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## THE "INTERNATIONAL COMMUNITY" AND TERRITORIES WITH ALTERED SOVEREIGNTY\*

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## From Kosovo to Syria

As the so-called Kosovo "war"<sup>1</sup> is being used by the United States of America as a blueprint<sup>2</sup> for how the euphemistically<sup>3</sup> called "international community"<sup>4</sup> should militarily resolve the crisis in Syria without a mandate from the U.N. (in spite of the U.S. persistently insisting that it was a *sui generis* case), it is becoming increasingly more important not only to finally independently study the "mob or sole assailant"<sup>5</sup> aspect of the contemporary U.S. international approach but, even more, to dedicate particular attention to the post- and extra-combat involvement (or the lack of it) of the "international community" in the management<sup>6</sup> of the territories and the people "liberated"<sup>7</sup> by it.

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<sup>&</sup>lt;sup>1</sup> Strictly legally speaking, no war was declared by the aggressors (the U.S. called it "hostilities" and "military operations in Kosovo"). The government of the attacked sovereign founding member of the U.N. didn't denounce the aggression as war (only after the November 2012 Strasbourg Court ruling that "war veterans" must be paid for the time served in the "war of 1999" did Serbia implicitly recognize NATO aggression as a war). The U.N. itself kept silent about the grossest violation of its Charter since its founding (the silence forced upon the U.N. by the U.S. blocking any move in the U.N. Security Council to condemn the attacks or to order their cessation).

<sup>&</sup>lt;sup>2</sup> Air War in Kosovo Seen as Precedent in Possible Response to Syria Chemical Attack; Landler, Mark and Gordon, Michael; The New York Times; August 23, 2013- http://www.nytimes.com/2013/08/24/world/air-war-in-kosovo-seen-as-precedent-in-possible-response-to-syria-chemical-attack.html?pagewanted=all& r=2&

<sup>&</sup>lt;sup>3</sup> If asked what the priority in today's world would be, Confucius would most likely repeat what he said about 2500 years ago: ""What is necessary is to rectify names.' [...] 'If names be not correct, language is not in accordance with the truth of things. If language be not in accordance with the truth of things, affairs cannot be carried on to success.' [...] 'Therefore a superior man considers it necessary that the names he uses may be spoken appropriately, and also that what he speaks may be carried out appropriately. What the superior man requires is just that in his words there may be nothing incorrect.""-The Analects of Confucius; The Chinese Classics; Translated by James Legge; Book XIII, Chap. III, 2-7; Kindle location 625-626.

<sup>&</sup>lt;sup>4</sup> "To the extent that there is such a thing as an international community, it owes much to NATO." - Norris, John; Collision Course: NATO, Russia, and Kosovo; Greenwood Publishing Group, Preager, NY; 2005; Forward by Strobe Talbott; page ix.

<sup>&</sup>lt;sup>5</sup> "The Democrats prefer allied lynch mobs, whereas the Republicans are more willing to intervene without outside help. The difference is basically the same. At the end of the day, both Democrats and Republicans remain committed to the same "values" of forcing political change on foreign regimes." - Deliso, Christopher; Kosovo, 1999: An Insider's View; June 17, 2005 - http://antiwar.com/deliso/?articleid=6338

<sup>&</sup>lt;sup>6</sup> "...To put it in a terminology that harkens back to the more brutal age of ancient empires, the three grand imperatives of imperial (American-ed.) geostrategy are to prevent collusion and maintain security dependence among the vassals, to keep tributaries pliant and protected, and to keep the barbarians from coming together." - Brzezinski, Zbigniew; The Grand Chessboard: American Primacy And Its Geostrategic Imperatives; Basic Books; New York; 1997; p. 40.

While the U.S. President announces<sup>8</sup> a possible attack on a sovereign nation of Syria without the authorization by the U.N., citing the precedent of Kosovo as justification for it, the U.S. Secretary of State (accused by some of being *le ministre étranger aux affaires*) assures U.S. citizens that rich Arab nations would foot the bill<sup>9</sup> (attempting to relieve concerns about the system's impending bankruptcy<sup>10</sup>), and a multitude of the West's "corporate intellectuals"<sup>11</sup> (especially the ones from the so-called *La Gauche Caviar*) are soothing the moral and psychological worries of its ever-conscientious public, there are legitimate and reliable voices who give us different points of view about this issue, from the warnings to the U.S. leaders that aiding a declared enemy<sup>12</sup> of the U.S. would be treason<sup>13</sup>, that Syria's socialist secular economic/political system<sup>14</sup> is the main problem for both the neoliberal West and the reactionary, fundamentalist Islamist Arab regimes, to those that the so-called opposition in Syria are "a bunch of criminals" and not "revolutionaries."<sup>15</sup>

Just a part of this list of concerns should create a grave apprehensiveness about the "international community's" capacity to act in Syria militarily, but even more about its competence to be the leader of the supposed post-conflict stabilization and reconstruc-

See: The Iraq Liberation Act of 1998 [http://thomas.loc.gov/cgi-bin/query/z?c105:H.R.4655.ENR:], or George, Amir; Liberating Iraq: The Untold Story of the Assyrian Christians; Cardinal Publishing Group; 2013, or Crucified Kosovo [http://crucified-kosovo.webs.com/], or Redmond, Helen; Their empty talk of liberating Afghan women; SocialistWorker.org; March 23, 2011- http://socialistworker.org/2011/03/23/empty-talk-about-liberation

<sup>&</sup>lt;sup>8</sup> Air War in Kosovo Seen as Precedent in Possible Response to Syria Chemical Attack; The New York Times; Aug. 23, 2013 - http://www.nytimes.com/2013/08/24/world/air-war-in-kosovo-seen-as-precedent-in-possible-response-to-syria-chemical-attack.html?pagewanted=all& r=0

<sup>&</sup>lt;sup>9</sup> Arab nations ready to pay for Syria strike: Kerry - The News; Sept. 6, 2013. http://www.thenews.com.pk/Todays-News-13-25265-Arab-nations-ready-to-pay-for-Syria-strike-Kerry

Just as Standard & Poor's and Moody's maintained the illusion of Lehman Brothers' solidity up to six and one day respectively, before its collapse in 2008, it seems that it is being done for the whole West's financial system these days. See also: US borrowing authority to be exhausted by Oct. 17; AP http://news.yahoo.com/us-borrowing-authority-exhausted-oct-17-151054701-finance.html

Such as the ever-ready Frenchman Bemanrd-Henri Lévy, calling the other international community—the governments who actually respect the international law and the U.N. rules—"gangster states, led by their godfather, Russia". See: ¿Qué quiere Rusia?; El Pais, Sept. 2 2013 http://elpais.com/elpais/2013/08/29/opinion/1377787206\_916631.html

Syria: nearly half rebel fighters are jihadists or hardline Islamists, says IHS Jane's report [by analyst Charles Lister]; by Ben Farmer, defence Correspondent, and Ruth Sherlock, in Beirut; The Telegraph; Sept. 15, 2013 - http://www.telegraph.co.uk/news/worldnews/middleeast/syria/10311007/Syria-nearly-half-rebel-fighters-are-jihadists-or-hardline-Islamists-says-IHS-Janes-report.html

<sup>&</sup>lt;sup>13</sup> "Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States."-18 USC § 2381 - Treason - http://www.law.comell.edu/uscode/text/18/2381

