



On September 10, at the UN General Assembly, Serbia abruptly surrendered its claim to the breakaway province of Kosovo to the European Union. Serbian leaders described this surrender as a “compromise”. But for Serbia, it was all give and no take.

In its dealings with the Western powers, recent Serbian diplomacy has displayed all the perspicacity of a rabbit cornered by a rattlesnake. After some helpless spasms of movement, the poor creature lets itself be eaten.

The surrender has been implicit all along in President Boris Tadic’s two proclaimed foreign policy goals: deny Kosovo’s independence and join the European Union. These two were always mutually incompatible. Recognition of Kosovo’s independence is clearly one of the many conditions – and the most crucial – set by the Euroclub for Serbia to be considered for membership. Sacrificing Kosovo for “Europe” has always been the obvious outcome of this contradictory policy.

However, his government, and notably his foreign minister Vuk Jeremic, have tried to conceal this reality from the Serbian public by gestures meant to make it seem that they were doing everything possible to retain Kosovo.

Thus in October 2008, six months after U.S.-backed Kosovo leaders unilaterally declared that the province was an independent State, Serbia persuaded the UN General Assembly to submit the following question to the International Court of Justice for an (unbinding) advisory opinion: “Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?”

This was risky at best, because Serbia had more to lose by an unfavorable opinion than it had to gain by a favorable one. After all, most of the UN member states were already refusing to recognize Kosovo’s independence, for perfectly solid reasons of legality and self-interest. At best, a favorable ICJ opinion would merely confirm this, but would not in itself lead to any positive action. Serbia could only hope to use such a favorable opinion to ask to open genuine

negotiations on the status of the province, but the Kosovo Albanian separatists and their United States backers could not be forced to do so.

One must stop here to point out that there are two major issues involved in all this: one is the status and future of Kosovo, and the other is the larger issue of national sovereignty and self-determination within the context of international law. If so many UN member states supported Serbia, it was certainly not because of Kosovo itself but because of the larger implications. Nobody objected to the splitting of Czechoslovakia, because the Czechs and the Slovaks negotiated the terms of separation. The issue is the method. There are literally hundreds, perhaps thousands, of potential ethnic secessionist movements within existing countries around the world. Kosovo sets an ominous precedent. An armed separatist movement, with heavy support from the United States, where an ethnic Albanian lobby had secured important political backing, notably from former Senator and Republican Presidential candidate Bob Dole, carried out a campaign of assassinations in 1998 in order to trigger a repression which it could then describe as “ethnic cleansing” and “genocide” as a pretext for NATO intervention.

This worked, because US leaders saw “saving the Kosovars” as the easy way to save NATO from obsolescence by transforming it into a “humanitarian” global intervention force. Bombing Serbia for two and a half months to “stop genocide” was a spectacle for public opinion. The only people killed were Yugoslav citizens out of sight on the ground. It was the lovely little war designed to rehabilitate military aggression as the proper way to settle conflicts.

The reality of this cynical manipulation has been assiduously hidden from Americans and most Europeans, but elsewhere, and in certain European countries such as Spain, Greece, Cyprus and Slovakia, the point has not been missed. Separatist movements are dangerous, and whenever the United States wants to subvert an unfriendly government, it has only to incite mass media to portray the internal problems of the targeted government as potential “genocide” and all hell may break loose.

So Serbia did not really have to work very hard to convince other countries to support its position on Kosovo. They had their own motivations – which were perhaps stronger than those of the Serbian government itself.

What did Serb leaders want?

The question put to the ICJ did not spell out what Serb leaders wanted. But it had implications. If the Kosovo declaration of independence was illegal, what was challenged was not so much independence itself as the procedure, the unilateral declaration. And indeed, there is no reason to suppose that Serb leaders thought they could reintegrate the whole of Kosovo into Serbia. It is even unlikely that they wanted to do so.

