

SÜDOSTEUROPA

Mitteilungen

02 | 2013 53. Jahrgang

Margarita Popova

Bulgarien sechs Jahre nach dem
EU-Beitritt

Soeren Keil / Bernhard Stahl

A Security Community in the Balkans?

Ana Babić

Serbia – Ten Years after Zoran Djindjić



**Schwerpunkt:
Die Urteile des ICTY
zu Gotovina und Haradinaj
und die Folgen**

**Main Focus:
The ICTY's Acquittal
of Gotovina and Haradinaj
and Its Consequences**

**Beiträge von /
Contributions from**

*Andreas Ernst / Florian Bieber /
Nataša Kandić / Žarko Puhovski /
Karl-Peter Schwarz / Adelheid Wöfl /
Sonja Biserko / Fatos Lubonja*

Analysen / Positionen / Essays

- 4 *Margarita Popova*
Bulgarien sechs Jahre nach dem EU-Beitritt
-
- 14 *Soeren Keil / Bernhard Stahl*
A Security Community in the Balkans? – The Foreign Policies of the Post-Yugoslav States
-
- 26 *Ana Babić*
Serbia – Ten Years after Zoran Djindjić

Themen-Schwerpunkt: Die Urteile des ICTY zu Gotovina und Haradinaj und die Folgen / Main Focus: The ICTY's Acquittal of Gotovina and Haradinaj and Its Consequences

- 31 **Editorial / Summaries**
-
- 39 *Andreas Ernst*
Das Haager Jugoslawien-Tribunal schreibt keine Geschichte – Warum die gesellschaftliche Wirkung von Kriegsverbrecher-Prozessen überschätzt wird
-
- 46 *Florian Bieber*
Die Grenzen des ICTY: Nach den Freisprüchen von Gotovina, Markač und Haradinaj
-
- 51 *Nataša Kandić*
The ICTY Acquittal of Gotovina and Haradinaj and Its Aftermath in the Western Balkans
-
- 55 *Žarko Puhovski*
War Crimes and Post-Communist Morality

60 *Karl-Peter Schwarz*
**Die Revisions-Urteile des ICTY zu Gotovina und Markač –
 Späte Genugtuung für Kroatien**

65 *Adelheid Wöfl*
**Kroatien nach den ICTY-Freisprüchen im November 2012 –
 Ein Stimmungsbild**

73 *Sonja Biserko*
Serbia and the Gotovina and Haradinaj Verdicts

80 *Fatos Lubonja*
**The Acquittal of Ramush Haradinaj and Its Perception in the
 Albanosphere**

Berichte

- 85 Mitglieder- und Jahreshauptversammlung der Südosteuropa-
 Gesellschaft 2013. Bochum, 8. und 9. Februar 2013
- 94 Perspectives in (Post)Conflict Academia and Society: Opening Spaces
 for Critically Assessing and Rethinking History and Memory.
 Sarajevo, 14.–16. März 2013
- 97 Gewährleistung und Durchsetzung der Medienfreiheit in Europa.
 Frankfurt (Oder), 21. März 2013

Rezensionen

- F. Trauner: The Europeanisation of the Western Balkans – EU justice and home
 affairs in Croatia and Macedonia E. Lannon (Ed.): The European Neighbourhood
 Policy's Challenges / Les défis de la politique européenne de voisinage P. I.
 Koktsidis: Strategic Rebellion – Ethnic Conflict in FYR Macedonia and the Balkans
 M. Stegherr: Abschied von der „Wiege des Serbentums“? – Das Kosovo in Kultur
 und Politik Serbiens C. Horel (Hrsg.): 1908, l'annexion de la Bosnie-Herzégovine,
 cent ans après O. J. Schmitt: Die Albaner – Eine Geschichte zwischen Orient und
 Okzident K. Çiçek: Die Zwangsumsiedlung der Armenier – 1915 bis 1917

Themen-Schwerpunkt: Die Urteile des ICTY zu Gotovina und Haradinaj und ihre Folgen

