International Reactions on Peace and Conflict and the Independence Declaration of Kosovo

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Abstract

The world security needs peace and negotiation. The conflicts Serbia and Kosovo in the late twentieth century led to the establishment of the Republic of Kosovo. In the twentieth century, the authorities of the Kingdom of Yugoslavia and Serbia practised genocide attacks against the Albanians in the South of Serbia. The authorities their denied the rights of the Kosovar Albanians for several decades. This led to the Kosovo aggressive reactions under a military organization KLA. According to the Human Rights Watch, both Serbs and Kosovars violated international laws. The anarchy in the Balkan territory shook the world stability because many international powers found their interests in the region. Each of USA, Russia and the European Union challenged each other so as to achieve their territorial expansion. Therefore, Kosovo’s issue became the question of the whole world.

Russian and Serbian silence does not mean peace; however, their prevention to use weapon against the Kosovo’s declaration of independence retained safety and security to the region. After the declaration, Russia and Serbia carried out many diplomatic efforts to prohibit Kosovo from independency. In this paper, the corresponding military disorder and peaceful reactions on the Kosovo issue is going to be discussed. In addition, so as to clarify the reasons behind the conflicts the historical events from the Ottoman period till the declaration are explained. The main purpose of this paper is to show how military invasions threatened world security and how peace born in the region after massacres and chaotic reactions. The most important part in the research is section five which demonstrates some statistics and numbers about the recognition of the Independence of Kosovo by sovereign entities and international organizations.

Keywords: Kosovo, Independence declaration, KLA, USA, Russia and Serbia.
1. An Introduction to the geography and the historical background of Kosovo:

One of the most disputed regions in the Europe and specifically in the Balkans is Kosovo. Kosovo borders Central Serbia in the north, the Republic of Macedonia in the south, Albania in the west and Montenegro in the northwest. That is, Kosovo is a landlocked territory and could not get any international aid from abroad. Since Kosovo was surrounded by countries that did not let her to be an independent state, the independence became very late. Nonetheless, due to its geographic location and historic events, Kosovo had strategic significance in the stability of the Balkans. During the classical era, several Empires in the region, including Roman, Byzantine, Bulgarian and Serbian empires, could take control over the territory and this affected the demography of Kosovo. Nonetheless, Kosovo remained and was switched between the Byzantines in one side and the Serbian as well as Bulgarians in the other side, until the Ottoman Empire came to the region\(^1\). Being a part of the Ottoman Empire, the Region was introduced to another culture and religion, which is Islam.

From the late fourteenth century to the early twentieth century, Kosovo remained as an Ottoman province. In 1912, the Ottomans suffered a series of defeats by the Albanian nationalists and by then the territory was divided between Kingdom of Montenegro and the Kingdom of Serbia. After the defeats of the Central Powers in the World War I, the Serbian army could dispose the Bulgarian army from Kosovo in 1918\(^2\). Following the World War I, most of the territories of the Kosovo were under the rule of Kingdom of Serbs, Croats and Slovenians. Nonetheless, the name of this kingdom was changed to the Kingdom of Yugoslavia in 1929\(^3\). This kingdom has utilized the same policies of the previous kingdom towards minorities.

Kosovo, from 1918 to 1940s, was under the control of the Serbs. During that period, the Kosovo Albanians were depressed and their rights were denied. The kingdom constitutionally denied all the rights of the non-Slavic nations to study in their own languages. The non-Slavic nations must have identified as one of the three recognized Slavic nations the Slavic Croat, Serb, and Slovene, since these three were recognized as constituent nations of Yugoslavia\(^4\). Because of these discriminations and violent measures of land reform, thousands of Kosovar Albanians started to emigrate from the region to Turkey and recent Albania. Therefore, it is obvious that the Serbs, or all Slavic nations in the Kingdom of Yugoslavia, have negatively influenced the demographic change between the two World Wars in Kosovo.

During the World War II, Kosovo was occupied by Italians as well as the Nazi Germans. At the period, thousands of Kosovar Serbs were killed and expelled from Kosovo and were replaced by Albanians\(^5\). This can be regarded as the first discrimination against the Kosovar Serbs by the Albanians. When the World War II ended, Kosovo became an autonomous province of the Democratic Federal Yugoslavia. Therefore, in return to the Albanian

\(^{4}\) Ibid.
discrimination during the World War II, the Serbians utilized many policies to change the demography of Kosovo.

