

Testimony

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“The Dayton Legacy and the Future of Bosnia and the Western Balkans”

While the Dayton Accords ended the war in Bosnia in 1995, it did not resolve the Balkan conflict. The House Committee on Foreign Affairs made a serious effort to explore and reveal the realities on the ground in Southeast Europe during Serbian dictator Slobodan Milosevic’s ten-year occupation of Kosova and genocidal march across the Balkans, which ultimately claimed more than 200,000 lives and left four million citizens displaced. Under pressure from your committee, the Clinton Administration finally initiated NATO airstrikes against Serbia in March 1999 to bring an end to the war in Kosova, which began in 1998 as a continuation of the Balkan wars of the 1990s. Nevertheless, the roots of the Balkan conflict remain unresolved to this day, and the crux of the problem lies in the signing of the Dayton Accords on November 1, 1995.

Why? Because US Balkan Envoy Richard Holbrooke, who was then chief U.S. negotiator at Dayton, cast Serbian dictator, and later indicted war criminal, Slobodan Milosevic into the role of the peacemaker. And instead of a peace agreement that would have outlined the steps to restore Bosnia-Herzegovina to its pre-war reality as a society of multiethnic and multi-religious harmony among Bosnian Muslims, Croats, and Serbs (at a level that many Western countries have yet to achieve), Dayton divided Bosnia-Herzegovina into two entities, with a weak federal government in an economically depressed nation. Incredibly, Slobodan Milosevic was rewarded with the recognition of a previously non-existent political entity called Republika Srpska. An entity created through Milosevic’s genocidal campaign in Bosnia, in effect normalized at Dayton the use of violence for political goals. And it has left Bosnia-Herzegovina on the brink of being ungovernable ever since, because Srpska blocks the federal government from functioning for the benefit of all of Bosnia’s citizens. This is the first reason why the United States and the European Union—if they do not want to see future armed conflict—need to revisit Dayton and create a new plan that will bring lasting peace, interethnic harmony, and political and economic sustainability to Bosnia-Herzegovina.

The second reason why the roots of the Balkan conflict were not resolved at Dayton is rarely acknowledged by Western governments and foreign policy experts. Namely, that Slobodan Milosevic agreed to arrive at the negotiations only if two conditions were met: that Albanians (the third largest ethnic group in the Western Balkans) would not be allowed at the table and that Kosova, forcibly occupied by Serbia since 1989, would not be part of the agenda. This set the stage for Milosevic’s military attack on Kosova in 1998. (Milosevic had always intended to carry out ethnic cleansing and genocide in Kosova even before his paramilitary and military troops invaded Bosnia in 1992, but former Congressman Joe DioGuardi and his Albanian

Americans supporters were able to educate the US Congress about Milosevic's plans, thereby placing the spotlight on Milosevic that led to his temporary exit from Kosova.

In the more than two decades since the Dayton Accords were signed, the unresolved roots of the Balkan conflict in Bosnia-Herzegovina and Kosova (and also in Macedonia) have converged. Dayton has created an unsustainable peace where states and ethnic groups are waiting for the next big geopolitical shift to continue their conflict. This can be seen most vividly in Serbia's double game of playing up to the West but continuing the arms race with Russian support in the hope of some new power constellation that would allow Serbia to carve out Srpska Republika and return to Kosova. (A canary in the mine signal was sent to the West in January 2017, when a Serbian train painted with Serbian flags, religious Christian Orthodox scenes, and the words "Kosovo is Serbian" in 20 languages departed Belgrade and headed for northern Kosova until it was stopped before it could arrive.)

Dayton and its aftermath were built on the premise that Belgrade is the center of the region which is the source of the historic Western appeasement policy towards Serbia. This has led the United States and the European Union to spend enormous energy for the past twenty years on democratizing Serbia, when in fact Belgrade is still run by authoritarian Milosevic leftovers that are paying lip service to the West and otherwise working for Russian interests in the region. Among other things, Serbia has established with Russia a so-called humanitarian center in Nish, close to the Kosova border, which the US State Department has identified as "a subtly disguised military base set up by the Krelim to spy on US interests in the Balkans."

Dayton's neglect of the Albanian issue is still a very live legacy, and the West's historical appeasement of Serbia is the principal problem. Instead of fulfilling Serbia's expansionist appetite, the international community should have required Serbia to recognize the independence of Kosova and accepted it into the European Union. Because it did not, and because five members of the European Union still do not recognize Kosova's independence, which became a reality in 2008, Belgrade has resorted to provoking violence in the northern part of Kosova, the area that it has controlled and manipulated financially and politically ever since Kosova came under UN protection at war's end in the summer of 1999.

