosovo wanted for the state symbols of Kosovo to be displayed, which the Serbian representative rejected. They were later set up for September 2, 2011. An agreement on the customs issue was reached (the stamp will contain only the words "Kosovo Customs") and on the cadastre; While talking about telecommunications and higher education, no agreement was reached.
VII	September 28, 2011	The seventh round was scheduled for September 28, 2011. The Serbian delegation refused to continue the talks, while the Kosovo police and customs officials control border operations, which had not been agreed before and resulted in violence.

Results of the 2011 negotiations:

- Representatives of Serbia and Kosovo agreed on the freedom of movement across the (administrative) border, both for persons and for cars;⁸⁷
- Belgrade agrees to give Pristina the copies of cadastre and documents on birth, death and marriage in Kosovo;⁸⁸
- Mutual recognition of university diplomas of Serbia and Kosovo (principle agreement reached in the end of 2015);⁸⁹
- Belgrade agreed to accept Kosovo customs stating “Kosovo Customs”; This agreement has also led to the end of the trade embargo and allows trade between the two entities.⁹⁰
- Integrated border crossings in northern Kosovo;⁹¹
- Representation of Prishtina authorities in regional organizations;⁹²
- Liaison officers exchanged between Belgrade and Prishtina and stationed in EU missions;⁹³

Brussels Dialogue

2012 - 2017.

Shortly after the burning of border crossings (1 and 31, Jarinje and Brnjak) and the conflict of Serbian citizens with the Kosovo police, in August 2011, German Chancellor Angela Merkel arrived in Belgrade. Following her visit there remain three demands by Germany that Serbia should fulfil in order to receive candidate status by the end of the year: to achieve concrete results after the renewal of the dialogue with Prishtina, to allow the EU legal and civilian mission in Kosovo (Eulex) “to work properly” and to abolish the parallel Serbian state structures in Kosovo.

Contrary to the conditions for candidate status and the need to resolve the conflict, in anticipation of the upcoming parliamentary and presidential elections, Boris Tadić comes up with a new plan in January 2012, with 4 points he called the red lines of policy towards Kosovo:

- A solution for the north of Kosovo characterized by a different reality from the Albanian dominance in the south
- Protection of the monasteries and Serbian cultural heritage in Kosovo
- Protection of state property and citizens in Kosovo
- Special guarantees for the safety and future of Serbs in enclaves

After the change of government in Belgrade (first, Tomislav Nikolić becomes the head of state on May 20 2012) and the formation of the new Government on July 27, 2012, led by Ivica Dačić and first deputy Aleksandar Vučić, the dialogue continues.

On October 19, 2012, negotiations on normalization through the European Union continue with the Serbian Prime Minister, Ivica Dačić, and the Prime Minister of Kosovo, Hashim Thaci. Achieving a new, more fundamental agreement was a necessary condition for Serbia’s EU candidacy. Governments have slowly reached agreements and dealt with various areas that were the subject of negotiations during 2011, such as freedom

87 Agreement on freedom of movement (July 2, 2011): <http://bit.ly/2gX5qdw>;

88 Agreement reached on registry books 2.07.2011: <http://bit.ly/2xgmFjI>;

89 Diploma Agreement: <http://bit.ly/2wVthDU>;

90 Customs stamp agreement: <http://bit.ly/2wVHLSA>;

91 Integrated Border Control Agreement (IBM): <http://bit.ly/2jiyUqS>;

92 Regional representation agreement: <http://bit.ly/2xrB0ul>;

93 Website of the Office for Kosovo and Metohija of the Government of the Republic of Serbia: <http://bit.ly/2jipqvF>;

of movement, university degrees, regional representation and trade, and international customs.

Following the December 2012 agreement, both sides exchanged liaison officers who worked in the EU's offices in two capitals. Prishtina called these representatives "ambassadors", but Belgrade refused such an appointment.

In Brussels, Serbia and Kosovo agreed that the implementation of the border agreement will begin on December 10, 2012. The historic meeting was held on February 6, 2013, when Serbian President Tomislav Nikolić and Kosovo's President Atifete Jahjaga sat for the first time since the declaration of independence.