<sup>&</sup>lt;sup>14</sup> "We trouble the West and the extremists because we are a socialist country." - Syrian ambassador to Serbia, H.E. Suleiman Abu-Dijab to V. Radojević; in an interview for the Communist Party of Serbia on Sept. 3, 2013, in Belgrade, Serbia - http://www.kps.rs/index.php?option=com\_content&view=article&id=1136:intervju-ambasadora-sirije-u-beogradu-gospodin-sulejmana-abu-dijab&catid=65&Itemid=574

<sup>&</sup>lt;sup>15</sup> "[The West calls it] a revolution, but in fact it has nothing to do with revolutions. A revolution needs thinkers. A revolution is built on thought. Where are their thinkers? A revolution needs leaders. Who is its leader? Revolutions are built on science and thought not on ignorance, on pushing the country ahead not taking it centuries back, on spreading light not cutting power lines. A revolution is usually done by the people not by importing foreigners to rebel against the people. A revolution is in the interest of people not against the interests of people. Is this a revolution? Are those revolutionaries? They are a bunch of criminals." - Syria's President Bashar al-Assad; Damascus; June 1, 2013.

tion. Taking into consideration the "international community's" aggressive and criminal March 1999 record in Serbia, November 2001 in Afghanistan, March 2003 in Iraq, and March 2011 in Libya, its involvement, and especially the U.S. leadership role, should be extremely questionable 16.

It is certain that the U.S. global position was dominant in the post-Soviet period, and that the phrase "international community" became synonymous with the U.S. – the main formulator of what were dogmatically<sup>17</sup> believed to be liberal<sup>18</sup> privatization-centred<sup>19</sup> pro-democratization and economic growth policies during the 1990s and the early 21<sup>st</sup> century. Yet, as these policies' truthfulness and efficacy became increasingly questioned and challenged<sup>20</sup>, due to their failures and catastrophic consequences in practice<sup>21</sup>, and as the U.S. increasingly turned into a defender against charges of imperialism and aggression<sup>22</sup>, and a coercer of unwilling allies<sup>23</sup> into arrogant violations of international law<sup>24</sup> than it remained a leader of any true community of states, great questioning<sup>25</sup>, strong confirmations<sup>26</sup>, and new understandings and opinions<sup>27</sup> of the term "international community" appeared.

<sup>&</sup>lt;sup>16</sup> Although these words were written with a different context in mind, they seem prophetic: "Every friend of freedom must be as revolted as I am by the prospect of turning the United States into an armed camp, by the vision of jails filled [...] and of an army [...] empowered to invade the liberty of citizens on slight evidence." Milton Friedman; An Open Letter to Bill Bennett; The Wall Street Journal; September 7, 1989 http://fff.org/explore-freedom/article/open-letter-bill-bennett/

<sup>&</sup>lt;sup>17</sup> "Today we see how utterly mistaken was the Milton Friedman notion that a market system can regulate itself. We see how silly the Ronald Reagan slogan was that government is the problem, not the solution. This prevailing ideology of the last few decades has now been reversed." - Samuelson, Paul (Nobel Prize in Economics, 1970); Don't Expect Recovery Before 2012 - With 8% Inflation; Global Economic Viewpoint; January 16, 2009 - http://www.digitalnpq.org/articles/economic/331/01-16-2009/paul\_samuelson

<sup>&</sup>lt;sup>18</sup> "Milton Friedman is the Establishment's Court Libertarian." - Rothbard, Murray N.; Milton Friedman Unraveled; Journal of Libertarian Studies; Vol. 16, no. 4 (Fall 2002); pp. 37-54 - http://mises.org/journals/jls/16\_4/16\_4\_3.pdf

<sup>&</sup>lt;sup>19</sup> "It turns out that the rule of law is probably more basic than privatization. Privatization is meaningless if you don't have the rule of law. What does it mean to privatize if you do not have security of property, if you can't use your property as you want to?" - Milton Friedman. See: Gwarney, James and Lawson, Robert; Economic Freedom of the World: 2002 Annual Report; Preface: Economic Freedom behind the Scenes, by Milton Friedman; The Fraser Institute; Vancouver, B.C.; 2002; page xviii.

<sup>&</sup>lt;sup>20</sup> Boas, Taylor C & Gans-Morse Jordan; Neoliberalism: From New Liberal Philosophy to Anti-Liberal Slogan [http://people.bu.edu/tboas/neoliberalism.pdf]; Harvey, David; Neoliberalism as Creative Destruction; The Annals of the American Academy of Political and Social Science [http://ann.sagepub.com/content/610/1/21.abstract]; Weyland, Kurt Gerhard; Assessing Latin American Neoliberalism: Introduction to a Debate; Latin American Research Review; Vol. 39, Number 3, 2004; pp. 143-149.

<sup>&</sup>lt;sup>21</sup> See: The Neoliberal Deluge-Hurricane Katrina, Late Capitalism, and the Remaking of New Orleans; Cedric Johnson, editor; 2011; University of Minnesota Press; Minneapolis; or, Klein, Naomi; The Shock Doctrine-The Rise of Disaster Capitalism; Henry Holt & Co.; New York; 2008; or, Saltman, Kenneth J.; Schooling in Disaster Capitalism; Teacher Educational Quarterly; Spring 2007; pp. 131-156.

<sup>&</sup>lt;sup>22</sup> Watts, Carl P; Is globalization another name for US imperialism?; Politics Review Online; Vol. 20, No. 3 (Feb. 2011).

<sup>&</sup>lt;sup>23</sup> Outrage at 'old Europe' remarks; BBC News; January 23, 2003- http://news.bbc.co.uk/2/hi/europe/2687403.stm

<sup>&</sup>lt;sup>24</sup> Pritchard, Claire; Who Cares if We Violate the Geneva Convention?; Chicago Policy Review; May 31, 2013- http://chicagopolicyreview.org/2013/05/31/who-cares-if-we-violate-the-geneva-convention/

<sup>&</sup>lt;sup>25</sup> Golub, Philip S; Conflict in the Balkans: An International Community?; Le Monde Diplomatique; June 1999 ttp://mondediplo.com/1999/06/06golub

Although there had been a few U.N. missions in the disputed/non-sovereign territories before the Kosovo mission was established, the fact is that all of them were initiated properly in the U.N., and implemented by it, including military forces of various member states, that willingly lent them, working in close cooperation with the world organization.

Kosovo was a crucial turning point and the precedent that nullified the old rules by force, without establishing any clear and agreed upon new ones for the future.

As the Kosovo precedent allowed for the creation of new states, such as Abkhazia and South Ossetia, and for the establishment of new "international communities", who justified and implemented such acts, it became obvious that a trend was being set and that the organization of the United Nations was increasingly either serving the purposes of one of the "international communities", or that it was being ignored by either of the "international communities"28 or by all of them29. The multitude of the small states for decades has been pointing out the fact that they are not even considered by the "international community" if they disagree with its policies, or are used to shore up its "moral imperative" when they do, but their plight is not as important in the "real-politik" world as the latest warnings by one of the greatest powers — China, about the "improper comments in the name of the 'international community'"30 by some Western politicians.