There are very mixed feelings about Kosovo within the Serb population. It is hard to know how widespread is the sense of concern, or guilt, regarding the beleaguered Serb population still living there, vulnerable to attacks from racist Albanians eager to drive them out. The sentimental attachment to “the cradle of the Serb nation” is very strong, but few Serbs would choose to go live there, even if the province were returned to them. In former Yugoslavia, the province was a black hole that absorbed huge sums of development aid, and would certainly be a heavy economic burden to impoverished Serbia today. Economically, Serbia is probably better off without Kosovo. Nearly twenty years ago, the leading Serb author and patriot Dobrica Cosic was arguing in favor of dividing Kosovo along ethnic and historic lines with Albania. Otherwise, he foresaw that the attempt to live with a hostile Albanian population would destroy Serbia itself.

Few would admit this, but the proposals of Cosic, echoed by some others, at least suggest that in a world with benevolent mediators, a compromise might have been worked out acceptable to most of the people directly involved. But what made such a compromise impossible was precisely the US and NATO intervention on behalf of armed Albanian rebels. Once the Albanian nationalists knew they had such support, they had no reason to agree to any compromise. And for the Serbs, the brutal method by which Kosovo was stolen by NATO was adding insult to injury – a humiliation that could not be accepted.

By taking the question to the UN General Assembly and the ICJ, Serbia sought endorsement of a reopening of negotiations that could lead to the sort of compromise that might have settled the issue had it been taken up in a world with benevolent mediators.

International Court of No Justice

On July 22, the ICJ issued its advisory opinion, concluding that Kosovo’s “declaration of independence was not illegal”. In some 21,600 words it evaded the main issues, refusing to state that the declaration meant that Kosovo was in fact properly independent. The gist was

simply that, well, anybody can declare anything, can't they?

Of course, this was widely interpreted by Western governments and media, and most of all by the Kosovo Albanians, as endorsement of Kosovo's independence, which it was not.

Nevertheless, it was a shameful cop-out on the part of the ICJ, which marked further deterioration of the post-World War II efforts to establish some sort of international legal order. Perhaps the most flagrant bit of sophistry in the lengthy opinion was the argument (in paragraphs 80 and 81) that the declaration was not a violation of the "territorial integrity" of Serbia, because "the illegality attached to [certain past] declarations of independence ... stemmed not from the unilateral character of these declarations as such, but from the fact that they were, or would have been, connected with the unlawful use of force or other egregious violations of norms of general international law..."

In short, the ICJ pretended to believe that there has been no illegal international military force used to detach Kosovo from Serbia, although this is precisely what happened as a result of the totally illegal NATO bombing campaign against Serbia. Since then, the province has been occupied by foreign military forces, under NATO command, which both violated the international agreement under which they entered Kosovo and looked the other way as Albanian fanatics terrorized and drove out Serbs and Roma, occasionally murdering rival Albanians.

The ICJ judges who endorsed this scandalous opinion came from Japan, Jordan, the United States, Germany, France, New Zealand, Mexico, Brazil, Somalia and the United Kingdom. The dissenters came from Slovakia, Sierra Leone, Morocco and Russia. The lineup shows that the cards were stacked against Serbia from the start, unless one actually believes that the judges leave behind their national mind-set when they join the international court.

Digging Itself Deeper Into a Hole

Probably, the Tadic government had expected something better, and had planned to follow up a favorable ICJ opinion with an appeal to the General Assembly to endorse renewed negotiations over the status of Kosovo, perhaps enabling Serbia to recover at least the northern part of Kosovo whose population is solidly Serb.

Oddly, despite the bad omen of the ICJ opinion, the Tadic government went right ahead with plans to introduce a resolution before the UN General Assembly. The draft resolution asked the General Assembly to state the following:

Aware that an agreement has not been reached between the sides on the consequences of the unilaterally proclaimed independence of Kosovo from Serbia,

Taking into account the fact that one-sided secession cannot be an accepted way for resolving territorial issues,

1. Acknowledges the Advisory opinion of the ICJ passed on 22 July 2010 on whether the unilaterally proclaimed independence of Kosovo is in line with international law,
2. Calls on the sides to find a mutually acceptable solution for all disputed issues through peaceful dialogue, with the aim of achieving peace, security and cooperation in the region.
3. Decides to include in the interim agenda of the 66th session an item namely: "Further activities following the passing of the advisory opinion of the ICJ on whether the unilaterally proclaimed independence of Kosovo is in line with international law."