The new agreement led Serbia to EU accession negotiations, and Kosovo to initial the Stabilization and Association Agreement (SAA). The SAA was signed by Federica Mogherini and Kosovo Prime Minister, Isa Mustafa, in October 2015, while Serbia opened pre-accession talks with the EU in January 2014.

State officials of Serbia met with EU High Representative for Foreign Affairs and Security Policy Katherine Ashton in Brussels on March 11, 2013, and Serbian President Nikolić said that Serbia and Kosovo are very close to signing an agreement that would improve their mutual relations.

On April 19, 2013, the two governments completed the text of an agreement called "The First Agreement on the Principles of Regulation of the Normalization of Relations" or colloquially the "Brussels Agreement", which was welcomed as a major step towards the normalization of relations, which enabled both Serbia and Kosovo to progress in European integrations. Both countries have pledged not to "block or encourage others to block the progress of the other side on the appropriate EU pathways". Among other measures, a special police commander was established by the agreement (Prishtina nominates the commander from the list of citizens of Serb ethnicity) and the appellate court (by the law and procedures under the Kosovo legal system) for the Serbian minority in Kosovo. The agreement envisioned the building of the community of Municipalities with a Serb majority, which was Belgrade's biggest argument for the protection of Serbs in Kosovo, as well as the full integration of all security structures from the police to undissolved parts of state security in Kosovo. Also, an important provision of the agreement is the participation of the Serbian minority in local elections, which will be announced later in December 2013 with the control of the OSCE mission. The agreement also envisaged topics to be discussed (telecommunications and energy), as well as a plan for the implementation of the Agreement. After these elections, the inevitable factor for the formation of any future government will be the "Serbian List", a party of Kosovo Serbs, which has close ties to the official Belgrade. The agreement was ratified by the Assembly of Kosovo on June 28.⁹⁴

- Text of the Customs Agreement of January 17, 2013;⁹⁵
- Text of the entire agreement of April 19, 2013;⁹⁶
- On August 7, 2013, an agreement was signed between the two governments on the establishment of permanent border crossings between Serbia and Kosovo during 2014;⁹⁷
- September 8, 2013, the first energy agreement was signed;⁹⁸
- A day later, On September 9, 2013, a telecommunications agreement was reached, which, among other things, enabled Kosovo to apply for its international telephone number;⁹⁹

Two days later, the Serbian government announced the dissolution of the Serb minority assemblies created in northern Kosovo in order to enable the integration of the Serb minority into the Kosovo system. To facilitate the integration of the Serb minority in the north into Kosovo society, the Kosovo parliament adopted a law that pardoned the past actions of resistance to the Kosovo authorities. This principle came into force in early

94 The implementation plan text is available on the KOSSEV portal page: <http://bit.ly/2wXx3Lb>;

95 Agreement on Customs (17.01.2013): <http://bit.ly/2jlyCQ9>;

96 The agreement text of 19 April 2013 is available on KOSSEV portal page: <http://bit.ly/2fiplam>;

97 The text of the agreement on the establishment of permanent border crossings: <http://bit.ly/2w5oReP>;

98 The text of the Energy Agreement of September 8, 2013: <http://bit.ly/2xXnrIH>;

99 The text of the Telecommunications Agreement of 9 September 2013: <http://bit.ly/2wWMDk1>;

December 2013, as the governments of Serbia and Kosovo agreed on the appointment of a member of the Serb minority as a police chief in northern Kosovo. Two governments have also reached agreement on allowing Kosovo to apply for its international prefix number when the Serbian government starts accession negotiations.

Local Political Context as a Result of Dialogue in Brussels

Local Kosovo elections after the Brussels agreement were held on November 3 and December 1, 2013 were of particular importance since these are the first elections which have ever been held throughout the territory of Kosovo, including four northern municipalities with the Serb majority of North Mitrovica, Leposavic, Zvečan and Zubin Potok in accordance with the Kosovo law.