Although there are some Western intellectuals<sup>31</sup> and popular commentators<sup>32</sup> who point this out, a blindness to these facts, and a dogmatic, quasi-religious faith in the only true "international community" is very noticeable in the so-called West – not only among

<sup>&</sup>lt;sup>26</sup> "The international community does exist. It has an address. It has achievements to its credit. And it is the only way forward."-U.N. Secretary-General Kofi Annan; The Address to the 52<sup>nd</sup> DPI/NGO Conference in New York City; September 15, 1999- http://www.un.org/News/Press/docs/1999/19990915.sgsm7133.doc.html

<sup>&</sup>lt;sup>27</sup> Ralph, Jason; Tony Blair's 'new doctrine of international community' and the UK decision to invade Iraq; POLIS Working Paper No. 20; School of Politics & International Studies; August 2005 http://www.polis.leeds.ac.uk/assets/files/research/working-papers/wp20ralph.pdf

<sup>&</sup>lt;sup>28</sup> Created *ad hoc* after the declarations of independence by Abkhazia and South Ossetia and their subsequent international recognition by Russia, Nicaragua, Venezuela, Nauru, Vanuatu, Tuvalu (although Vanuatu, in a horribly embarrassing manner, later withdrew it).

<sup>&</sup>lt;sup>29</sup> As in the case of Russia and the other states recognizing Abkhazia and South Ossetia, and in the case of the NATO states' attack on and destruction of Libya, which went far beyond the U.N. mandate of ensuring a nofly zone over the territory of that member of the U.N.

<sup>&</sup>lt;sup>30</sup> "Since the Industrial Revolution in Britain, the self-centered way of thinking that long formed in Western powers has been swelling with the constantly consolidated powers. One of the performances is that some Western politicians often make improper comments in the name of 'international community' when they talk about the international affairs or in the Western media reports. In their eyes, they are the 'international community'" - How the world opinion is kidnapped by West's "international community" rhetoric; People's Daily Online; September 1, 2013- http://english.peopledaily.com.cn/90777/7932499.html

<sup>&</sup>lt;sup>31</sup> See: Letter by Adolfo Pérez Esquivel to Barack Obama (accessed on Sept. 8, 2013) http://www.democraticunderground.com/10023621013

<sup>&</sup>lt;sup>32</sup> "When you next hear the term, what is being referred to is not the international community at all - understood as all the nation-states that make up the world - but just a small sliver of it, our bit. The great majority of the world, indeed - the west constitutes less than one-fifth of the world's population - is, in fact, being tacitly ignored: unless, of course, it happens to agree with the west, in which case it is implicitly tagged on the end as a good old western fellow-traveler."-Jacques, Martin; What the hell is the international community?; The Guardian; Aug. 24, 2006 -http://www.theguardian.com/commentisfree/2006/aug/24/whatthehellistheinternati

its political classes but in academia as well, where it should be happening the least, especially taking into consideration the plenitude of analysis of international politics<sup>33</sup>.

The pattern has already become commonplace: a regime is declared "rogue" for not accepting the "international community's" dictates and not opening its economy for a neo-liberal takeover, and an adequate "endangered" minority is designated a victim within the "rogue" regime's borders, and the minority's criminal sub-population is trained and equipped to be the "legitimate and justified" opposition to the regime and the future "guarantor of democracy and economic development" of the "liberated" nation, and an ally in mutually beneficial money laundering operations<sup>34</sup>. Then, cases of "human rights violations" are exaggerated or, if necessary, fabricated, and an insurrection by the "democratic, free-market oriented, and Westernized and moderate" guerrilla is legitimized, and a "red line" is drawn, after which a military intervention by the "morally indignant" "international community" becomes a must in order to save face and show the world its dedication to peace and international cooperation.

The "international community's" interests in the Middle East are obvious: preventing China from obtaining cheap oil for its economic growth and military development; getting closer to Russia's "soft southern belly", and increasing the possibility of destabilizing the E.U. through strong control and manipulation of its Moslem population, making the "allies" long-term dependant on the "international community".

With Kosovo, it was not so obviously clear why the "international community" got so deeply and expensively involved in that oil-deprived region<sup>35</sup>. Although the territory known as Kosovo is a landlocked, economically undeveloped, and socially backward land of 10,887 sq. km.<sup>36</sup>, populated by anywhere between 1.5 to 2 million people<sup>37</sup>, it is of a significant geo-political and strategic importance.

Its position at the ancient surface crossroads – *Via Militaris* and *Via Egnatia*<sup>38</sup> – was made very obvious by the placement of the U.S. military base Bondsteel near that crucial intersection of the roads that connect Europe and Asia. Taking into consideration that the

<sup>&</sup>lt;sup>33</sup> Modelski, George (Jerzy), Long Cycles in World Politics, University of Washington Press, 1987; Bull, Hedley, The Anarchical Society: A Study of Order in World Politics, Columbia University Press, 2002; Georg Schwarzenberger, International Law, Stevens, 1949; Juraj Andrassy, International Law, Školska knjiga, Zagreb, 2010.

<sup>&</sup>lt;sup>34</sup> Documented widely, from The Contras, Cocaine, and Covert Operations [http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB2/nsaebb2.htm], through Albanian Mobsters: Albanian Mafia, Rudaj Organization, Princ Dobroshi, Ismail Lika [http://www.barnesandnoble.com/w/albanian-mobsters-books-llc/1103425185?ean=9781158328673], to Syrian Rebels Funded by Afghan Drug Sales [http://en.rian.ru/russia/20130411/180581557.html]

<sup>&</sup>lt;sup>35</sup> "It was Yugoslavia's resistance of the broader trends of political and economic reform--not the plight of the Kosovar Albanians--that best explains NATO's war." - Norris, John; Collision Course: NATO, Russia, and Kosovo; Greenwood Publishing Group, Preager, NY; 2005; p. xxiii.

<sup>&</sup>lt;sup>36</sup> Smaller than the Sea of Marmara (11,350 sq. km.), between the Bosphorus and the Dardanelles straights in Turkey, the U.S. state of Connecticut (14,357 sq. km.), or the U.K. county of Yorkshire (11,903 sq. km.), about half the size of the State of Mexico and a bit smaller than the State of Queretaro.

<sup>&</sup>lt;sup>37</sup> Reliable and complete census data haven't been available for Kosovo and Metohija for at least three decades.

<sup>&</sup>lt;sup>38</sup> See: Külzer, Andreas; The Byzantine road system in Eastern Thrace; 4<sup>th</sup> International Symposium on Thracian Studies, April 2007; Verlag Adolf M. Hakkert; Amsterdam; 2011., or: Tafel, Gottlieb L. F.; Via Militaris & Egnatia; 1841; Columbia University Libraries, Preservation Department; Master negative #: 91-80058-10; http:// ia600804.us.archive.org/6/items/viamilitarisroma00tafe/viamilitarisroma00tafe.pdf

planned American-backed "Nabucco"<sup>39</sup> pipeline, as well as the Russian natural gas and oil pipeline, "Southern Stream"<sup>40</sup>, were to pass through that area, supplying Europe with Russian and former Soviet Central Asian states' oil and gas, the geostrategic importance of Kosovo becomes more prominent.

The post-intervention international administration of a territory "liberated" by the "international community" brings many advantages both to the allied governments and the private businesses from the "cooperative" nations.

The case of Kosovo is an excellent example: it has been declared an investor's dream and a venture capitalist's heaven<sup>41</sup> by its new rulers.<sup>42</sup> Its labour market offers one of the cheapest labour forces in the world. With official unemployment rates in Kosovo reaching 50%<sup>43</sup>, once the means of production are secured<sup>44</sup>, and access to global markets are guaranteed, the investors will be attracted to the profit-making opportunities unparalleled in the developed world.

