

## **THE IMPACT OF US POLICY IN THE ACHIEVEMENT OF PEACE AGREEMENTS IN THE REGION: IN BOSNIA AND HERZEGOVINA, IN REPUBLIC OF KOSOVA AND IN REPUBLIC OF NORTH MACEDONIA**

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### **Abstract**

The paper is a study of the impact of US policy from a legal perspective, in some countries in the region, with emphasis in achieving peace agreements in the region: in Bosnia and Herzegovina, the Republic of Kosovo and the Republic of North Macedonia.

The purpose of study is to highlight the USA as a peace loving country, which cultivates and spreads human values. Thanks to the impact of US policy and other friendly countries ended the wars in the newly created states which seceded from former Yugoslavia. In this paper is used the normative and analog method. As a result of US policy, peace agreements were achieved, such as: Dayton Framework Agreement for Peace in Bosnia and Herzegovina - December 14, 1995, at the Elysee Palace in Paris, France; The interim agreement for Peace and Self-Government in Kosovo - February 23, 1999, in Rambouillet - France; Ohrid Framework Agreement - August 3, 2001, in Ohrid, Republic of North Macedonia; What makes the US even more great is its generosity, which without sparing itself, always helped and is still helping the countries of the region. Its policies have a strong influence in the promotion of democracy, peace, state-building, economic recovery and national defense, religious and civic values in these countries. A popular proverb says: "I friend in need is a friend indeed". This has been proven by the United States. The most sincere gratitude to our friend, the USA! Thank you USA!

**Keywords:** *USA, peaceful agreements, Bosnia and Herzegovina, Republic of Kosovo, Republic of North Macedonia*

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### **Introduction**

The study "The impact of US policy in achieving peace agreements in the region: in Bosnia and Herzegovina, in Kosovo and in the Republic of North Macedonia", includes a brief overview of the creation of three states after the disintegration of former Yugoslavia.

As a result of the American policy are reached peace agreements, such as:

Dayton Framework Agreement for Peace in Bosnia and Herzegovina - December 14, 1995, at the Elysee Palace in Paris, France; the Interim Agreement for Peace and Self-Government of Kosovo - February 23, 1999 in Rambouillet - France; Ohrid Framework Agreement - 13 August 2001 in Ohrid, Republic of North Macedonia.

**1. Dayton Framework Agreement for Peace in Bosnia and Herzegovina - December 14, 1995**

The general Framework Agreement for Peace in Bosnia and Herzegovina, is also known as the Dayton Agreement, Dayton Accords, Paris Protocol or Dayton-Paris Agreement. The peace agreement is reached on Wright-Patterson Air Force Base near Dayton, Ohio, USA, in November 1995 and officially signed in Paris on December 14, 1995.

The war in Bosnia lasted three and a half years. This agreement ended the war in Bosnia, one of the Yugoslav wars.

The Bosnian peace plan was difficult victory, but it will bring to the end of the bloody four years, which claimed more than 250,000 lives and caused more than two million people to flee their homes.

Madeleine I. Albright Permanent Representative of the United States, on November 29, 1995 sent a letter to the United Nations Secretary-General.

Madeleine I. Albright Permanent Representative, the attached text of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes (collectively "of the Peace Agreement"), initiated by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, and its other stakeholders, on November 21, 1995 in Dayton, Ohio, circulated as a document of the General Assembly, in item 28 of the agenda and of the Security Council.

Dayton negotiations culminated in the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina.

It was signed by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (FRY).

Witnesses included representatives of the Contact Group countries - the United States, Britain, France, Germany, Russia and the European Union's special negotiator.

The Dayton peace agreement in Bosnia was achieved during the Clinton administration.

It was adopted in Paris on November 21, 1995, in Bosnian language, Croatian, Serbian and English, each text being authentically equal.