From 1946 to 1974, many changes occurred in Kosovo. Some of them were positive to the population growth of Kosovo, while some other where destructive but the harsh oppressions was stopped in Kosovo due to ousting the Serbian leaders committed in brutal treatments of Kosovar Albanians in 1953-1966\(^6\). By then, Kosovo obtained a sort of autonomy in internal affairs. Meanwhile, the real autonomy for Kosovars was obtained in 1974 in which the autonomous government of Kosovo had a President, Prime Minister, and a seat in the Federal Presidency.

The autonomous gains of 1974 made the Albanian population increase. Nonetheless, Inter-ethnic tensions continued between Serbians and Albanians. Furthermore, the tensions looked like the ones that usually happen between two countries. In 1980s, the tensions became obvious when the Serbian Orthodox Church claimed for the Albanian genocide of Serbs in Kosovo. In this paper, the political developments in Kosovo will be discussed from 1990s to the establishment of an independent state in Kosovo. The paper will discuss the NATO intervention in Kosovo and Kosovo under UN administration. Finally, the paper will discuss the legality of Kosovo’s independence.

2. Kosovo: from oppression to the establishment of the KLA:

In the late 1980s, the tensions between the ethnic Albanians and Serbs increased, to the extend, that each side accused the other of genocide. The ethnic oppressions and conflicts reached its peaks when the Federal Republic of Yugoslavia started to disintegrate. The disintegration of the Communist Yugoslavia started from the complete autonomy of the republic’s economy. At that time, Yugoslavia’s economy was separated to independent economic sectors for the autonomous provinces that led the federal country to a *de facto* confederation.

Due to their fear of declaring independence from Yugoslavia, the Serbians started to reduce the power of the Kosovo’s autonomous status. Slobodan Milosevic, who was a fundamentalist Serbian leader, decided to reduce the role of Kosovo within the Yugoslavia and started to utilize harsh and cultural oppression against the Kosovar Albanians in 1989. In return, the Albanians continued on their reform as well as increasing their power within their territories in order to get independence. This was followed by a “self-declaration of the Autonomous Province to be a republic of the Yugoslav Federation” in 2 July 1990\(^7\). This self-declared independent state was only recognized by Albania because of the existence of a large number of Albanians inhabited in the region.

The non-violent separatist response of the Kosovar Albanians antagonized the Serbians. Three days after the declaration, the Serb Republic’s National Assembly abolished the provincial

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parliament of Kosovo. Nevertheless, the Serbian dissolution of the Kosovo’s parliament did not stop the Albanians in working on getting independence. Thus, the provincial parliament of Kosovo elected Ibrahim Rugova as the first president of the Republic of Kosovo in May 1992. Meanwhile, the frozen situation could not obtain the international attention until the ratification of the Dayton Agreement, which abolished the Bosnian War, in 1995.

Due to the silence of international community about the situations in Kosovo, a group of ethnic Kosovar Albanians established a guerrilla organization to assassinate the Serbian as well as Yugoslav security forces. This military organization was declared in 1996 in the name Kosovo Liberation Army. The KLA’s activities led the region to the first steps of an aggressive war, which was the Kosovo War. The KLA committed many crimes against humanity. Therefore, the organization was listed as terrorist army by most of the countries, including USA, the UK, and France. Finally, the KLA was delisted in 1998 when the Kosovo War broke out.

3. The start of Kosovo War and Milosevic’s retaliation desires:

Despite the fact that the emergence of KLA increased the tensions between Serbians and Kosovar Albanians, the main reason behind the Yugoslav Army’s crackdown belongs to the rise of Slobodan Milosevic to power in Yugoslavia. Milosevic was among the leaders who tried to oppress the Albanians everywhere in the Republic of Yugoslavia. From 1986 to 1990, Milosevic tried to attack Kosovar Albanians in his speeches given to the public. Nonetheless, he could not stage any military operation in the region for he did not have official power to conduct such decision. Meanwhile, when Milosevic was elected as the third president of the Federal Republic of Yugoslavia in 1997, he started to think of breaking out a war in Kosovo to retaliate against the Kosovar separatism.