At the same time, the natural resources of Kosovo are legendary–according to the World Bank<sup>45</sup>, 13.5 billion Euros are lying there, waiting for investors brave enough to acquire them: the richest lignite reserves in South Eastern Europe, which provide for a powerful electricity production for the whole region, as well as abundant reserves of zinc, cadmium, magnesium, kaolin, quartz, asbestos, chrome, bauxite, and lead<sup>46</sup>, along with silver and gold–all of that under the watchful eye of the "international community" eager to help set it to production and profit.

<sup>&</sup>lt;sup>39</sup> The "Nabucco" pipeline project was aborted in the summer of 2013. https://www.wsws.org/en/articles/2013/07/13/nabu-i13.html

<sup>40</sup> http://www.south-stream.info/en/pipeline/route/

<sup>&</sup>lt;sup>41</sup> Untrue, as the still non-existent economy shows, just as in Libya today, in spite of the positive propaganda about its "anticipated boom in natural resources". - See: Cockburn, Patrick; Special report: We all thought Libya had moved on - it has, but into lawlessness and ruin; The Independent; September 3, 2013 - (accessed on Sept. 8, 2013) http://www.independent.co.uk/news/world/africa/special-report-we-all-thought-libya-had-moved-on--it-has-but-into-lawlessness-and-ruin-8797041.html

<sup>&</sup>lt;sup>42</sup> "Invest in Kosovo. Ignite your success!" - Publication by the Investment Promotion Agency of Kosovo; Ministry of Trade and Industry; March 22, 2013 ttp://www.bitkom.org/files/documents/IPAK PPT General 22 03 13.pdf

<sup>43</sup> http://www.indexmundi.com/kosovo/unemployment rate.html

<sup>&</sup>lt;sup>44</sup> And the U.N.'s Mission in Kosovo Privatization Policy made it easier than anywhere else in the world-means of production and real estate may be bought disregarding their deeds.

<sup>&</sup>lt;sup>45</sup> "Kosova [Kosovo] mine [mineral] resources are worthy of 13.5 billion Euros, according to a joint survey conducted by the Directorate for Mines and Minerals and the World Bank." http://kosovareport.blogspot.com/2005/01/world-bank-survey-puts-kosovos-mineral.html

<sup>&</sup>lt;sup>46</sup> Vickers, Miranda; Between Serb and Albanian-A History of Kosovo; Columbia University Press; 1988; page XV.

<sup>&</sup>lt;sup>47</sup> George Soros, a billionaire financier/amateur politician, eager to acquire the Trepča mines [http://emperors-clothes.com/articles/Johnstone/howitis.htm], vying for it with H.R.H. Prince Michael of Kent, according to the Kosovo Privatization Agency Director Shkelzen Luka [as reported by www.economy.rs/vesti/18697/Kosovo-Vojvodinaizgradila--Princ-od-Kenta-dobija-na-poklon.html]. Madeleine Albright, U.S. Secretary of State at the time of NATO war on Yugoslavia, is contending for mobile phones and internet opportunities in Kosovo [http://www.nytimes.com/2013/01/11/world/europe/ex-us-official-pulls-bid-for-kosovo-telecom-stake.html?\_r=0],

while Wesley Clark, the Supreme Commander of NATO during the "Madeleine's War" in 1999, is "seeking a license to explore Kosovo's underground coal deposits to use to make synthetic fuel for cars and planes." [Marketplace; Oct. 26, 2012- http://www.marketplace.org/topics/world/wesley-clark-puts-name-behind-kosovo-coal-project]

Yet, there are overwhelming problems and obstacles to that. They range from linguistic, through socio-cultural, historical and political, to legal – especially in terms of property law.

Thus, understanding the meaning and history of the names in Kosovo is only the beginning of the difficulties related to such problems.

The official and full name of the territory is Kosovo and Metohija. The land was always (as it still is today) known as Old Serbia<sup>48</sup> as well. Kosovo, just as Metohija did, emerged as a symbol, a reminder, a warning, and was almost accidentally used as a territorial designation only by the end of WWII, by the Communist party of Yugoslavia.

The word Metohija remains as another reminder, a public declaration by the rightful owner that the theft has not been forgotten, and as a subtle warning that order and justice shall be restored. That is why all false claimants to the land have insisted on the elimination of the word Metohija from the land's name.

Kosovo, as a word, means something only in the Serbian language<sup>49</sup> – the possessive adjective of the word kos, the American robin, a black bird,  $turdus\ merula$ , that flew in the skies over the famous battlefield of  $1389^{50}$ .

The meaning of Metohija is clear and recognized easily by the Orthodox Christians. Being of Greek origin ( $\mu \epsilon \tau \delta \chi \iota \alpha$ ), the word is a legal and official term used to demarcate the earthly possessions of the Orthodox Church, in this case of the Serbian Orthodox Church.

It is very common in the West to dismiss all factually supported Serbian historical claims to Kosovo, while the most incredible, evidence-less Albanian claims to the antiquity of their possession and presence in the same territory are accepted as valid. Very often a question is asked by independent and reasonable observers how far back in time should the "international community" go, and what kind of mythical or spectral evidence would be acceptable to lay a claim so that the matter could be settled. The situation is very similar to the one in Palestine at the time of the Jewish resettlement there, when the famous British writer H. G. Wells said: "If it is proper to 'reconstitute' a Jewish state which

<sup>&</sup>lt;sup>48</sup> "[lt] also included the Serbian province of Sandzak and the northwestern part of today's Macedonia." See: Joksimovich, Vojin Ph.D.; Kosovo is Serbia; gmbooks.com - http://www.gmbooks.com/product/Kosovo-GM.html

<sup>&</sup>lt;sup>49</sup> "Proof of the Serbian origin of the name and the loanword status of the immigrant Albanian term is that the word "kosovo" has a clear etymology to anyone who knows a Slavic language, while Albanian "Kosova" is an opaque, meaningless place name in the Albanian language." - Maher, J. P.; Professor of Linguistics, Emeritus; Northeastern Illinois University; "Kosova" or "Kosovo"? - What's in a Name?; http://emperor.vwh.net/articles/JP%20maher/InAname.html

<sup>&</sup>lt;sup>50</sup> Although many scholars in the West publish linguistically baseless claims that the word is of "Turk-ish-Albanian origin", in spite of the fact that it doesn't have any meaning at all in either of them. See: Vickers, Miranda; Between Serb and Albanian-A History of Kosovo; Columbia University Press; 1988; page XIV.

<sup>51 &</sup>quot;Spectral evidence refers to a witness testimony that the accused person's spirit or spectral shape appeared to [the] witness in a dream at the time the accused person's physical body was at another location. It [June-September courts during the Salem Witch Trials." accepted in the http://definitions.uslegal.com/s/spectral-evidence/ - It reappeared in the U.S. in 2013: "Jurors at the Jacko trial heard testimony from a surprise witness yesterday - the ghost of Michael Jackson! [...] In the supernatural têteá-tête, Jacko's ghost allegedly absolved Dr. Conrad Murray of any guilt in his death and admitted he "accidentally killed himself." - "Ghost" of Jacko stars at LA trial; New York Post; June 12, 2013. http://www.nypost.com/p/news/national/qhost of jacko stars at la trial Flr5EJeWiSLJQsCT9djE9L

has not existed for two thousand years, why not go back another thousand years and reconstitute the Canaanite state?"<sup>52</sup>

Yet, Kosovo and Metohija became an official U.N. Protectorate, with NATO as the power that guarantees it remains so for the time being. Although the Albanians declared independence in 2008 and the "international community" recognized its "sovereignty" is still NATO that has the final authority there 4, along with the U.N. Special Representative of the Secretary General. Simultaneously, the U.N. Security Council Resolution 1244 guarantees the territorial integrity of Serbia, although some of the powers that voted for that resolution, in a paradoxical bipolar opposition to themselves, recognized the self-declared independent Republic of Kosovo.