The key statement here was "the fact that one-sided secession cannot be an accepted way for resolving territorial issues". This was the point on which the greatest agreement could be attained. The United States made it known that it was totally unacceptable for the General Assembly to hold a debate on such a resolution. The main Belgrade daily Politika published an interview with Ted Carpenter of the Cato Institute in Washington saying that the Serbian draft resolution on Kosovo was "irritating America and the EU's leading countries". American diplomats were "working overtime" to thwart the resolution, he said. Carpenter said that the Serbian resolution was seen in Washington as an unfriendly act that would lead to a further deterioration in relations, and that as a result of its Kosovo policy, Serbia's EU ambition could suffer setbacks that would have negative consequences for the Serbian government "and the Serb people".

Carpenter conceded that this time around, the country would not be threatened militarily, but noted that the United States was influential enough to "make life very difficult" for any country that stood up against its policies. He concluded that Serbia would "have to accept the reality of an independent Kosovo", and that Washington would thereupon leave it to Brussels to deal with

the remaining problems.

The American stick was accompanied by a dangling EU carrot. Carpenter expressed his hope that the EU would consider various measures, "including adjustment of borders, regarding Kosovo, and the rest of Serbia", but also, he noted, Bosnia-Herzegovina, suggesting that Serbs could be satisfied if a loss of Kosovo were compensated by a unification with Bosnia's Serb entity, the Republika Srpska. Giving his own opinion, Carpenter said such a solution would at least be much better than the current U.S. and EU policy, "which seems to be that everyone in the region of the former Yugoslavia, except Serbs, has a right to secede".

Carpenter, who was a sharp critic of the 1999 NATO bombing of Serbia, and who warned that secessionist movements around the world could use the Kosovo precedent for their own purposes, said that such a solution was possible "in the coming decades"... a fairly distant prospect.

The decisive arm twisting was perhaps administered by German foreign minister Guido Westerwelle on a visit to Belgrade. Whatever threats or promises he made were not disclosed, but on the eve of the scheduled UN General Assembly debate, the Tadic government caved in entirely and allowed the EU to rewrite the resolution.

The resolution dictated by the EU made no mention of Kosovo other than to "take note" of the ICJ advisory opinion, and concluded by welcoming "the readiness of the EU to facilitate the process of dialogue between the parties."

According to this text of the resolution, which UN General Assembly adopted by consensus; "The process of dialogue by itself would be a factor of peace, security and stability in the region. This dialogue would be aimed to promote cooperation, make progress on the path towards the EU and improve people's lives."

By accepting this text, the Serbian government abandoned all effort to gain international support from the many nations hostile to unilateral secession, and threw itself on the mercy of the European Union.

Still More to Lose

In a TV interview, I was asked by Russia Today, “What does Serbia stand to gain?” My immediate answer was, “nothing”. Serbia implicitly abandoned its claim to Kosovo in return for nothing but vague suggestions of “dialogue”.

A usual aim of all policy is to keep options open, but Serbia has now put all its eggs in the EU basket, in effect rebuffing all the member states of the UN General Assembly which were ready to support Belgrade as a matter of principle on the issue of unnegotiated unilateral secession.