Alliance for the Future of Kosovo and Alliance New Kosovo received mayors in two municipalities, while the Citizens' Initiative for Malisheva won the the same municipality. The Democratic Party of Kosovo won in the municipalities of Prizren, Dragash, Kline, Kamenica, Orahovac and Vushtrri, while the Democratic Alliance

Kosovo winner in the municipalities of Gnjilane, Lipjan, Peja, Suhareka, Ferizaj and Viti. The Alliance of New Kosovo won in the municipalities of Gjakova and Mitrovica, while the Alliance for the Future of Kosovo was given the mayors in the municipalities of Obiliq and Junik. According to the results of the Central Election Commission, seven municipalities with Serbian majority in Kosovo in six municipalities won the Citizens Initiative "Srpska" (GIS). In the elections for the mayor of northern Mitrovica were won by Krstimir Pantic of GIS, who won 55.20% of the vote, while Oliver Ivanović won 44.80% of the votes.¹⁰⁰

Although he celebrated victory in the first local elections held in the Kosovo system in northern Mitrovica, Krstimir Pantic later took over his post, because on January 13, 2014 he refused to sign the documents on which the symbols of the Republic of Kosovo were. It is important to remember that Krstimir Pantic was attacked by unknown assailants on November 1, 2013, two days before the first round of elections. After refusing to take Pantic to duty and as and to cooperate with Aleksandar Vulin, the then director of the Kosovo Government's Office of the Government of Serbia, the elections for the mayor of Sverena Mitrovica and scheduled for the end of February of the same year. Citizens' list "Srpska" is nominated by Goran Rakic, and on Jan. 27, that same year, opposition candidate Oliver Ivanovic responding to the call by the Special Prosecutor's Office of Kosovo to investigate him for war crimes and remains in detention. In the meantime, Rakic received 2,700 voters' votes, or 52.6 percent, Candidate of the SDP Oliver Ivanovic's Civic Initiative, 1,420 votes, with which the Serbian List won.

Oliver Ivanovic charged the Kosovo Prosecutor with crimes against civilian population in Kosovo and Metohija committed in 1999 and 2000. She's indicted raised in November 2014 against Ivanovic and the other four persons who were detained with him, who were categorically dismissed at the beginning of the trial all the allegations of the indictment. The trial began on December 18, 2014. The Prosecution proposed a large number of witnesses, the names of victims and places were also mentioned on which the accused allegedly committed crimes. The Indictment, inter alia, states that Ivanovic issued orders to paramilitary formations and led guard of the bridge in Kosovska Mitrovica, as well as that he had carried automatic weapons, pistols and two big knives on that occasion.¹⁰¹

Because of the refusal to allow him to defend himself from Oliver Ivanovic started a hunger strike on August 7, 2015, while on August 14, transferred to a hospital in Kosovska Mitrovica. On January 21, 2016, Euleks' Supreme Court pronounced in the Basic Court in Kosovska Mitrovica the leader Citizens' Initiative SDP Oliver Ivanovic sentenced to nine years in prison for war crimes committed in 1999. At the same time, Ivanovic was acquitted for another case of murder and attempted murder from 2000. The other four accused Serbs - the former Serbian Deputy Police Lieutenant Dragoljub Delibašić, Professor Aleksandar Lazovic, Lawyer Ilija Vujačić, and Nebojsa Vujačić Lawyer were released from charges.

¹⁰⁰ Changes in Kosovo, DW (2.12.2013.): <http://bit.ly/2DYXuWX>;

¹⁰¹ Case Oliver Ivanović, B92 (16.01.2018.): <http://bit.ly/2FtVu67>;

In February 2017, the Court of Appeals in Pristina abolished the first-instance verdict and ordered a new trial. Then he was in custody, and since April 2017 he is determined to be defended freely. During his campaign for local elections in Kosovo, his car was burned down, and four members of his initiative withdrew get out of a campaign for intimidation.¹⁰²

At the held Kosovo parliamentary elections on June 8, 2014, the Serbian List won 9 seats in the parliament of ten for the Serb community, while one place became a Progressive Democratic Party. After the great political crisis of the institution, the government under the leadership of Isa Mustafa was formed on December 9 of that year and lasted until the May 10, 2017 vote of mourning.¹⁰³