A matter of great interest for the scholars of international law and politics, and international management of territories and peoples, should be the evolution of the post-liberation" fate of the leaders of the territories under "international community's" control, especially the speed and the degree of the degradation of their status and life.

Slobodan Milošević, the leader of Serbia, was captured and put on a long-term trial by a special "international community's" tribunal<sup>55</sup>, which terminated in his highly suspicious death after it became increasingly obvious that the evidence necessary for his conviction was not going to materialize.

In Afghanistan, the Taliban were simply scattered and replaced by a puppet government, which still fully depends on the U.S. occupying forces in the country. Saddam Hussein, the leader of Iraq, was also chased away from his seat of power, and later captured and put on trial, but not by an international tribunal. The experience with Milošević most certainly taught the "international community" the risks of exposing its own alleged crimes before the increasingly judgmental world. The Iraqi court expressly found him guilty and he was executed by hanging, giving the impression that no appeal was permitted, or a chance for a pardon either.

Libya's Muammar Gadhafi experienced no official capture or trial. The democratic and freedom-loving "opposition" to his regime was allowed by the "international community" to hunt him down like a wild animal and his slaughtering was filmed and widely distributed on the internet. A U.S. apparatchik to the new friendly and allied regime of Libya was murdered in a very similar manner a few months later. Then, the "international community" expressed an absolute outrage at the shocking and brutal treatment of a human being by the, now-legitimized, subject of international affairs.

<sup>&</sup>lt;sup>52</sup> Sakran, Frank C.; Palestine Dilemma: Arab Rights versus Zionist Aspirations; Public Affairs Press; Washington; 1948; p. 204.

<sup>&</sup>lt;sup>53</sup> See at least the 1932 U.S. Stimson Doctrine (on non-recognition of international territorial changes executed by force), and Articles 3 and 11 of the 1933 Montevideo Convention, on the rights and duties of states (prohibition of creation and recognition of puppet states) and the prohibition of the use of force in order to obtain sovereignty. The "international community" claimed they were obsolete until the cases of Abkhazia and South Ossetia.

<sup>&</sup>lt;sup>54</sup> As late as July 28, 2013, the KFOR Commander, German General Walker Halbauer, stated that "As far as military matters are concerned, [I] decide who may enter Kosovo. [...] I want to emphasize that in Kosovo, both the U.N. Resolution 1244 and the Kumanovo Agreement, are in force." ("Када је војска у питању ја одлучујем ко може да уђе на Косово. [...] Хоћу да нагласим да је на Косову и даље на снази и Резолуција УН 1244 и Кумановски споразум.") - See: Lazanski, Miroslav; I understand the Serbs from the Ibar River area; Politika; July 28, 2013. - http://www.politika.rs/rubrike/Politika/Razumem-Srbe-na-Ibru.sr.html

<sup>&</sup>lt;sup>55</sup> Totally disregarding the *ex injuria jus non oritur* legal principle.

The "post-conflict" status of the "liberated" territories also differs significantly:

Kosovo seems to have been the experiment that set too high the bar for the future, causing extraordinary complications and embarrassing need for legal and moral "creativity". Following its lessons, a degradation and de-internationalization of the status of any new territory whose sovereignty so was altered has become noticeable. There has happened a lowering and limiting of the prerogatives of the "governor" in the field, and, with each new case, a gradual elimination of a significant portion of the U.N. membership from the pool of legal international subjects with a right to be involved in the governing and/or supervision of the territory.

In Kosovo, it was still the Secretary General of the U.N. (through his Special Representative) who was the highest civilian authority in the official U.N. protectorate<sup>57</sup>, although the NATO military commander on the ground was the highest authority "in the theatre", with a right to declare anything or anyone of "military significance" so as to grant himself the power to outrank the civilian authority of the U.N. at any time.

In Afghanistan, "full sovereignty" was gradually "restored" to the local government after the U.S.-led international invasion and occupation of the land, and after the U.N. Security Council post factum established the International Security Assistance Force. The U.N. Assistance Force's mandate was to oversee the security in the country, but the Afghan "authorities" couldn't move freely even within the capital without full military escort by the mostly NATO troops, while the provinces were the realm of local warlords and, almost exclusively, of U.S. military commanders, who had most of the U.S. troops under their direct and separate command.

In Iraq, the U.S. attacked that sovereign U.N. member without a declaration of war and invaded its territory under what was later proven to be a false pretext. After a quick military conquest, the country was occupied by U.S. troops. A "sovereign" puppet government was established, but the U.S. military was in charge of the land. The U.N. Security Council then established a mission in Iraq, which recognized "the responsibilities and obligations" of the U.S. occupying force, giving legitimacy to the illegal and criminal invasion of a sovereign member of the U.N. The Mission still supervises the work of the Iraqi government. The U.S. military combat operations and occupation of Iraq were officially declared finished by the end of August 2010, but U.S. troops still remain in Iraq (under separate U.S. command), together with the troops from other nations, which are under U.N. command.

In Libya, there was neither a U.N. mission set up after its destruction by NATO, nor was there an occupation of any kind by the "international community's" military forces. The early 2011 conflict was declared a civil war, in which the "rebels" refused all attempts, both by their government and by the African Union, to stop fighting. The "international community" secured a U.N. Security Council resolution (1973), which was to protect civilians and which allowed the use of force against the government of Libya, but did not allow a foreign occupation of the country. The "international community", led by the U.S. Secretary of State, Hillary Clinton, secured the supply of arms to the rebels. The Resolution stated that in order to "protect civilians" "all necessary measures" were allowed, thus, the supply of arms was unilaterally declared permitted in spite of the arms

<sup>&</sup>lt;sup>56</sup> "The sovereignty of states is not absolute." – Strobe Talbott; See: Norris, John; Collision Course: NATO, Russia, and Kosovo; Greenwood Publishing Group, Preager, NY; 2005; Forward, by Strobe Talbott; page x.

<sup>&</sup>lt;sup>57</sup> Although the "international community" allowed the U.N.'s involvement only after it had already concluded the destruction and subjugation of Yugoslavia/Serbia, using the world organization as a "legal mask" to cover up and put away brutal and criminal NATO aggression, in which it committed crimes against peace, humanity and war crimes with impunity, since the U.N. transformed it into its own Military Authority in Kosovo.

embargo imposed on "everyone" in Libya (Paragraph 9). The French Air Force bombarded the government troops, as did the U.S. and U.K. submarines. Soon, 17 countries participated in the military operations against the government of Libya, with NATO taking over the command of the operations. The "international community" thus became the air force of the rebels, providing them with some ground troops as well, violating its own U.N. resolution and not allowing for a negotiated settlement of the conflict. After the rebels took over the capital city of Tripoli, the U.N. recognized them as the legitimate government of Libya. An *ad hoc* local government, the National Transitional Council, was set up and recognized by the "international community" and left in power to run the country as it saw fit, as long as the oil exploitation was opened to the corporations from the "international community's" realm – the Chinese and Russian companies were not allowed in the competition in the "free market" and "globalized economy" (just as they were kept out and away by the U.S. occupying authorities from the once open-to-international-competition oil fields of Iraq).

