A Response to the Interview with Ambassador Albert Rohan, Deputy Special Envoy of the United Nations Secretary-General for the Future Status Talks for Kosovo

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Ambassador Rohan has certainly had a long and distinguished career in international diplomacy, a good portion of it focused on the Balkans. This makes it all the more difficult to understand why he handled the Kosovo status process in the way that he did. Indeed, the process he jointly oversaw with Martti Ahtisaari, the UN Secretary-General’s Special Envoy for the Status Talks, may well go down as one of the most shockingly one-sided mediation efforts in modern diplomatic history.

Kosovo as an Insoluble Conflict

Perhaps the most troubling aspect of the interview —in amongst many troubling aspects— is the starting premise: namely, that Kosovo was insoluble. Or, more accurately, it could not be solved in a way that could provide both sides with a solution that they might not like, but they could essentially accept. At a fundamental level, this view has profound, if not rather disturbing, implications for the way in which the international community manages conflict. For many who work in the field of conflict resolution, the idea that any conflict is beyond settlement in a way that addresses at least some of the desires of both sides, albeit to a greater or lesser degree, is anathema. Conflicts may be, and usually are, extremely difficult to solve. Likewise, reaching an acceptable agreement may often take a lot of time. But with patience, a willingness to explore diverse and innovative options, and the right amount of international leverage, sustainable and tolerable solutions can be found.
However, such thinking was, sadly, lacking in Kosovo. Neither Rohan nor Ahtisaari appeared willing to commit to a long-term process. In a communication to the Contact Group—the international body overseeing the talks, composed of Britain, France, Germany, Italy, Russia and the United States—Ahtisaari made it clear that he wanted to complete the process by the end of the year (Ahtisaari 2008). At the same time, they did not want to engage in the innovative blue sky thinking that may ultimately have brought about a settlement that, while unlikely to be desirable to both sides, may have been acceptable. Instead, Rohan argues that when faced with diametrically opposing views—while the Kosovo Albanians demanded independence, the Serbian Government was adamant that it would not accept full statehood for the province—a decision had to be taken that favoured one side over another. In the case of Kosovo, it meant siding with the Kosovo Albanians and opting to support a form of conditional and supervised statehood. This has also been confirmed by Ahtisaari, who now openly admits that the process was geared towards independence right from the very start. The problem is that such an approach ignores the fact that all separatist conflicts are, by their very definition, about the diametrically opposed positions of a group that wants independence and a state determined to resist this.

Surely he is not arguing that all such conflicts are therefore beyond resolution. Such an argument is absurd. To this extent, Rohan’s statement must be seen as a rather poor attempt to justify an outcome that had been predetermined before the talks had even started, rather than an attempt to redefine our understanding of conflict management.

**The Management of the Process**

The next question is why the UN team decided to adopt such an obviously illogical position. On balance, it would seem as though they felt that they had little choice but to do so. In October 2005, just weeks before Ahtisaari and Rohan were appointed, the Contact Group laid down a set of core principles that would guide the status process. These were as follows: there must be no return to the situation that existed prior to 1999, that the territory of Kosovo could not be divided, and that there could be no union between Kosovo and any other state. Following this, in early 2006, the Contact Group issued a

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1) “Guiding principles of the Contact Group for a settlement of the status of Kosovo” (7 October 2005).