The "Drone" Case

October 2014 will be remembered for the intensification of relations between Albania and Serbia, as well as between Serbs and Albanians in Serbia because of the Drone case that left consequences even in the negotiation process in Brussels. The focus was primarily on the incidents that marked the match Serbia-Albania which started on October 14, but was interrupted in the second half. Escalation could be seen at three levels. At the first level, in October, the number of media articles that encouraged hatred and intolerance towards Albanians, as well as the suspicion of members of this ethnic group and towards Albania, has been drastically increased. These articles were the most numerous in the tabloid media, and were followed by a large number of offensive comments on internet portals and social networks. At the second level, there was political intensification. On one hand, this was the intensification of the relationship between the two countries, visible in ministerial statements and high-ranking officials, as well as in their publications on social networks. On the other hand, the deterioration was reflected in the reaction of Serbian officials to attacks on properties owned by Albanians in Serbia, which had to be faster and unambiguous in condemnation. At the third level, in Vojvodina, a series of attacks were carried out on objects owned by Albanians in which material damage was caused, which in some cases is total, while in some cases, the loss of life was avoided by a stroke of luck. If there was no intensification at the media and political level, that is, if the media and officials behaved more responsibly, it is reasonable to assume that at least a number of attacks would not have occurred. There would be fewer incidents if in the cases of earlier attacks on properties owned by the Albanians in Serbia, the attackers were prosecuted and convicted.

After the interruption of the football game¹⁰⁴ held on October 14, a number of attacks on objects owned mainly by the Albanians followed. Ignition and demolition of objects occurred in several cities in Serbia, mostly in the territory of Vojvodina, which the Initiative documented in its report after visiting the same facilities. Even though, according to the VOICE report¹⁰⁵ of March 2016, 5 cases were set up in the prosecutor's offices for the burning of bakeries throughout Vojvodina and 1 educational measure was imposed on a minor, 1 criminal charge was dropped, not one of the 62 persons identified by the police as the perpetrator was prosecuted. Not even the perpetrators of the most severe attacks were identified – in Stara Pazova and Sombor in which people's lives were endangered. In the qualification of these crimes, it must be considered that these attacks¹⁰⁶ were not directed solely on private property or on the ownership of religious communities, they also had a serious impact on interethnic relations in Serbia.

During 2014 and early 2015 there was a delay in negotiations, mainly caused by the election campaigns in Serbia and Kosovo. Nevertheless, on February 10, 2015, a judicial agreement¹⁰⁷ was signed between Serbia and Kosovo.

102 Case Oliver Ivanović, B92 (16.01.2018.): <http://bit.ly/2FtVu67>;

103 Kosovo: Published Final Results of the Election, RSE (26.06.2014): <http://bit.ly/2DNhnbW>;

104 Meanwhile, in October 2014, the media wrote that Interior Minister Nebojsa Stefanović had set up a working group to deal with the police's responsibility for hacking off hooligan violence in the night off with the task of making a report on the embassy's incident. The report has never been published or the MUP confirmed the existence of a working group.

105 For the Destruction of a Bakeries in Vojvodina only one educational measure, VOICE (14.03.2016): <http://bit.ly/2fcBg9g>;

106 Youth Initiative for Human Rights, Implementation of a Fair Trial Standard in the Serbian Judicial System (2015): Albanians and Serbs: High Risk Relations, p. 54-71: <http://bit.ly/1H8iN5j>;

107 Text of the Justice Agreement: <http://bit.ly/2f2rbM7>;

More problems arose in December 2014, as the President of Serbia, Tomislav Nikolić, acted contrary to the official position of the Government stating that any decision on Kosovo must be submitted to a referendum, thus announcing his platform on Kosovo. The biggest breakthrough was achieved through the signing of a civil protection agreement, i.e. the integration of these units into the Kosovo system. The agreement was signed on March 26, 2015.¹⁰⁸

With the old political actors who have now taken on new roles, on August 26, 2015, Kosovo and Serbia have signed a number of agreements in key areas and have made a major step towards normalizing ties, which is considered as agreement number two in Brussels. Kosovo's foreign minister claimed that this was a de facto recognition of independence, while the Serbian prime minister said he provided representation for ethnic Serbs in Kosovo. The main topic of the negotiations was the Association/Community of Serb Municipalities (ZSO), i.e. the adoption of its Statute in the framework of Kosovo's legal system, with additions for energy, telecommunications and freedom of movement on the bridge over the Ibar in Mitrovica.¹⁰⁹

As a result of the agreement, Serbia has progressed formally by opening additional chapters in its EU accession negotiations. Marko Đurić, head of the Serbian Office for Kosovo said that Serbia won with 5: 0.