On behalf of  
Bosnia and Herzegovina

Alija Izetbegovic

On behalf of  
Croatia

Franjo Tudjman

On behalf of  
FR Yugoslavia

Slobodan Milosevic

The General Framework Agreement was officially signed in Paris on December 14 by the parties and the witnesses: President Clinton, French President Jacques Chirac, British Prime Minister John Major, German Chancellor Helmut Kohl and Russian Prime Minister Viktor Chernomyrdin.

The peace conference was led by Holbrooke and was co-chaired by the EU Special Representative Carl Bildt and Russia's Deputy Minister of Foreign Affairs Igor Ivanov.

With the peace agreement was defined constitutional and legal system of Bosnia and Herzegovina as a complex state, consisting of the B and H Federation and Republic of Srpska and three constitutive peoples.

Under this agreement, to the Federation of B and H belongs 51% of the territory, while to Republic of Srpska 49%. It was also established the Brcko District, as a separate territorial unit. Leading authority on the interpretation of the agreement is the Office of High Representative (OHR).

The agreement called on Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia to agree to fully respect the sovereign equality of one another and to settle the disputes by peaceful means.

FRY and Bosnia and Herzegovina shall recognize each other and agree to discuss other aspects of their mutual recognition.

In addition, the parties agreed to fully respect the human rights and the rights of refugees and displaced persons. Finally the parties agreed to cooperate fully with all entities including those authorized by the United Nations Security Council on the implementation of the peace agreement and investigating and prosecuting war crimes and other violations of international humanitarian law.

The General Framework Agreement with 11 annexes presented below:

- Annex 1A. Agreement on military aspects of the Peace Agreement
- Annex 1B. For Regional Stabilization Agreement
- Annex 2. Agreement on Internal border line of entities and related matters
- Appendix 3B. Agreement on elections
- Annex 4. Constitution
- Appendix 5B. Agreement on arbitration
- Annex 6. Agreement on Human Rights
- Annex 7. Agreement on Refugees and Displaced Persons
- Appendix 8B. Agreement on the preservation of national monuments Commission
- Annex 9. Agreement on public corporations in Bosnia and Herzegovina
- Annex 10. Agreement on civil implementation
- Appendix 11B. Agreement for the tasks of the International Police Force

American analyst of Balkan issues, Daniel Serwer in a lecture to students of ISPE College, spoke about the war in Bosnia and Herzegovina, reports the correspondent of INA news agency. According to him, the division of Bosnia and the Dayton Agreement that time was opposed by former Bosnian President Alija Izetbegovic. "Former Bosnian president Alija Izetbegovic did not want and did not fight over the divided Bosnia. The Dayton agreement ended the war but did not bring peace. This document was the best choice at the time, but even if it was signed today, the international community would not be able to do more for Bosnia. It was the best solution that took into account the interests of all parties".

## **2. The Rambouillet Conference (January - March 1999)**

The Kosovo war was an armed conflict which lasted from 28 February 1998 until 11 June 1999. It was carried on by the forces of the Federal Republic of Yugoslavia (consisting of the Republic of Montenegro and Serbia), which controlled Kosovo before the war and Kosovo Albanian military group known as the Kosovo Liberation army (KLA), with NATO air support from March 24, 1999.

The Rambouillet talks began on February 6, 1999 between the two parties, with the mediation of NATO Secretary General, Javier Solana. They should have ended by February 19th. The Interim Agreement for Peace and Self-Government in Kosovo was signed in Rambouillet - France on February 23, 1999.

The delegation of the Federal Republic of Yugoslavia was led by Serbian President Milan Milutinovic and not by Milosevic.

The Interim Agreement for Peace and Self-Government in Kosovo provided: "The Parties to the present Agreement,

- \* Convinced of the need for a peaceful and political solution in Kosovo as a precondition for stability and democracy,

- \* Set to create a peaceful environment in Kosovo,

- \* Reaffirming its determination Purposes and Principles of the United Nations, as well as the OSCE's principles, including the Helsinki Final Act and the Charter of Paris for a New Europe.

- \* Recalling the commitment of the international community to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

- \* Recalling the basic elements / principles adopted by the Contact Group meeting of ministers in London on January 29, 1999.

