

‘THE OTHER’ OF SERBIA; THE ALBANIANS

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 Analysis

The Emergence of the national-state establishment in the 18th and 19th Centuries caused the issue of minority to grow rapidly. Europe has witnessed ethnic conflicts with the collapse of communist regimes. Protection of minorities as a problematic issue was raised in the Treaty of Versailles in 1919. It was agreed at the time that the whole region was characterized by ethnic conflicts. Conflicts in the former Yugoslavia proved to risk the stability and unity of the whole Europe.

Today, it has been almost 30 years since the United Nations Minority Declaration on the rights of persons belonging to national or ethnic, cultural, religious and linguistic identity was adopted by General Assembly resolution 47/135 on 18 December 1992.

The United Nations Minority Declaration provides that States should protect minority existence. However, all states have one or more minority groups within their national territories, differing them from the majority population in terms of their nationality, ethnicity, language and religious identity. A unified definition for the word ‘minority’ itself poses its own challenge, since each minority living in a certain region or country face unique problems to be addressed.

The 1992 Maastricht Treaty was the first treaty made to establish specific requirements for respecting Human Rights as fundamental freedom, which was articulated by the European Court of Justice. The treaty however, proved to be ignorant of the minorities. Even prior to the establishment of the EU, the minorities have been an integral part of the continent, but they



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were not legally mentioned in the treaty to be particularly protected by the law. The rights of EU's national minorities had to depend on the general interpretation of Human Rights.

Serbia and Minorities

The Balkan region, including Serbia, has historically been and remains until today a complex mosaic of ethnic, linguistic, cultural and religious diversity. Diversity sometimes is the key factor for dividing one society between the majority and minority and causing clashes between parties. The Balkan story can be very good example of clashes between the majority and minority of different religious and ethnical – national groups that lead to at least five armed conflicts that happened inside the former Yugoslavia territory.

All the Balkan countries, including Serbia, are products of the disintegration of different nations from one common entity. Consequently, the people belonging to different neighbouring nationalities, that remained within the borders of a different country than their own, after the division of these states, became what we now know as minority groups in each of the Balkan countries. Circumstances and characteristics regarding the relationship between minorities and the majority in Serbia are mainly conditioned by the events associated with the fall of the former Yugoslavia. The current ethnic structure of the Republic of Serbia is a result of such conflicts, evolved from the emergence of different nationalities and as a result of increased power of the nationalism ideology.

Some of these minority groups became more integrated into the society with time, while others remain marginalized. The concept of minority differs according to the historical period in the Balkan. Yugoslavia's Tito refused to distinguish the minority because of his socialism ideology claiming that they were all equal, that the minorities in the territory of former Yugoslavia enjoyed a broad set of cultural, religious, and linguistic rights, and in some cases even broader than what is nowadays guaranteed by the Framework Convention. But

the situation changed when Europe began the process of redrawing state borders along ethnic lines and the topic of minority emerged.

Milošević's rule from 1990-2000 was known as the "decade of darkness", when both the idea of minority and basic Human Rights were minimal, and even under certain circumstances non-existent. In the 1990's the perception of 'the other' was promoted daily, and 'the other' was seen as a threat to the unique Serbian national identity. The model of majority domination over minority within the context of nationalist propaganda, civil wars, religious discrimination, international isolation and the perception of the minority as a potential danger for the state's integrity resulted in the extensive human and minority rights violations. This perception sadly led to genocide and persecution of thousands of people. Milosevic's regime was finally overthrown in 2000 following NATO's intervention.

Serbia passed the Law on Ratification of the Framework Convention for the Protection of National Minorities of the Council of Europe at the end of 2001¹ and it was the first international document that was ever ratified by the National Assembly of the Republic of Serbia. The law has a special importance towards the new minority policy.² The European Union and international community played an important role in making the pressure toward the regime at the time. Serbia found herself in an unpleasant situation and under pressure; hence the Law on the Protection of Rights and Freedoms of National Minorities was passed in 2002 by the Parliament of Serbia and Montenegro. At the same time Serbia wanted to show its willingness to take measures to improve its human and minority rights. Even with the willingness and radical change in such a short period, the conflicts inherited such as the Croatian Wars for Independence, as well as the Kosovo and Bosnian Wars took place and even today, when the wars are officially over, the problem trickles down to the present, preventing reconciliation between those countries.