However, Serbian authorities continue to oppose any initiative for Kosovo's government to join UN agencies, and Kosovo's UNESCO membership initiative is constantly facing a negative campaign by Serbia. During 2016, the disposal of assets of Trepča and the implementation of the agreement on the ZSO represented the biggest obstacles for both sides to make further arrangements. After a series of opposition protests in Prishtina during 2015 and 2016, the formation of the Community of Serb Municipalities (ZSO) and the demarcation issue with Montenegro lead to the instability of the work of the assembly and the government led by Isa Mustafa. Therefore, at the end of 2015, President Atifete Jahjaga issues an agreement on the ZSO signed in August 2015 to the Constitutional Court. In December of the same year, the Constitutional Court of Kosovo decides that the ZSO agreement is not fully in line with the Constitution of Kosovo. However, the Constitutional Court's decision also states that the Constitutional Court determined "that the Association / Community of Serb majority municipalities will be established, as provided for in the First Agreement, ratified by the Assembly of the Republic of Kosovo and proclaimed by the President of the Republic of Kosovo."¹¹⁰

In January 2017, a train painted with the colors of the Serbian flag and the words "Kosovo is Serbia" was prevented from entering Kosovo. The train was escorted from Belgrade by Marko Đurić, head of the Office for Kosovo and Metohija, with his advisor, Miša Vacić, who participated in the riots in August 2011 as a member of an extreme right-wing movement "Naši 1389". Serbian President Tomislav Nikolić said that Serbia will send its army to Kosovo if the Serbs are attacked. The government of Kosovo saw the train as a provocation. The bigger crisis has been hampered by the telephone conversation of the two prime ministers. Prior to that, both Serbia and Kosovo mobilized their military forces (Serbia) and the security forces (Kosovo) along the Kosovo-Serbian border and administrative line..

Ramush Haradinaj, the current Prime Minister of Kosovo, was arrested on January 9, 2017, in France on a warrant issued by the Serbian government, which additionally upset both sides. Haradinaj was arrested on January 4 at the Basel-Mulhouse airport near the border with Switzerland, based on a warrant issued against him by Serbia through Interpol in 2006, in connection with crimes against civilians that were carried out by the units under his control in "Dukagjin combat zone "(Metohija) during the armed conflicts in Kosovo. Two years ago, on the basis of the same arrest warrant, he was arrested at the airport in Ljubljana, but was released after only a few days.¹¹¹

The arrest was, as expected, welcomed by the official Belgrade and provoked general anger in Kosovo, but also in neighboring Albania. Kosovo's President Hashim Thaci immediately stated that charges against Haradinaj are of political nature and, reminding that The Hague Tribunal has released him twice, he asked France to release him immediately. The prime minister of Albania, Edi Rama, immediately joined him, who said the arrest was "absurd" and the president of the Albanian assembly, Ilir Meta, who stated that "Haradinaj is a hero and a symbol of freedom struggle

108 Text of the Agreement on Integration of Civil Protection: <http://bit.ly/2h174uE>;

109 Text of ZSO Agreement: <http://bit.ly/2fADht8>;

110 Constitutional Court of Kosovo: The ZSO Agreement is not fully in line with the Constitution but the ZSO will be formed, KOSSEV portal: <http://bit.ly/2jYepQm>;

111 Dejan Anastasijević, Problems with Ramus, VREME no. 1359, 19.01.2017. year: <http://bit.ly/2xHvoNd>;

for all Albanians around the world". The Kosovo opposition has announced a series of protests demanding that the Brussels dialogue on normalization with Belgrade is immediately terminated, and demonstrations with the message "Seek the Criminals in Serbia" were held in front of the French embassy in Prishtina. In Dečan, Haradinaj's hometown, the French flag was burned publicly. And just when things started to heat up, the train set off and Haradinaj immediately disappeared from the radar.