As the president of Yugoslavia, Slobodan Milosevic made hard efforts to persuade the international community that the KLA is a terroristic ethnic group and should be punished. Milosevic could get support from the Russian president, Boris Yeltsin. At the beginning Yeltsin and Milosevic agreed on stopping the armed conflicts and reaching negotiations with the Albanian. Furthermore, Milosevic could get domestic supports from the radical partied of Serbia and Yugoslavia. Furthermore, the KLA strategy was dramatically changed when they tried to capture territories that were not populated by Albanians between 1996 and 1998. As a result, an armed clash between the KLA and Serbian Army occurred in 31 May 1998 along the struggled territories between Serbia and Kosovo and thousands of soldiers as well as civilians were killed.

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In response to the military struggles between the Serbian Army and the KLA, the NATO staged an air show in mid-June 1998 over the Yugoslavian boarders. Furthermore, the clashes between the Serbians and the KLA triggered the Yugoslav Army to come to the war. The KLA activities in August 1998 were offensive to Milosevic. Therefore, the Yugoslav Army conducted an armed operation in the south-central Kosovo in 23 August 1998\(^\text{15}\). In this way, the Kosovo war was broken out. In that year, thousands of civilian and people were killed and expelled due to the aggressive activities of the KLA and the Yugoslav Army’s brutal operation.

Due to the danger of the war, the international community for the first time took the situation in Kosovo into their considerations. The US government welcomed the agreement between Milosevic and Yeltsin for solving the issue peacefully. Nonetheless, Milosevic’s operations in the region destroyed all the hopes for peace. Thus, Kosovo entered a new era in which the frozen situation was exploded. The US government tried to get the Yugoslav and the Serbian authority and the Kosovar delegation into the table of negotiations\(^\text{16}\). Several meetings were hold between the two parties. Nonetheless, both of the KLA, the Serbian Army and the Yugoslav Army maintained their advances in the troublesome areas that caused the failure of the negotiations.

In October 1998, NATO officials came to Belgrade to persuade Milosevic to deploy NATO peacekeeping forces in Kosovo. Further, the NATO tried to convince the KLA to drop out its claims for independence. Following the meetings and repeated activities and operations of the KLA and the Yugoslavians as well as the Serbians, they planned to intervene in the situation and stop the violation against the humanity. As a result of these diplomatic attempts, a cease fire, which lasted some three or four weeks, was obtained between the Republic of Yugoslavia and the Kosovar Albanians in October and November 1998\(^\text{17}\). Nonetheless, all the attempts for maintaining peace in the region failed in December 1998.

After the failure of the ceasefire in December 1998, mass killings showed the brutality of the war. In an urgent response to the Racak massacre in January 1999 in which more than 45 civilian Kosovar Albanians were massacred, the an international conference was held by the Europeans as well as other superpowers such as USA and Russia. The conference decided to deploy the NATO peacekeeping forces in Kosovo. From 24 March to 10 June 1999, the NATO intervened in the war and bombed Yugoslavia from time to time\(^\text{18}\). NATO’s objective in the intervention was to stop the massacres and retain peace to the region. The NATO aimed at deploying the UN peacekeeping forces in Kosovo as well as returning the Albanian refugees to the original place\(^\text{19}\). By then, Kosovo was under the UN administration until the declaration of independence in 2008.


\(^{16}\) A. J. Bacevich and Eliot A. Cohen. I bid.


\(^{18}\) Retrieved from “[http://www.nato.int/kosovo/all-frcr.htm](http://www.nato.int/kosovo/all-frcr.htm)” on 12. 08. 2015

\(^{19}\) Retrieved from “[http://www.nato.int/docu/pr/1999/p99-051e.htm](http://www.nato.int/docu/pr/1999/p99-051e.htm)” on 12. 08. 2015.
4. The settled and secured Kosovo under the UN Administration (the UN reactions on peace and conflict):

The United Nations Security Council passed the 1244 resolution that aimed at stopping the chaos in Kosovo. The Resolution, despite its urgent request to the violations against the human rights, made some other decisions to stabilize the situation in the region. The Resolution asserted that Kosovo would be under direct monitor of the UN administration as well as authorizing the NATO peacekeeping forces, which was known as KFOR. Nevertheless, so as to persuade the Republic of Serbia to accept the resolution, the UN Security Council insisted on the territorial integrity of Yugoslavia along with the autonomous right within the Federal Republic of Yugoslavia20.