- \* Being aware of the need for democratic self-government in Kosovo on the basis of full participation of members of all national communities in political decision making,

- \* With the desire to ensure the protection of human rights of all individuals in Kosovo, including in particular the rights of all members of all national communities,

- \* Considering the current contribution of the OSCE to peace and stability in Kosovo,

- \* Noting that the agreement was reached under the auspices of the Contact Group members and the European Union and the commitment of these members and the European Union to comply with this Agreement,

- \* Aware that full implementation of this agreement will have first-hand importance in the development of relations with European institutions, we have agreed, as follows: ... "

## **3. Ohrid Framework Agreement (2001 in Ohrid, Republic of North Macedonia)**

The conflict that began in the early spring of 2001 lasted until 13 August 2001, when it was ended by signing the Ohrid Framework Agreement.

The agreement was reached in Ohrid, urged by the international community, and was signed in Skopje by the relevant political parties leaders in the country, the President of the Republic of North Macedonia and international special representatives.

The Ohrid Framework Agreement was signed by:

President of the Republic of North Macedonia - Boris Trajkovski

VMRO-DPMNE leader - Ljubco Georgievski

Democratic Party of Albanians - Arbën Xhaferi

Social Democratic Union of Macedonia leader - Branko Crvenkovski

Special Representative of the European Union - Francois Leotard

Special Representative of the United States of America - James W. Pardeu

Ohrid Framework Agreement stopped the conflict, as it anticipated the advancement of legal and constitutional position of Albanians, but did not choose their status entirely.

### **3.1. Some of the causes of the outbreak of the conflict between indigenous Albanians and Macedonians**

Legal basis for secession from the Yugoslav Federation in 1990, RM found in the International Covenant on Civil and Political Rights of 1966, and not in the positive norms of SFR Yugoslavia.

During the secession of the Republic of North Macedonia from SFR Yugoslavia, Macedonians denied the indigenous Albanian people the right to self-determination. The Macedonians arrogated the right to self-determination only for themselves, declaring the Republic of North Macedonia a state only for ethnic Macedonians.

Secession of Macedonia from the former Yugoslavia was not conducted in accordance with the internal reality, but this secession one more time represents an act that is contrary to the rights and will of the Albanians living in this republic.

The drafter of the Constitution of FYR Macedonia has expelled the Albanians from the common life with the Macedonian people, denying their past, their history and the undisputed fact for the Albanians as a constituent element, even the impression as if it is a "disaster" the that the Albanians live in the former Yugoslav Republic of North Macedonia, they are legitimate citizens and its legal to ask for all civil and national rights, they have participated in the war (which only for them was not a liberation war) and have participated in its constitution.

During the secession of Rep. of Macedonia from the former Yugoslavia, much injustice was caused to Albanians. Some of the reasons are the following:

- Constitution the Republic of North Macedonia - 1991.

(On January 25, 1991 the Assembly of the Republic of North Macedonia adopted the "Declaration of Macedonia as a sovereign and independent state". On September 8, 1991, was held a referendum, i.e. it was a plebiscite, in which the Macedonian people were declared for the constitution of the Republic of North Macedonia as a sovereign and independent state (Albanian people was not part of it). On November 17, 1991 the Assembly of RM (without the votes of Albanian parliamentarians) drew the Constitution of RM.

- The right to self-determination was only used for the Macedonian people, but not for the Albanians, who again, involuntarily, were divided the wholeness

- The announcement referendum without defining the premises and relations within the new social formation;

- Infringement of the will of the Albanians who boycotted the Macedonian referendum and organized the Albanian one, for political - territorial autonomy, etc. As a result of many injustices, on January 11-12, 1992, was organized and conducted the referendum by Albanians of Macedonia, for political and territorial autonomy. However, this referendum was violated by the Macedonian government, while the decision made was ignored and denied like it was not held at all, by the political and legal entity in power.