The deliberate provocation or recklessness of the Office of the Government of Serbia for Kosovo and Metohija, a case of a train decorated with political messages on the outside, and pictures of the cultural heritage of Kosovo and Metohija, mostly Orthodox icons from the Kosovo monasteries on the inside, sent on January 14, brought, in a very short time, the whole region to a boiling point. A train that never finished its first trip from Belgrade to Kosovska Mitrovica brought Kosovo and Serbia to the brink of conflict, whether it was staged or not. The crisis ended with a telephone conversation between Vučić and Thaci, while Ramush Haradinaj was released by the court's decision in Kolmar on April 27, 2017.¹¹²

Kosovo Special War Crimes Court

Since January 1, 2017, the Special Court based in the Hague¹¹³ has been operational in Kosovo, in charge of investigating suspicion of crimes committed against Serbs and civilians of other nationalities during and after the Kosovo war. The formation of this court came after the discovery of former ICTY chief prosecutor Carla del Ponte, published in her memoirs (*The Hunt: Me and the War Criminals*) in 2008, that the Hague Tribunal's prosecution has knowledge of mass kidnappings at the end and after the war in Kosovo. Special Rapporteur of the Council of Europe, Dick Marty, conducted an investigation that resulted in a 27-page report at the end of 2010, stating that some 500 civilians (about 400 non-Albanians, mostly Serbs, but also Roma, as well as about 100 Albanians) were kidnapped in Kosovo after the deployment of KFOR forces and that a number of them were secretly transferred to Albania to trade their organs. The Council of Europe has adopted this report in early 2011 and asked for "an independent investigation to get to the full truth of these allegations." This triggered a mechanism for the formation of the Special Court.

After many negotiations, it was decided to establish a separate court that would nominally be part of the Kosovo judicial system, but relocated outside Kosovo and in which only international judges and prosecutors would be hired. The headquarters of this court is in The Hague, the international court capital. Money for its work was provided by the European Union, but it is managed by the United States, especially in the prosecution. Since the adoption of Marti's report at the Parliamentary Assembly of the Council of Europe, six years have passed until the establishment of the Special Court for Kosovo. It is estimated that it will work for about 8 years, including the appeal process. In his report, Dick Marty as most responsible for the crimes to be addressed by the Special Court directly appoints the majority of the leaders of the Kosovo Liberation Army (KLA), led by Hashim Thaci, who were members of the so-called Drenica Group and who, today, make the backbone of the political establishment in Kosovo.¹¹⁴

112 Painted train to Mitrovica, N1 / True ammonia amnesia (1.6.2017.): <http://bit.ly/2wjwY7w>;

113 Report by Dick Marty, Rapporteur of the Council of Europe (12.12.2010): <http://bit.ly/2hhvXT7>;

114 Ismet Hajdari, New calculation of the time for justice in Kosovo, Heinrich Bel Foundation (December 29, 2016): <http://bit.ly/2jlc2Bo>;

Instead of a Conclusion

After a long pause in the negotiations, and after the election of Aleksandar Vučić as the president of Serbia, on July 3 and August 31, the two presidents meet, and not the prime ministers as it used to be. Thaci and Vučić stated that the dialogue will continue at a more dynamic pace. On August 31, after a joint meeting, the implementation of the already signed agreement on the judiciary was agreed for October 17 of this year. At the same time, negotiations on a new Kosovo government, which was finally constituted on September 9 and headed by Ramush Haradinaj in front of the PAN coalition (Democratic Party of Kosovo - PDK, Alliance for the Future of Kosovo - AAK and the Initiative for Kosovo - NISMA), with the support of Behgjet Pacolli and the Serbian List. In his first interview as the Prime Minister of Kosovo, Haradinaj mentioned, like Aleksandar Vučić, “the necessity of internal dialogue, especially with the Kosovo Serbs”. It is important to note that the current ruling coalition in Kosovo was impossible without the entry of the Serbian List into the Government of Kosovo.¹¹⁵

However, the necessity to enter the internal dialogue requires stating facts and taking responsibility. In the case of Serbia, the connection between European integration and Kosovo’s issues is often forgotten, as well as the strategically set framework in which Serbia can implement certain policies in order to resolve disputable issues with Kosovo. Such a framework is in the Negotiating Framework¹¹⁶ of the European Union for Serbia from January 9, 2014, as well as the text of the common position of the EU towards Serbia for Chapter 35¹¹⁷, signed on November 30, 2015. The knowledge about where we, as a society, stand towards Kosovo and taking responsibility for the wrong policy in the past few decades are the first steps towards a slow but necessary, internal dialogue on Kosovo.