Rather than gain anything, the Tadic government has apparently chosen to try to avoid losing still more than it has lost already. After the violent breakup of Yugoslavia along ethnic lines, Serbia remains the most multiethnic state in the region, which means that it includes minorities which can be incited to demand further secessions. There is a secession movement in the ethnically very mixed northern province of Voivodina, which could be more or less covertly encouraged by neighboring Hungary, an increasingly nationalist EU member attentive to the Hungarian minority in Voivodina. There is another, more rabid separatist movement in the southwestern region of Raska/Sanjak led by Muslims with links to Bosnian Islamists. Surrounded by NATO members and wide open to NATO agents, Serbia risks being destabilized by the rise of such secession movements, which Western media, firmly attached to the stereotypes established in the 1990s, could easily present as persecuted victims of potential Serb genocide.

Moreover, no matter how the Serbs vote, the US and UK embassies dictate the policies. This has been demonstrated several times. Little Serbia is actually in a position very like the Pétain government in 1940 to 1942, when it governed a part of France not yet occupied but totally surrounded by the conquering Nazis.

It would take political genius to steer little Serbia through this geopolitical swamp, infested with snakes and crocodiles, and political genius is rare these days, in Serbia as elsewhere.

EU to the rescue?

Under these grim circumstances, the Tadic government has in effect abandoned all attempt at independence and entrusted the future of Serbia to the European Union. Serb patriots quite naturally decry this as a sell-out. Indeed it is, but Russia and China are far away, and could not be counted on to do anything for Serbia that would seriously annoy Washington. The fact is that much of the younger generation of Serbs is alienated from the past and dreams only of being in the EU, which means being treated as “normal”.

How will the EU reward these expectations?

Up to now, the EU has responded to each new Serb concession by asking for more and giving very little in return. At a time when many in the core EU countries feel that accepting Rumania and Bulgaria has brought more trouble than it was worth, enlargement to include Serbia, with its unfairly bad reputation, looks remote indeed.

In reality, the most Belgrade can hope for from the EU is that it will muster the courage to take its own policy line on the Balkans, separate from that of the United States.

Given the subservience of current EU leaders to Washington, this is a long shot. But it has a certain basis in reality.

United States policy toward the region has been heavily influenced by ethnic lobbies that have pledged allegiance to Washington in return for unconditional support of their nationalist aims. This is particularly the case of the rag tag Albanian lobby in the United States, an odd mixture of dull-witted politicians and gun-running pizza parlor owners who flattered the Clinton administration into promising them their own statelet carved out of historic Serbia. The result has been “independent” Kosovo, in reality occupied by a major US military base, Camp Bondsteel, NATO-commanded pacifiers and an EU mission theoretically trying to introduce a modicum of legal order into what amounts to a failing state run by clans and living off various criminal activities. Since Camp Bondsteel is untouchable, and the grateful hoodlums have erected a giant statue to their hero, Bill Clinton, in their capital, Pristina, Washington is content with this situation.

But many in Europe are not. It is Europe, not the United States, that has to deal with violent Kosovo gangsters peddling dope and women in its cities. It is Europe, not the United States,

that has this mess on its doorstep.

The media continue to peddle the 1999 fairy tale in which heroic NATO rescued the defenseless “Kosovars” from a hypothetical “genocide” (which never took place and never would have taken place), but European governments are in a position to know better.

As evidence of this is a letter written to German Chancellor Angela Merkel on October 26, 2007 by Dietmar Hartwig, who had been head of the EU (then EC) mission in Kosovo just prior to the NATO bombing in March 1999, when the mission was withdrawn. In describing the situation in Kosovo at a time when the NATO aggression was being prepared on the pretext of “saving the Kosovars”, Hartwig wrote:

“Not a single report submitted in the period from late November 1998 up to the evacuation on the eve of the war mentioned that Serbs had committed any major or systematic crimes against Albanians, nor was there a single case referring to genocide or genocide-like incidents or crimes. Quite the opposite, in my reports I have repeatedly informed that, considering the increasingly more frequent KLA attacks against the Serbian executive, their law enforcement demonstrated remarkable restraint and discipline. The clear and often cited goal of the Serbian administration was to observe the Milosevic-Holbrooke Agreement to the letter so not to provide any excuse to the international community to intervene. ... There were huge ‘discrepancies in perception’ between what the missions in Kosovo have been reporting to their respective governments and capitals, and what the latter thereafter released to the media and the public. This discrepancy can only be viewed as input to long-term preparation for war against Yugoslavia. Until the time I left Kosovo, there never happened what the media and, with no less intensity the politicians, were relentlessly claiming. Accordingly, until 20 March 1999 there was no reason for military intervention, which renders illegitimate measures undertaken thereafter by the international community. The collective behavior of EU Member States prior to, and after the war broke out, gives rise to serious concerns, because the truth was killed, and the EU lost reliability.”