During that period, the population of Albanians increased while the Serbian population decreased in Kosovo. In this ten-year administration, the Kosovar Albanians could get more freedom and the Serbians, by contrast, were threatened by the fundamentalist ethnic Albanian groups. It is estimated that thousands of Serbians were displaced during the UN administration period. The threats on the Serbians increased when the Albanians declared the independence of Kosovo in 2000. Nevertheless, some of the displaced Serbs could return to their places under the UNMIK protection in 200121. Therefore, the tensions between the two nations in the territory continued and the situation of Kosovo remained unsolved. As a result the international community started serious negotiation on the future of Kosovo.

The international talks about the status of Kosovo started in February 2006 between Kosovars and the Serbians under the monitory of the UN Special Envoy Marti Ahtisaari. The negotiations did not have any result because both parties opposed suggestions on the final status of Kosovo. One year later, exactly in February 2007, the negotiation was transformed to the UN Security Council. The USA, the UK, and France prepared a draft resolution for the settlement as a proposal to Belgrade and Pristine that gave Kosovo the right of independence22. Nonetheless, the draft resolution was completely opposed by the Belgrade leaders for they did not want an independent Kosovo in the region.

In this context, Russia, as a veto holder in the Security Council, claimed that since the draft resolution, which was prepared by the USA and European members of Security Council known as Ahtisaari plan, violates both of Albanian as well as Serbian interests, then Russia would not support the draft23. Thus, this attempt failed. Furthermore, the Security Council started another session to find a solution to the issue. So, in July and August 2007, two other attempts were conducted but they failed, too. After many efforts to secure the Russian backing to the proposal, Russia insisted on its previous positions. In reaction to that, the USA,

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23 I bid.
the UK, and France were very likely to recognize the independence of Kosovo despite the Russian disapproval to the declaration of independence.\(^{24}\)

5. **International reactions on the Independence Declaration of Kosovo**

5.1 **Initial reactions:**

The independence declaration of Kosovo is one of the outcomes of failure of the international negotiations as well as the past decades of conflicts and tensions between Serbs and Albanians. The leaders of Kosovo declared that independence is their right and they are responsible for the future of Kosovo. Therefore, the provincial parliament of Kosovo declared the independence of Kosovo in February 17, 2008.\(^{25}\) The parliament released a press conference and claiming the need of independency for the region, since the majority of the region’s population is waiting for this historical dream and right. They argued that the international community would concern the political environment of the territory as well as historical background.

After the declaration many countries appeared to be very welcomed with the declaration while some other countries, by contrast, completely opposed the declaration. Few days after the independency declaration, the United States, the United Kingdom, France, Germany, Italy, Austria, the Republic of China (Taiwan), Australia, Poland, all neighbouring countries of Kosovo apart from Serbia and some other states recognized the independency of Kosovo.\(^ {26}\) On the contrary, states that have tough relations with Russia, China and Serbia, have protested that the independence of Kosovo without the acceptance of Serbia is illegal. Russia, a permanent member of the UN Security Council holding veto power, opposed the recognition in the UN Security Council. So, a veto was ready against the independence of Kosovo in the UN. Therefore, the UNSC was divided between the pros (USA, UK, and France) and the cons (Russia and China).

From the very beginning of the independence declaration of Kosovo, Serbia refused the independent Kosovo. Thus, the Serbian immediate reaction was recalling Serbian ambassadors in those countries that recognized Kosovo as independent for half nearly a year. Later on, Serbia expelled the envoys, ambassadors and representatives of all countries that recognized the independence.\(^ {27}\) Not only that, Serbian government tried to illustrate an image to the international community that Kosovo diminished the Serbian sovereignty through Russian permanent membership in the UN Security Council. Furthermore, the Belgrade prosecuted against Kosovo declaration in the International Court of Justice (ICJ) so as to call the independence of Kosovo as null.\(^ {28}\) Nonetheless, the ICJ decided in benefit of the


declaration in 22 July 2010. By time, later behaviors of the Serbian government showed a different view of the initial reactions.