While the international community pushed for the implementation of the "Ahtisaari plan," which made all state institutions in Kosova multiethnic, integrating the Kosova Serbs into the legislative, executive, and judicial branches of the Kosova government, no one ever tested Ahtisaari in Northern Kosova, and this has enabled Serbia to consolidate its control there. In the end and unless the United States stops taking a back seat to Europe in the Balkans, Serbia will be admitted to the European Union through a false demonstration of "neighborly relations" with Kosova (a requirement for admission to the EU), while simultaneously achieving what has always been its primary goal: the denial of Kosova's sovereignty and the acquisition of northern Kosova. In short, lasting peace and stability in the region will remain elusive. Dayton failed to accomplish what Croatian scholar Branka Magas foresaw in 1999, "Unless the process of the dissolution of Yugoslavia is allowed to be completed and the former Republic of Yugoslavia is dissolved into its component parts, thus setting Kosovo on a path to independence, it will be impossible to build a peaceful and democratic state system in Southeastern Europe." (*Bosnia*

Report 1999).

The legacy of Dayton also includes the lack of reciprocity for Albanians in the Presheva Valley, where they are second and third-class citizens of Serbia, while the Kosovo Serbs have the highest level of human and civil rights of any minority group in Europe today. The legacy of Dayton also resulted in the constitutional and systemic oppression and discrimination of Albanians in Macedonia.

It is Macedonia that I believe the US government now must focus on. It is frequently forgotten that, when the former Yugoslavia disintegrated, the Republic of Macedonia emerged as an independent nation without violence in 1991 based the cooperation of ethnic Albanians and ethnic Macedonians. Macedonia is the only country in the Western Balkans where no one ethnic group has a true majority. But the subsequent failure to bring equal human and civil rights to all ethnic groups in Macedonia led to armed conflict in 2001. To end the conflict, the European Union and the US government entered into negotiations with the ethnic Macedonian and ethnic Albanian political leaders that resulted in the signing of the Ohrid Framework Agreement. The Ohrid Agreement was supposed to achieve the equitable representation of all national groups in the state's institutions, as well as the equitable distribution of resources. Seventeen years later, the provisions related to the judiciary, law enforcement, military, and intelligence, along with fiscal decentralization, have yet to be implemented.

Time will not allow me to go into the details of the interethnic crisis that ensued. But suffice it to say that the political crisis in Macedonia cannot be resolved short of grappling with the key Albanian grievances (along with the grievances of other non-Slavs). This requires that Macedonia adhere to the agreement, known as the Albanian platform (which I am submitting for the record), that the leaders of three Albanian political parties and ethnic Macedonian Social Democrat leader Zoran Zaev used to form the new government in 2017. The Albanian Platform contains many of the fifteen provisions that were part of the 2001 Ohrid Framework Agreement.

Once more, achieving ethnic equality is at risk in Macedonia. In January 2018, the Macedonian parliament twice passed the law making Albanian the country's second official language, which was mandated in the agreement between Zoran Zaev's SDSM party and ethnic Albanian parties. Even so, Macedonian President Gjorge Ivanov twice vetoed it, claiming that a second official language would threaten Macedonia's "unity sovereignty, and territorial integrity." The Macedonian constitution requires the passage of this law after two votes in favor by the Parliament, but it has yet to happen.

The second most important component of the Albanian Platform is the decentralization of the federal budget. Ending discrimination against ethnic Albanians by providing equal opportunity for economic and social growth in areas where Albanians are ethnic majorities can dramatically impact reduce the possibility of future armed conflict. The question remains whether the United States and the European Union will step forward to negotiate a timeline to achieve full equality of the Macedonian and Albanian communities in Macedonia before the country's admission into NATO. Especially in Macedonia, we have witnessed a foreign policy approach in the US

government for the past twenty years that focused on stability at all costs, instead of making conflict prevention and human rights the center of our engagement with the region. Hence, post-Dayton, the Balkan conflict is unresolved.

As long as Albanians are denied the recognition that every other ethnic majority in the Former Yugoslavia has been granted, and as long as there is no change in the status quo of Western foreign policy, the Balkan conflict will not be resolved. The way forward should entail making human rights, anti-racism, and rule of law the linchpin of US and EU involvement in Southeast Europe. And so the time has come to ask the US government and the European Union what they really want. Do they want a whole, undivided, peaceful, democratic, and prosperous European Union, or a periphery of failed, aid-dependent societies that saddle it with economic and law enforcement responsibilities? To prevent a costly and potentially deadly conflict going forward, the West will have to rethink its diplomatic strategy and foreign policy in the Balkans, hopefully one that emphasizes conflict prevention and human rights, not stability at all costs.