The U.N. Protectorate of Kosovo has proven itself to be the "international community's" experiment that set the standard for the amount of sovereignty which were to be accorded the inhabitants under the "international community's" domination – **none!** 

Thus, the sovereignty over the territory of Kosovo was altered and the whole international system thrown into a disarray. The overlapping and cancelling-out of sovereignties is blatant: the United Nations Resolution 1244 (which is still in effect and is recognized even by the powers<sup>58</sup> that officially recognized Serbia's Albanian minority's self-declaration of independence) recognizes the sovereignty of the Republic of Serbia over the territory of Kosovo<sup>59</sup>. So does, of course, the Constitution of the Republic of Serbia<sup>60</sup>. At the same time, Serbia's Albanian Moslem minority in the Province of Kosovo and Metohija had declared the province's independence from Serbia and claimed sovereignty over the territory, calling it the *Republic of Kosovo*. It has been officially recognized by the U.S. and many of the individual great powers, which are members of the European Union, although the international organization called the European Union itself has not recognized the self-declared independent Republic of Kosovo, and works closely with the U.N. on administering the Serbian province as a U.N. protectorate<sup>61</sup>. Simultaneously to all this, the Constitution of the self-proclaimed Republic of Kosovo, by its articles 147 and 153, clearly renounces its own sovereignty and states that the final authorities in Kosovo

<sup>&</sup>lt;sup>58</sup> Even if they "creatively interpret the UN SC Resolution 1244", knowing fully, as Carl Bildt, Sweden's Foreign Minister, stated, that "there are no legal grounds for doing what we are doing, but we must preserve at least a semblance of international law." - http://www.kosovocompromise.com/cms/item/charts/en.html?id=478

<sup>&</sup>lt;sup>59</sup> Resolution 1244 (1999), adopted by the Security Council at its 4011th meeting on 10 June 1999: "... Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other States of the region, as set out in the Helsinki Final Act and annex 2..."

<sup>&</sup>lt;sup>60</sup> The Constitution of the Republic of Serbia, The Preamble: "... the Province of Kosovo and Metohija is an integral part of the territory of Serbia..."

<sup>&</sup>lt;sup>61</sup> Resolution 1244 (1999), adopted by the Security Council at its 4011th meeting, on 10 June 1999, authorizes the Secretary-General, with the assistance of relevant international organizations, "to establish an international civil presence in Kosovo" and "decides on the deployment in Kosovo, under United Nations auspices, of international civil and security presences, with appropriate equipment and personnel as required...", "requests the Secretary-General to appoint, in consultation with the Security Council, a Special Representative to control the implementation of the international civil presence, and further requests the Secretary-General to instruct his Special Representative to coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner [...]"

are the U.N. civilian administrator and NATO military force commander, making those who command NATO the ultimate sovereigns over Kosovo<sup>62</sup>.

The "international community" did the same thing, which it did in the previously legally established U.N. protectorates and in the many historical instances before the current supposed internationalization of protectorates – the "international community" ensured its own *fiat* <sup>63</sup> to be the legal basis and norm for any activity.

The first U.N. protectorate, an innovative and an *ad hoc* approach to resolving international problems insolvable by the then-current international law, was the U.N. Temporary Executive Authority (UNTEA)/U.N. Security Force in West New Guinea (UNSF), established in October 1962<sup>64</sup> in order to administer the Dutch colony of West New Guinea until it was transformed into a province of Indonesia on May 1, 1963.

The following one was established in February 1992 for Cambodia, as the U.N. Transitional Authority in Cambodia (UNTAC), in order to implement the Paris Accords, which ended the civil war in that country. The U.N. was not to have direct control of the country but was supposed, during the 18 months of its mandate, to foster "a neutral political environment conducive to free and fair general elections" It was the most extensive and costliest U.N. operation up to that time.

On December 21, 1995<sup>66</sup>, the U.N. International Police Task Force (IPTF) and a U.N. civilian office in Bosnia and Herzegovina (BH) were established, known as the U.N. Mission in Bosnia and Herzegovina (UNMIBH). It was terminated on Dec. 31, 2002. It invented a new supra-sovereign office – The High Representative for Bosnia and Herzegovina (on December 14, 1995) – by the Peace Implementation Council<sup>67</sup>. It was not a U.N. mission. SFOR, a NATO-led multinational peacekeeping force in BH, was established by the U.N. S.C. Res. 1088, on Dec. 12, 1996, and it lasted until Dec. 2, 2004. It was replaced by the E.U. EUFOR Althea mission, which is still in BH, as is the High Representative of Bosnia and Herzegovina, who still possesses his supra-sovereign powers and is the final authority in that supposedly sovereign nation.

The U.N. S.C. Resolution 1037 (Jan. 15, 1996) established the U.N. Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) to monitor the demilitarization of these regions and to ensure the peaceful reintegration of these

<sup>&</sup>lt;sup>62</sup> The Constitution of the Republic of Kosovo; Article 147 [Final Authority of the International Civilian Representative]: "Notwithstanding any provision of this Constitution, the International Civilian Representative shall, in accordance with the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007, be the final authority in Kosovo...", and Article 153 [International Military Presence]: "Notwithstanding any provision of this Constitution [...] The Head of the International Military Presence shall, in accordance with the Comprehensive Proposal for the Kosovo Status Settlement dated 26 March 2007, be the final authority in theatre [...]"

<sup>&</sup>lt;sup>63</sup> The U.S. Secretary of State, Richard Olney, on July 20, 1895, wrote: "To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interpretations [...]." - See: Chronological History of United States Foreign Relations 1776 to January 20, 1981; Vol. I; ed. Lester H. Brune; Garland Publishing, Inc.; New York & London; 1985; page 167.

<sup>&</sup>lt;sup>64</sup> Article 2; The New York Agreement

<sup>&</sup>lt;sup>65</sup> Agreement on a Comprehensive Political Settlement of the Cambodia Conflict; Annex 1, Section B, Paragraph 1; UN Document A/46/608-S/23177; Oct. 30, 1991 - See: (accessed on Sept. 8, 2013) http://www.ichrp.org/files/papers/56/128\_\_Cambodia\_\_Human\_Rights\_in\_Negotiating\_Peace\_Agreements\_Edwards\_\_Adrian\_\_2005.pdf

<sup>&</sup>lt;sup>66</sup> U.N. Security Council Resolution 1035

<sup>&</sup>lt;sup>67</sup> Consisting of 55 countries, based on the Dayton Peace Agreement, negotiated during Nov. 1995, formally signed in Paris on Dec. 14, 1995, after the London Conference, Dec. 8 & 9, 1995.

territories of the Republic of Serbian Krajina into Croatia. It ended on Jan. 15, 1998, after allowing the new country of Croatia to take over these, formerly Serb-majority but then Croat- and NATO-ethnically cleansed lands. Eventually, the newly sovereign Croatia was fully integrated into NATO (2009) and E.U. (2013), thus firmly and unquestionably putting these territories under the "international community's" control.

In 1999, the "international community" established its most ambitious and authoritative grasp on a territory – the U.N. Protectorate of Kosovo.

The U.N. administration took upon itself the public policy mission, traditionally reserved for a sovereign state alone, to make local laws and to enforce them, to appoint and supervise local officials, to collect and manage local revenue, to run local educational, health and other social services, to supervise the economy and finances, and even to decide in the disputes related to the very basis of any society – property matters.