The case of recognition differs from one country to another. Some countries that had minority issues refused to recognize the Republic of Kosovo. For example, Russia, the Peoples Republic of China, Spain, Iran, India, Morroco, Ukraine, the Sudan and Iraq were not welcomed to recognize the republic because they have minority issues in their countries. Nonetheless, the case for Turkey is unique. Turkey has a difficult minority issue but still recognized the Republic of Kosovo. There are several reasons for Turkey's recognition. Turkey has historical thinking towards the Muslims in that Region. Furthermore, Turkey is one of the allies of the USA and there might be US request to the recognition. In addition, Turkey tried to show the Europeans that they are democratic and to have a new friend in the territory so as to be accepted in EU. Finally, Turkey does not regard Kurds as a nation in Turkey depending on the Treaty of Lausanne in the definition of minorities in Turkey, so Turkey regards the case of her country is different from Kosovo.

5.2 International Organizations’ Stances:

The Republic of Kosovo has a good situation regarding individual states. Nevertheless, the Republic is not welcomed by most of the effective world organizations due to veto power members. In most of the organizations that Serbia and Russia are permanent members, the recognition of the Republic is refused. Not only this, the members of the organizations that are established by Russia mostly refuse to have a different thinking of Russia towards Kosovo. For example, in the view of the member states of some of the international organizations, such as Commonwealth of Independent States (CIS), Collective Security Treaty Organization (CSTO), Shanghai Cooperation Organization (SCO), Kosovo is absolutely refused to be recognized as an independent country. That is, Kosovo was not recognized in most of Eurasian organizations. Kosovo, merely, just for three votes failed to be accepted as a member state in the UNESCO. Therefore, it seems that the main reason of banning Kosovo from membership of such organizations is the existence of either Serbia or Russia or China.

The case of Kosovo is different in the European continent. The Republic of Kosovo is officially recognized in many political, economic, security as well as sport organizations. Political organizations that committed the recognition are Regional Cooperation Council (RCC), Council of Europe (Venice Commission), Organisation Internationale de la Francophonie (OIF), and South-East European Cooperation Process (SEECP). Moreover, there are several security organizations that accepted the Republic status of Kosovo as observer such as Adriatic Charter and NATO Partnership for Peace (NATO PfP). In addition, the economic organizations include International Monetary Fund, World Bank, European Bank for Reconstruction and Development, Council of Europe Development Bank, Energy Community, European Common Aviation Area (ECAA), Central European Free

31 Marko Milanovic, Michael Wood, Michael Charles Wood. I bid.
Trade Agreement (CEFTA), and International Road and Transport Union (IRU)\textsuperscript{32}. Finally, Kosovo was accepted as full member in several European sports federations as well as international Olympic associations.

Kosovo’s situation in the most important international organizations such as: (UN, UNESCO, NATO, EU, WEU and OECD) is very hard because she is not recognized as independent yet, although most of the members of these organizations have been committed to recognize Kosovo until now\textsuperscript{33}. The problem is that more than (60\%) of the members of most of the organizations accepted the independence status of Kosovo but still not recognized. For example, 111 out of 193 United Nations (UN) member states, 3 out of permanent five members of UN Security Council (UNSC), 23 out of 28 European Union (EU) member states, 24 out of 28 NATO member states, 34 out of 47 Council of Europe (COE) member states, 36 out of 56 OSCE member states, 36 out of 57 OIC member states, and finally 14 out of 22 Arab League member states recognized the Kosovo independence\textsuperscript{34}. Nevertheless, Kosovo was rejected to be a new member in these organisations due to either veto power holders like Russia and China, or the nature of membership in the organizations let member stated to accept or reject new observers.

5.3 Future Expectations towards the Independence Declaration:

In the coming decades, Kosovo may enter very few international communities. There are several reasons for maintaining Kosovo’s status quo. Firstly, the struggle between the USA block and the Russian block reflects in all the international associations. After the World War II, the world politics has been split between these two powers and Kosovo is regarded as US ally while Serbia as Russian ally. Secondly, more than % 80 of the Kosovo population are Muslims; thus, they are not welcomed by neither Christian neighbours nor the EU. So, Kosovo may not become a candidate for the EU future enlargement and remains potential candidate. Thirdly, most of the sovereign states that have minority issues always refuse to recognize Kosovo’s independence. Countries like Iraq, Iran, India, Spain, Russia, China and some others apart from Turkey and the UK may never commit to the recognition for the fear of their minorities. Finally, Kosovo does not have an effective economy or politics or strategic position to oblige sovereign entities to recognize her independence. Therefore, Kosovo’s identity supposedly maintains as it is in the political, security, and to some extend in economic aspects.