Serbia's 2019 population is estimated at 8.77 million. This excludes that of Kosovo, which has

a long-running dispute with Serbia and declared itself independent in 2008. Serbs make up the largest ethnic group in Serbia with 83% of the population followed by Hungarians, Romans, Bosnians, Albanians, Croats, Romanians, and Slovaks.

Serbia is a participating State in the Organization for Security and Co-operation in Europe (OSCE) and has therefore obliged itself to adhere to the organization's commitments, many of which relate to the rights and protection of national minorities.

Discrimination toward minorities has been caused by different reasons in different periods but its indoctrinating method is almost the same because it was installed from almost the same state mechanism or tool. This problem was finally recognized through the inclusion of the adoption of the Constitutional Charter on Human and Minority Rights and Civil Liberties (2003), which was the main precondition for Serbia's acceptance into the Council of Europe. International organizations such as the European Union, the Organization for Security and Co-operation in Europe, the Council of Europe, as well as local non-governmental organisations such as the Helsinki Committee, have been continuously engaged in monitoring the status of Serbian minorities immediately after the Charter was adopted.³ From the Helsinki Committee for Human Rights reports throughout the years, we can see that there are still many problems in the implementation of human and minority rights. National minorities in Serbia continue to be dissatisfied with the treatment and their position in society, where for instance the minorities' literacy rate in Serbia serves as a direct result of the difficulties to study in their own language. Lack of representation and inclusion in decision-making process deepens the segregation.

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Albanians in Serbia

The issue of the Serbs and the Albanian minority has always been a complex case to cope with. The Presevo Valley is located in Southern Serbia, inhabited by ethnic Albanians who are the indigenous people in these lands. The Albanian case goes beyond minority rights; the Albanian minority has always been the target of assimilation policies, they had faced internal and external displacement during different historical periods. Presevo and Bujanovac fell under the Ottoman rule between 1455 and 1912. What followed after this period was the event when the Conference of Ambassadors in London (1913) sanctioned the Presevo Valley as part of Serbia.⁴ The Presevo valley, during the World War I, was part of the Bulgarian occupation zone.⁵

After World War II, the Presevo Valley arbitrarily, without the consent of the Albanian people, was separated from the Albanians of Kosovo and Macedonia. In the period between the two World Wars, the Albanians of the Presevo Valley, as in all other areas, underwent national oppression, terror and violence.⁶

Historically the Albanian census of population was never to be trusted, because in different periods for different reasons the Albanian population wasn't measured correctly, they used to deny or refuse the existence of them because of the historical and ethnic background or in some cases they used to declare themselves like Turks or Bonsais due to the constant persecution and discrimination.

Presevo is the biggest municipality and its 2002 census registered nearly 90,000 inhabitants and 65% of the population declared as Albanian. However, the 2002 census is the last one that Albanians had participated before they boycotted the 2011 census process. One of

the reasons why they did so is that the process didn't include, or Republican Statistical Office offered no guarantee that Albanians in the three municipalities of Southern Serbia/Presevo Valley who took refuge in Kosovo from the time of the conflict would be included in the census.

According to the boycotted census of Acta Universitatis Danubius Vol. 10, no. 2/2017 7 0 2011, numbers show that around 5805 is the number of Albanians who live there.

Today, a boycotted census seems to be one of the smallest problems compared to the social and economic problems in the daily life of the Albanians in the Presevo Valley. Just to state two simple facts to depict the impacts of the boycotted census, today there is no hospital in Presevo Valley, just ambulances, and higher education institution is nowhere to be found.