The most illustrative example of the "international community's" incompetence and, if the criteria used for ordinary people were applied to it, all out criminality, is exactly this area of public policy – privatization. Contrary to its U.N. S.C. mandate, the U.N. Administration of the Serbian province designed and partially implemented a public policy of privatization of the socially owned property there. It was very clear that such a policy could not be implemented as the "international community" wished it, due to its basic illegality The province's chief U.N. administrator, Soren Jessen-Petersen, on April 22, 2005 (UNMIK Regulation No. 2005/18), simply decreed a fundamental change in UNMIK rules and property law (undocumented in human history, except during conquests and pillages of ages past), providing for the privatization agency to make "clear and final ownership determination after a sale of assets" and not before it, as has been the practice throughout human history. Although Mr. Jessen-Petersen gladly announced that "now with this change... we no longer have to establish ownership before the sale of the socially owned enterprise" the process of privatization in Kosovo has been disastrous. Not even the local criminals wanted to participate in it since it didn't provide them with a clear and legal title to the prop-

<sup>&</sup>lt;sup>68</sup> Bota Sot 2010: A failed process of privatization in Kosovo?; Institute for Development Research; 12. 03. 2010; http://www.riinvestinstitute.org/index.php?gjuha=en&action=meshume&cid=10&sid=30&id=137

<sup>&</sup>lt;sup>69</sup> Since the U.N. S.C. Resolution 1244 mandates UNMIK only to administer such property in Kosovo—not to change property status—and UNMIK's own Regulation No. 2001/9, On a Constitutional Framework for Provisional Self-Government in Kosovo, of May 15, 2001, Section 8.1 (q), (r) and (u), states that UNMIK has the "authority to administer public, state and socially owned property, [and] the regulation of public and socially owned enterprises" but nothing else beyond that.

<sup>&</sup>lt;sup>70</sup> Yet, UNMIK Regulation No. 2005/18.15, Section A, still stated that "the Trust Agency [Privatization Agency] must act in the interest of the owners of the SOEs [Socially Owned Enterprises]", a regulation that cannot be fulfilled if "clear and final ownership determination [will be made] after a sale of assets", as UNMIK new rule stated.

The requirements of founders' agreement and foundation meeting of section 25 of the aforementioned Regulation [Law on Business Organizations] shall all be waived and that a founder's statement signed by a duly authorized representative of the Agency shall be a valid substitute for a founders' agreement." This meant that the Privatization Agency's representative received the power from UNMIK to effectively be the legal agent of a publicly owned enterprise and to sell it, disregarding the Article (section) 25 of the Law on Business Organizations, which states: "Article 25 - Change of Registered Agent or Office - 25.1 If a business organization desires or is required to change the name of the person designated as its registered agent, it shall deliver to the Registry a notice, signed by an authorized person, that sets forth (i) the name of the business organization and its registration number, and (ii) the name of its new registered agent."

<sup>&</sup>lt;sup>72</sup> Kosovo: UNMIK Changes Rules for Privatization; ECIKS-Economic Initiative for Kosovo; Prishtinë Kosova; April 22, 2005; (accessed on Sept. 19, 2013) http://www.eciks.org/english/lajme.php?action=total\_news&main\_id=178.

erty. There are many accusations that through the process of privatization they laundered the illegally earned funds. Knowing that such practice would create legal problems<sup>73</sup> for the U.N. staff in both the field and in the New York City headquarters, the U.N. ensured its employees' immunity<sup>74</sup> from legal prosecution but the local Albanians were left to the mercies of "the market"-causing a number of highly suspicious deaths<sup>75</sup> of both high level officials in Kosovo and key witnesses in Western countries over the last couple of years, all of which were ruled suicides<sup>76</sup> by EULEX and Western medical examiners.

This extent of legislative, executive and judicial authority, exercised with basically no scrutiny by anyone, with no supervision by independent monitors, and with no accountability to any single or collective sovereignty (especially that of the local population<sup>77</sup>) is substantially higher than that which the colonial governors had in the past, and which were the main reasons why the colonized peoples fought wars of liberation. It was expected, even by analysts from the "international community", that even the most "benign" protectorate of this kind would eventually turn itself into an "oppressor-ate" that would be hated by the population it was established to protect in the first place.

Yet, there are no open anti-U.N. movements in Kosovo. It seems that while the ethnic cleansing of its Serbian citizens is yet unfinished, and while the lucrative and unmolested businesses of human trafficking, drugs and arms smuggling, and "privatization" of the Serbian state, social, Church and private property are still underway, there is no rush to end the unnatural and contradictory parallel existence (but a long-term partnership and symbiosis) of "local sovereignty" and "international community's" protectorate there.

Yet, this unnatural symbiosis only seems to be lucrative to those with a short-term vision and with a superficial understanding of economy and politics.

<sup>&</sup>lt;sup>73</sup> Since UNMIK violated its own first regulation—Regulation No. 1999/01, which entered into force on June 10, 1999, the very date the world organization passed its Security Council Resolution 1244 (1999). Section 6.2 of UNMIK Regulation No. 1999/01 states that "administration by UNMIK of [movable and immovable property in Kosovo] shall be without prejudice to the right of any person or entity to assert ownership or other rights in the property"—a mandate clearly violated by the U.N. Administrator Soren Jessen-Petersen.

Already on Feb. 9, 2004, under Harri Holkeri, Special Rep. of the Sec. General, the UNMIK Regulation 2004/3, on the promulgation of the law on public procurement in Kosovo (Law No. 2003/17, meant to ensure "the most efficient, cost-effective, transparent and fair use of public funds and public resources in Kosovo"; "to ensure the integrity and accountability of public officials, civil servants and other persons"; and "to promote the establishment of an institutional culture of unbiased, ethical and materially disinterested professionalism among all public officials, civil servants and other persons"), in its Section # 3, on Exemptions, states that "The present law shall not apply to [...] UNMIK [...] and an intergovernmental, bilateral, multilateral or international financing institution."

<sup>&</sup>lt;sup>75</sup> Kosovo Privatization Agency chief "stabbed himself 11 times"; B92 & BETA Agency; June 22, 2012 http://www.b92.net/eng/news/politics.php?yyyy=2012&mm=06&dd=22&nav\_id=80899; or Government's official commits suicide; H.S. who has worked as an information officer at the Prime Minister's Office committed suicide; Kosovapress; Jan. 29, 2013 -http://www.kosovapress.com/archive/?cid=2,85,159346; or "Agim Zogaj, a protected witness then known only as Witness X, was found dead, hanging from a tree in Germany" – Close ally of Kosovo PM cleared of war crimes for third time; Reuters; Sept. 17, 2013 - http://news.yahoo.com/close-ally-kosovo-pm-cleared-war-crimes-third-152716959.html

<sup>&</sup>lt;sup>76</sup> Kosovo privatization chief's death ruled suicide; Southeast European Times in Pristina; June 16, 2013 http://www.setimes.com/cocoon/setimes/xhtml/en\_GB/features/setimes/features/2012/06/16/feature-02.