Other official European observers said the same at the time, and in 2000, retired German general Heinz Loquai wrote a whole book, based especially on OSCE documents, showing that accusations against Serbia were false propaganda. While the public was fooled, government leaders have access to the truth.

In short, EU governments lied then, for the sake of NATO solidarity, and have been lying

ever since.

Now as then, there are insiders who complain that the situation in reality is very different from the official version. Voices are raised pointing out that Republika Srpska is the only part of Bosnia that is succeeding, while the Muslim leadership in Sarajevo continues to count on largesse due to its proclaimed victim status. There seems to be a growing feeling in some leadership circles that in demonizing the Serbs, the EU has bet on the wrong horse. But that does not mean they will have the courage to confront the United States. In Kosovo itself, the most radical Albanian nationalists are ready to oppose the EU presence, by arms if necessary, while feeling confident of eternal support from their U.S. sponsors.

The Betrayal of Serbia

If the latest self-defeat at the UN General Assembly can be denounced as a betrayal, the betrayal began nearly ten years ago. On October 5, 2000, the regular presidential election process in Yugoslavia was boisterously interrupted by what the West described as a “democratic revolution” against the “dictator”, president Slobodan Milosevic. In reality, the “dictator” was about to enter the run-off round of the Yugoslav presidential election in which he seemed likely to lose to the main opposition candidate, Vojislav Kostunica. But the United States trained and incited the athletically inclined youth organization, Otpor (“resistance”), to take to the streets and set fire to the parliament in front of international television, to give the impression of a popular uprising. Probably, the scenarists modeled this show on the equally stage-managed overthrow of the Ceaucescu couple in Rumania at Christmas 1989, which ended in their murder following one of the shortest kangaroo court trials in history. For the generally ignorant world at large, being overthrown would be proof that Milosevic was really a “dictator” like Ceaucescu, whereas being defeated in an election would have tended to prove the opposite.

Proclaimed president, Kostunica intervened to save Milosevic, but not having been allowed to actually win the election, his position was undermined from the start, and all power was given to the Serbian prime minister, Zoran Djindjic, a favorite of the West who was too unpopular to have won an election in Serbia. Shortly thereafter, Djindjic violated the Serbian constitution by turning Milosevic over to the International Criminal Tribunal for Former Yugoslavia (ICTY) in The Hague – for one of the longest kangaroo court trials in history.

Pro-Western politicians in Belgrade labored under the illusion that throwing Milosevic to the

Serbia Surrenders to the EU

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ICTY wolves would be enough to ensure the good graces of the “International Community”. But in reality, the prosecution of Milosevic was used to publicize the trumped up “joint criminal enterprise” theory which blamed every aspect of the breakup of Yugoslavia on an imaginary Serbian conspiracy. The scapegoat turned out to be not just Milosevic, but Serbia itself. Serbia’s guilt for everything that went wrong in the Balkans was the essential propaganda line used to justify the 1999 NATO aggression, and by going along with it, the “democratic” Serbian leaders undermined their own moral claim to Kosovo.

In June 1999, Milosevic gave in and allowed NATO to occupy Kosovo under threat of carpet bombing that would destroy Serbia entirely. His successors fled from a less perilous battle – the battle to inform world public opinion of the complex truth of the Balkans. Having abandoned all attempt to assert its moral advantage, Serbia is counting solely on the kindness of strangers.

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