Education process seems very difficult in this region since Serbia banned the use of textbooks from Kosovo and Albania, school's curriculum is also compiled according to Serbian curriculum which means classes like History and Geography are taught according to Serbian historical perspective. In September this year the agreement regarding textbooks is reached between the authorities of Serbia and the Albanian National Council but the agreement skipped altogether the issue of History and Geography textbooks. To make matters worse, diplomas that are taken in Kosovo's Universities are not recognized by the Serbian Government. The Treaty of Brussels included this issue and the Serbian Government has approved the Decree on the Recognition of Diplomas from Kosovo, but the process has not started yet. Today the Albanian minority enjoys minimal rights, they are not represented in governmental institutions, and the whole Albanian community

has only one representative in the parliament. In 2009 they established the Albanian National Council, where its establishment was based on the Council of Europe Convention on the Rights of Collective Minorities of National Minorities that provides for competences in the field of education, culture, information, official use of language and national symbols. However, we still cannot say that the position of the Albanian minority has improved greatly after the establishment of the institution, because they are still not integrated, and it is most vital to include them in the country's decision-making process under these circumstances.

The condition of the Serbian minority in Kosovo is quite more improved than those of Albanians in Serbia, Kosovo's Serbian minority is represented and have access to legal rights. Meanwhile, youth unemployment of the Albanian minority in Serbia reach 60 % and there has been zero investment in more than two decades to improve the economy in that region. Serbia shows its unwillingness to improve the right of the minority and the lack of policies to close this gap make it even harder to even dream about a

full integration of the minorities into the society especially in the case of the Albanian minority. Nowadays from two sides of political elites both Serbian and Kosovo Albanian came up with an idea of exchange of territories meaning that once agreed, the Presevo will become part of Kosovo and Mitorovica will be part of Serbia. But if Kosovo and Serbia redraw their borders on ethnic lines, that huge implementation would possibly lead to a destabilizing change for the region. The EU specially Germany and the United Kingdom refused this idea and deemed it as dangerous for is might cause a "Domino Effect" which will destabilize the whole Balkan. At the same time, they don't support the idea of

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ethnic clean states since this will drive both states to isolate each other even more, which is against the European principle and will harm their aspirations for integration in the EU.

Political Elites in Presevo support the idea of a reunion with Kosovo but they don't support territory exchange idea because this will harm the national interest. The Presevo Valley is also facing another social phenomenon, which is the migration of the Albanian youth, where half of them had emigrated to Europe or Kosovo. Until Serbia takes measures to improve the situation, the trend of emptying of these areas will be imminent. Today peoples from both sides remain disintegrated from each other and reconciliation looks so far away.

It is difficult to conclude such a fragile and debatable issue like minority rights. Serbia

is a multiethnic country, so clearly only by improving the minority rights will it prevent conflict and sustain peace and democracy of the country and the region in general. The general minority issue and its solutions are still far from satisfactory, although minority rights have significantly improved in the post-conflict Serbia. Albanians, Bosnians and Roma remains the most marginalized minority groups in Serbia, one of the most important reasons behind the dissatisfaction and frustration among them is the lack of economic development and discrimination based on ethnicity, religion and race. Serbia still has so much catching up to do to reach a stable and durable scope of implementation and improving its minority rights.

Endnotes

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² Forum for Ethnic Relation, (Beograd, 2017), 12.

³ Cierco, T.M. (2011). Human Rights promotion in Serbia: a difficult task for the European Union. *Revista Brasileira de Política Internacional*, 151.

⁴ Zylfiu, Leka, Zylfiu Ahmedi, Albanian Minority in Serbia ,62.

⁵ Zylfiu Ilir, Leka Dukagjin , and Zylfiu Ahmedi Valbona, Albanian Minority in Serbia, (Acta Universitatis Danubius , Vol.10.no2, 2017),62.

⁶ Zylfiu, Leka, Zylfiu Ahmedi, Albanian Minority in Serbia, 63.

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