

AHTISAARI'S DOOMED PROPOSAL

Lessons from UN envoy's failed "supervised independence" plan

FAILURES OF AHTISAARI'S PLAN	LESSONS LEARNED
Against the will of a sovereign, democratic state	Must respect UN Charter, UN Resolution 1244, 1975 Helsinki Final Act on non-violability of borders, 1992 Badinter Commission (no new states within former Yugoslav republics)
Solution tacitly predetermined from the start	No predetermined solutions, otherwise favored side has no incentive to negotiate
Limitation of discussion options	Open, unhindered talks
Time limits	No deadlines. Talks continue until agreement is reached
Controversial choice of mediator	Balanced international team of moderators with no direct interest
Legitimizes post-war discrimination of minorities	Guarantees for return, safe movement and discrimination reversal. No declarative nor cosmetic human rights policy
Unwillingness to consider the interests of Belgrade	Belgrade and regional interests must be considered
Lack of true compromise	Force both sides to give up something rather than imposing one side's interests over another
Unique case, not a precedent	Kosovo is very similar to dozens of other hotspots. Solution must comply with comparable cases in past or future
Provides Kosovo with prerogatives of a state: constitution, border and air traffic control, army, secret services...	Restrain controversial state-building prerogatives
NATO troops beyond any civilian control	Reasonable liability and civic control of the international peacekeeping force
Decentralization: small number of Serbian municipalities	Larger number of horizontally connected Serbian municipalities with possible vertical links with Belgrade

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Pristina retains key control over decision making and relations of K/Serbs with Belgrade, including aid money and nominations of police commanders in Serb areas	Maximum self-governance of K/Serbs inside Kosovo; maximum autonomy for K/Albanians within Serbia. Possibility of special relations with neighboring states
Possibility of readjusting municipal borders after 2008 census	Pre-war census and cadastre records must be taken into account
Privatization process doesn't take into account property rights nor indemnify Serbia and Serbian workers	Review entire privatization controversy
No restitution of state, social or church property	All property must be restored to its rightful owner, unless otherwise agreed
Protected zones guarded by Kosovo police	Serbian heritage sites and enclaves must be protected by responsible military forces, international or Serbian
Kosovo's foreign debt is calculated on the principle of successor entities of the former Yugoslavia	Kosovo is not a successor entity of Yugoslavia, Belgrade and Pristina should agree on debt
Controversial aspects hushed up between the lines	No confusing phraseology subject to multiple interpretation
Cosmetic upgrades to rejected proposals	Meaningful adjustments in case of stalemate
Proposed solution leads to further Balkan instability and away from EU integration	A true solution must pacify and accelerate EU integration of Western Balkans