<sup>&</sup>lt;sup>77</sup> "No Republic of Kosovo authority shall have jurisdiction to review, diminish or otherwise restrict the mandate, powers and obligations [of the International Civilian Representative and/or the International Military Presence]" - Articles 147 and 153 of the Constitution of the Republic of Kosovo. See: http://www.kryeministri-ks.net/repository/docs/Constitution1Kosovo.pdf (accessed on Sept. 8, 2013)

An interesting testimony of the development falsehood was, most likely unintentionally, offered by a German KFOR Colonel, Günter Bonn, published by Politika, and reported by an ethnic Slovenian military analyst, Miroslav Lazanski, in a report on his visit to the U.S. (KFOR) base Bondsteel in Kosovo. It says: "There is no industry here, no production. Only gas stations are being opened, shopping centres and night clubs." The Colonel is reported to have openly wondered from where all the wealth in Kosovo was coming, comparing the apparent high-life style of the Kosovo Albanians to his modest life in the highly industrialized (and yet only second tier international community's member) Germany, especially considering his socio-economic status as a high level military officer of the military forces of the only stable and growing E.U. economy. Aware that he drives a small car there (in Germany), and doesn't own a house there, the new, big homes, daily built in Kosovo, and new, expensive cars driven on the same roads he patrols in a military jeep, make him wonder how surreal is his task of making sure that there wouldn't be any more suffering in the U.N. Protectorate of Kosovo.

In addition to that, it is the "international community" that very quickly realized the true pitfalls of such an arrangement, and the long-term dangers to its control and welfare. The U.N. Protectorate of Kosovo, being under the formal legal authority of the U.N. Security Council, could not be controlled, modified, or terminated without Russia and/or China. Both powers were unable to prevent its establishment in 1999, but, since then they have grown and strengthened their international positions, creating a parallel and highly visible alternative "international community", and have created unforeseen problems for the U.S. and its allies in Kosovo (and in other parts of the world), especially regarding the public policy of privatization designed and attempted to be implemented there by the "international community".

The Protectorate of Kosovo was most likely designed as the ultimate triumph of the West, but it quickly turned into its most problematic product. With Russia and China sitting on the U.N. Security Council, with their veto powers, it proved impractical to set Kosovo as a blueprint for future invasions, takeovers and management of lands, peoples and resources, and, thus, all evidence suggests, it was forgone as a model.

Ever since, we have witnessed the abandonment of the U.N. or truly international models of behaviour by the "international community", observing the increased acting either unilaterally (the U.S. in Iraq) or as a group of military allies (NATO in Libya), with very limited and vague authorization by the U.N., or with none at all.

<sup>&</sup>lt;sup>78</sup> "Овде нема индустрије, нема производње, отварају се само пумпе за гориво, трговине и ноћни клубови" - See: Lazanski, Miroslav; One Day In Priština; Politika; July 27, 2013. http://www.politika.rs/pogledi/Miroslav-Lazanski/Jedan-dan-u-Pristini.sr.html

<sup>&</sup>lt;sup>79</sup> Compare that attitude by a foreign governor toward citizens' welfare and honest labor to the testimony by Count Bois-le-Comte de Rigny, a 19th century French diplomat, who left reports to the French Ministry for Foreign Affairs about his interviews with Prince Miloš of Serbia. In one of them, Prince Miloš of the Autonomous Serbia told him that he asked the Sultan's Governor of Serbia, the Vizier Mehmed, to allow the Moslem civilian population to leave Serbia's cities after Serbia received its autonomy from Istanbul, or that "if they aren't allowed to leave, they will starve to death", the Vizier replied: "It might happen but they would starve to death anywhere else as well because they don't want to work. Taking that into consideration, it is better that they die here since the Sultan ordered that they remain here." - See: Old Belgrade - From Travelogues and Memoirs; edit. Djuro Gavela; Kultura; Belgrade; 1951; Count Bois-le-Comte de Rigny; Turks in Belgrade, pp. 69-77; (Complete memoirs: Serbian Academy of Sciences and Arts; Spomenik XXIV for 1894).

It is worth remembering that already in 1996, in Buenos Aires, Michel Camdessus, Managing Director of the International Monetary Fund, officially announced that a "silent revolution" was taking place, and that "as regards the role of the state, it is now nearly universally accepted that the most effective economic strategies are private sector-led and outward-oriented" and that "governments must demonstrate that they have no tolerance for corruption". Yet, it seems that the "international community" in the end, after its post-Kosovo experience, decided that it is much easier and more profitable to avoid the (semi-)state and its many layers of corrupt officials all together, and to let the West's private sector (backed up by NATO) deal directly with the warlords in the resources rich territories, whose sovereignty was altered, allowing certain allies in and securely eliminating Russian and Chinese competition.

Although the 1989 informal Washington Consensus by the West's economic thinkers has been replaced by the 2010 G20 formally endorsed Seoul Consensus for "shared growth" it seems that the "international community" has decided to undermine the Consensus' main goal of greater state intervention in economy and finances by simply eliminating the state from the equation and continuing with the old mantra of "stabilize, privatize, and liberalize" – having already initiated that policy in Kosovo, and persisted with it in Afghanistan, Iraq, and Libya, attempting to press on with it in Syria today.

For the end, another reminder: The New York Observer warned, in 2007, "The smart money these days is in catastrophe: Hurricanes, tsunamis, political upheavals and wars have become the new profit points in the age of 'disaster capitalism,' which sees cataclysms 'as exciting market opportunities."

<sup>&</sup>lt;sup>80</sup> Argentina and the Challenge of Globalization; Address by Mr. Michel Camdessus, Managing Director of the International Monetary Fund at the Academy of Economic Science; Buenos Aires, Argentina, May 27, 1996 http://www.imf.org/external/np/sec/mds/1996/mds9611.htm (accessed: Sept-16-2013)

<sup>&</sup>lt;sup>81</sup> Libyan rebels sell first oil shipment; Boost for revolutionary leaders' credibility and finances as 1m barrels – £77m worth – sold to Swiss trading company; The Guardian; April 5, 2011 http://www.theguardian.com/world/2011/apr/05/libya-rebels-sell-first-oil

<sup>&</sup>lt;sup>82</sup> Libyan rebel group sells first oil to U.S. - The sale was made possible following an April announcement by the Office of Foreign Assets Control at the Treasury Department that established a new licensing policy with Libya; Crawford, Jamie; CNN National Security Producer; June 9, 2011 http://www.cnn.com/2011/US/06/08/libya.rebels.oil/index.html

<sup>83</sup> Qatar recognizes Libyan rebels after oil deal - Qatar is first Arab nation to recognize Benghazi-based council after rebels announce oil marketing deal with Gulf state; Al Jazeera; March 28, 2011 <a href="http://www.aliazeera.com/news/middleeast/2011/03/201132814450241767.html">http://www.aliazeera.com/news/middleeast/2011/03/201132814450241767.html</a>

<sup>&</sup>lt;sup>84</sup> Europe leads Libyan oil race as rebels warn Russia and China - Italian oil company Eni led the charge back into Libya on Monday as rebels swept into capital Tripoli, hailing the end of Muammar Gaddafi's rule and warning Russian and Chinese firms of contract revisions; Reuters; August 22, 2011 http://english.ahram.org.eg/NewsContent/3/12/19470/Business/Economy/Europe-leads-Libyan-oil-race-asrebels-warn-Russia.aspx

<sup>&</sup>lt;sup>85</sup> The G20 Seoul Development Consensus for Shared Growth; April 7, 2012 http://ausaid.gov.au/HotTopics/Pages/Display.aspx?QID=230

<sup>&</sup>lt;sup>86</sup> Where the "stabilize" part means destabilization of local sovereignty and stabilization of the "international community's" control—as in Kosovo's Constitution Articles 147 and 153.

<sup>&</sup>lt;sup>87</sup> Amidon, Stephen; Milton Friedman's Afterlife; New York Observer; September 18, 2007 http://www.naomiklein.org/shock-doctrine/reviews/milton-friedmans-afterlife