Seeing that the legal requirements of legal representatives of the Albanians to advance their position in an institutional way through the Assembly and the Government were not taken into consideration, made the Albanians of Macedonia to organize themselves under the National Liberation Army (KLA), to rise up in armed rebellion to achieve their longstanding national rights, etc.

The aim of the Albanians in the last decade, and also in this agreement was the constituent element with a civic concept and legal – constitutional rights the same as Macedonians.

The agreement in question has advanced the legal - constitutional status of Albanians, but not at the same level with that of Macedonian Slavs. Macedonian Slavs once again managed to retain legal - constitutional dominance over Albanians, both in the preamble and in the normative part. They have managed to preserve the unitary character of the state, a mono-ethnic concept of Macedonian Slavic state, ranking the Albanians as secondhand citizens, both in terms of language, identity, national symbols, education, employment ... and in terms that some of the most important state positions could legally and factually not be reached by them, for example: the President of the Country, Prime Minister, the Speaker of the Parliament, etc.

### **3.2. The Content of Ohrid Framework Agreement (OFA)**

OFA anticipates the advancement of legal and constitutional status of Albanians, but does not solve the whole of their status.

With OFA, changes are anticipated in the Constitution of 1991. It is designed in three annexes: Annex A; Annex B; and Annex C.

Annex A: it anticipates the adoption of amendments of the Constitution of the Republic of North Macedonia.

- It anticipates the change of the preamble and 15 Articles: 7, 8, 19, 48, 56, 69, 77, 78, 84, 86, 104, 109, 114, 115, and 131.

Annex B: anticipates changes in the legislation:

- Law on Local Self-Government;
- Law on local self-financing;
- Law on local territorial boundaries;
- Laws on police forces deployed in municipalities;
- Law on Civil Servants and Public Administration;
- Law on electoral units;

- Rules for parliament (Regulation);
- Law dedicated to the use of languages;
- Law on the Ombudsman;

Annex C: anticipates the implementation and confidence-building measures, such as:

- International support;
- Registration and Elections;
- The return of refugees, reconstruction and revitalization;
- The development of decentralized government;
- Non-discrimination and fair representation;
- Culture, education and use of languages

The agreement ended the armed conflict between the National Liberation Army and the Macedonian security forces and set the groundwork for improving the rights of ethnic Albanians. According to OFA, there is advancement of the constitutional status of Albanians, compared with 1991, but we don't have equal status with the Macedonians.

Albanians in FYR Macedonia should establish a national program to achieve their goals, which would not be contrary to the general goals of whole Albanians in the Balkans. The national program of Albanians in FYR Macedonia must include all basic national political aspects supported by all Albanian intellectual, scientific and political forces in FYR Macedonia.

The fundamental principle of this national program in FYR Macedonia would be the principle of self-determination as a basic principle around which would be built the other national and democratic principles also. The principle of self-determination is a principle of inexhaustible values for all historical stages of the nation, for all its generations. The principle of national self-determination is also presented as a basic joint of the national program, through which pass two major principles of the national program: the principle of national freedom and the principle of national unity.

## **Conclusion**

The impact of US policy has played an important role in achieving peace agreements in the region: in Bosnia and Herzegovina, in Kosovo and in the Republic of North Macedonia, the three countries after the breakup of the former Yugoslavia.

As a result of American policy are reached peace agreements, such as:

- Dayton Framework Agreement for Peace in Bosnia and Herzegovina December 14, 1995, at the Elysee Palace in Paris, France;
- Interim Agreement for Peace and Self-Government of Kosovo, February 23, 1999 in Rambouillet, France;
- Ohrid Framework Agreement, August 13, 2001 in Ohrid, Republic of North Macedonia;

US policy towards the Balkans is focused on helping the countries of the region in peace building, stability and prosperity by deepening the cooperation and promoting their integration into Euro-Atlantic institutions, NATO and the EU.

The Balkan region has made tremendous progress, moving from war to peace, from breaking up to cooperative development and the implementation of democratic, economic and defense reforms – in the path towards Euro-Atlantic future.

The United States remain committed to an integrated, free and peaceful Europe.

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