Kosovo’s future status may not see great changes due to Russian and Serbian opposition. It is clear that year by year countries from around the world become committed to the recognition. Nevertheless, noticing the statistics of dates that countries recognized Kosovo, it is noteworthy that the recognition meets slower process from countries that have not recognized the independence yet. To illustrate, 53 out of 108 States that have recognized the Republic of Kosovo announced their position in 2008. 11 States in 2009, 8 States in 2010, 12 States in 2011, 11 States in 2012, 8 States in 2013, 4 States in 2014, and only one country in 2015

\textsuperscript{32} Benjamin Pohl. I bid. pp. 113-9.
declared their stances toward Kosovo’s independence declaration\textsuperscript{35}. The years 2011 and 2012 met more recognition from sovereign entities because of ICJ advisory opinion which was “Kosovo’s independence did not violate any applicable rule of international law”\textsuperscript{36}. Nevertheless, in the years 2014 and 2015 only 5 states came into the circle of recognition despite the ICJ decision. Therefore, it is expected that unfortunately Kosovo may not see further great changes in the international community’s refusal towards independency until Moscow or Belgrade gain something in return.

Russia, USA and EU can play a significant role in the Kosovo situation. Though the EU has not recognized the Independence of Kosovo, the European Union could manipulate a remarkable role between Serbia and Kosovo. Under the auspices of the European Union, Belgrade and Pristina came to an agreement. In the Brussels Agreement, the EU mediated between these two conflicting states so as to reduce the tensions, solve the judicial matters, and let each party make progress towards accession into the EU\textsuperscript{37}. This was a de facto recognition of the Serbian government though not signed by neither Serbs nor Kosovars. In the similar attempt, the USA and Russia can conduct peaceful negotiations to diminish the bloody history in the region. The USA and Russia have veto power in many important international organizations such as UN, so they have enormous influences on solving the issue between Belgrade and Pristina. Moreover, they are the two political poles that stabilize the world politics. Therefore, the peace and conflict in this territory is under the mercy of great blocks such as USA, EU, Russia and China.

6. Conclusion:

In the twentieth century, the Balkan territory passed a century in conflict between several powers especially Serbs and Albanians. From the very beginning of the establishment of the Kingdom of Yugoslavia, several different nations were obliged to live together in a Kingdom that they do not want. After some bloody wars, the Kingdom of Yugoslavia was dissolved and new sovereign states were born. The new born independent countries got their sovereignty by democracy; however, Kosovo could not get this right easily. Kosovo has been oppressed by the Serbian authority especially during the reign of Slobodan Milosevic. The oppression and genocide of the Kosovar Albanians was condemned by the international community and therefore a peace keeping army was sent by the UN in the name UNMIK in late nineteenth century.

The anarchy in the Balkans lasted several decades and no government could retain political stability to the region. The international reactions towards the aggressions in Kosovo were more humanitarian rather than political due to their fear of Russia. Nevertheless, these humanitarian aids settled Kosovo for a decade and led to the declaration of Independent Kosovo in 2008. The Republic of Kosovo was recognized by the USA and her allies while opposed by Russia and her allies. Moreover, the Republic of Kosovo was accepted some political, security, economic and cultural organizations; on the other hand some other associations have not accepted the independent status for Kosovo. Meanwhile, in this paper many reasons of the declaration, recognition and opposition to the in dependence of Kosovo


are illustrated. In addition, the research realizes that the newly born Republic may stick around the same status quo because of these reasons:

1. The soft conflict between the USA sphere and the Russian sphere reflects in all the international organizations.
2. Most of the Kosovo population are Muslims; so, they may not be welcomed by many EU members as they are Christians.
3. Apart from Turkey and the UK, the majority of sovereign states that have minority issues always refuse to recognize Kosovo’s independence.
4. Kosovo cannot compel the international community to see her as independent because has neither an influential economy or politics nor a strategic location.
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