115 Haradinaj proposes internal dialogue in Kosovo, Blic (September 11, 2017): <http://bit.ly/2h7NhgX>;

116 Negotiating framework for the European Union for Serbia, 9 January 2014: <http://bit.ly/2w9xclK>;

117 The text of a common EU position for chapter 35 (November 2015): <http://bit.ly/2w5AClf>;

TABLE OF THE BRUSSELS DIALOGUE AGREEMENT (2011-2017)¹¹⁸

DATE	TOPIC OF AGREEMENTS	LINK
2.7.2011.	Freedom of movement Agreement	http://bit.ly/2gX5qdw
2.7.2011.	Agreement on Registers	http://bit.ly/2xgmFjl
21.11.2011.	Agreement on Recognition of Diplomas	http://bit.ly/2wVthDU
2.9.2011.	Customs Stamp Agreement	http://bit.ly/2wVHLSA
2.9.2011.	Cadastre Agreement	http://bit.ly/2xiuiEA
2.10.2011.	Integrated Border Management Agreement	http://bit.ly/2jijUqS
24.2.2012.	Regional Representation and Cooperation Agreement	http://bit.ly/2xrB0ul
9.1.2013	Agreement on legal aid procedures between the parties	http://bit.ly/2heP4Re
17.1.2013.	Customs Agreement	http://bit.ly/2jlyCQ9
19.4.2013.	The first agreement on the principles governing the normalization of relations (the "Brussels Agreement")	http://bit.ly/2ydn581
19.4.2013.	Plan for the implementation of the first agreement on normalization of relations between Belgrade and Prishtina	http://bit.ly/2h1rfjh
7.8.2013.	Agreement on establishing permanent border crossings	http://bit.ly/2w5oReP
8.9.2013.	Energy Agreement	http://bit.ly/2xXnrIH
9.9.2013.	Telecommunications Agreement	http://bit.ly/2wWMdk1
13.12.2013.	Chambers of Commerce Agreements	http://bit.ly/2hhFolz

DATE	TOPIC OF AGREEMENTS	LINK
14.11.2014.	Official Visits Agreement	http://bit.ly/2wGjdv7
10.02.2015.	Judicial Agreement	http://bit.ly/2faejA6
26.03.2015.	Integration of Civil Protection Agreement	http://bit.ly/2h174uE
26.05.2015.	Agreement on Mutual Recognition of Motor Third Party Liability Insurance	http://bit.ly/2wydCvr
25.08.2015.	Agreement on the Association/Community of Serb majority Municipalities	http://bit.ly/2fAMMbl
25.08.2015.	Second Energy Agreement	http://bit.ly/2ydB6CG
26.08.2015.	Telecommunication Action Plan	http://bit.ly/2faPELN
26.08.2015.	Conclusions of the Working Group on Freedom of Movement on the Bridge at the Ibar	http://bit.ly/2jKlHk
29.9.2015.	Conclusions on mutual diploma recognition	http://bit.ly/2wVthDU
30.11.2015.	EU negotiating position in negotiations with Serbia for chapter 35	http://bit.ly/2w5AClf
14.9.2016.	Arrangements related to the finalization of the implementation of the 2011 Freedom of Movement Agreement	http://bit.ly/2j3kF
13.11.2016.	Conclusions of the EU mediators regarding telecommunications	http://kim.gov.rs/p23.php
30.11.2016.	Conclusions of the EU mediators on the telecommunication	http://bit.ly/2xdWfzB

¹¹⁸ Chronology of the agreement taken from three sources:

KOSSEV portal: <http://bit.ly/2h1rfjh>;

Website of the Office for Kosovo and Metohija: <http://bit.ly/2faejA6>;

Website of the Government of Kosovo: <http://bit.ly/2hi0iku>;

Author: Youth Initiative for Human Rights

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Editor: Marko Milosavljević

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Youth Initiative for Human Rights

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