Sehr geehrte Leserin, sehr geehrter Leser,

am 16. November 2012 sprach die Berufungsinstanz des Internationalen Strafgerichtshofs für das ehemalige Jugoslawien (ICTY) in Den Haag die kroatischen Generäle Ante Gotovina und Mladen Markač frei. Damit wurde das erstinstanzliche Urteil revidiert, welches Gotovina zu 24 und Markač zu 18 Jahren Haft verurteilt hatte. Die Strafkammer hatte Gotovina, als Befehlshaber der „Operation Sturm“ im Sommer 1995, für seine Beteiligung an einem „Gemeinsamen kriminellen Unternehmen / *Joint Criminal Enterprise* (JCE)“ verurteilt. Ziel des JCE sei die dauerhafte Vertreibung der serbischen Zivilbevölkerung aus der Krajina-Region gewesen durch die Anordnung gesetzwidriger Artillerieangriffe auf die Städte Knin, Benkovac und Obrovac sowie die Unterlassung ernsthafter Bemühungen, Verbrechen seitens seiner Untergebenen gegen serbische Zivilisten in der Region zu verhindern. Die Berufungskammer argumentierte, die Strafkammer habe irrtümlich den so genannten „200-Meter-Standard“ angewendet – als Fehlerbereich für Artilleriegeschosse, die auf die Städte der Region abgefeuert worden waren (d.h. jedes Militärgeschoss, das mehr als 200 Meter von einem legitimen militärischen Ziel in bewohnten Gebieten einschlug, sollte als Indizienbeweis für einen gesetzwidrigen und willkürlichen Angriff gelten). Zwei der fünf Richter votierten gegen das Urteil. Das Revisionsurteil enthält die ausführlichen Begründungen, mit denen die Richter ihren grundlegenden Dissens mit dem gesamten Revisionsurteil zum Ausdruck brachten, welches – so Richter Fausto Pocar – „jedem Rechtsempfinden widerspreche“.

Am 29. November 2012 folgte der Freispruch des früheren kosovarischen Premierministers Ramush Haradinaj (und zweier Mitangeklagter) in einem Wiederaufnahmeverfahren wegen Kriegsverbrechen, die er 1998 als Kommandant der Kosovo-Befreiungsarmee (UÇK) begangen haben soll. Die Anklage lautete auf Verschleppung, Freiheitsberaubung, Folter, Misshandlung und Tötung von Zivilisten im Kosovo. Die Berufungskammer hatte im Juli 2010 eine teilweise Wiederaufnahme des Verfahrens angeordnet, nachdem sie festgestellt hatte, dass es der Strafkammer nicht gelungen war, ausreichende Schritte zum Schutz gegen die Einschüchterung von Zeugen zu unternehmen. Haradinaj wurde wiederum auf freien Fuß gesetzt, nachdem ihm keine Beteiligung an einem JCE nachgewiesen werden konnte.

Die Urteile und die Rückkehr der Angeklagten in ihre Heimat wurden in Kroatien und später im Kosovo mit Genugtuung und frenetischem Jubel gefeiert. In Serbien reagierte man dagegen mit Zorn und Frustration. In den internationalen Medien erfuhren speziell die Urteile zu Gotovina und Markač große Aufmerksamkeit und wurden bezüglich ihrer Auswirkungen auf die Region des ehemaligen Jugoslawiens überwiegend kritisch betrachtet.

Angesichts der weit reichenden Konsequenzen der ICTY-Urteile für den politischen Diskurs, für das Justizwesen, für die Versöhnung und die Kooperation in der Region hat die Südosteuropa-Gesellschaft beschlossen, einen Themenschwerpunkt in den Südosteuropa Mitteilungen der Thematik der Urteile des ICTY zu Gotovina, Markač und Haradinaj sowie ihren Auswirkungen in der Region westlicher Balkan zu widmen. Dieses Projekt steht in Kontinuität mit dem Themenschwerpunkt „War Crimes and Transitional Justice in Former Yugoslavia“ (SOM 3/2012). Die Publikation wird wiederum aus Mitteln des Auswärtigen Amts im Rahmen des Stabilitätspakts für Südosteuropa unterstützt.

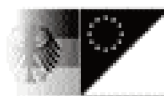
Führende Journalisten, Analysten und Vertreter der Zivilgesellschaft aus den Ländern des westlichen Balkans, aus Österreich, der Schweiz und Deutschland wurden gebeten, mit ihren Analysen zu dem Projekt beizutragen und zu den Urteilen und den Konsequenzen Stellung zu nehmen. Fragestellungen waren u.a.: Wie wurden die Urteile in den Ländern des westlichen Balkans aufgenommen? Was bedeuten die Urteile für die Diskurse über nationale und individuelle Verantwortung für Verbrechen, die während der jugoslawischen Kriege begangen wurden? Wie wirken sich die Urteile auf die künftige nationale Rechtsprechung zu Kriegsverbrechen und auf die Zusammenarbeit mit dem ICTY aus? Was sind die Konsequenzen für die dominierenden Narrative zur nationalen Geschichte, zur Versöhnung und Zusammenarbeit in der Region? Wie werden die Urteile von den Familien der Opfer aufgenommen? ¹

Sehr richtig stellt einer unserer Autoren fest: „Kritik an einzelnen Urteilen kann das Vermächtnis des ICTY keineswegs schmälern, sei es bezüglich der vom Gericht begründeten Fakten oder in Bezug auf die gesammelte und nun öffentlich zugängliche Dokumentation über den Zerfall des ehemaligen Jugoslawiens, die politischen und sozialen Zusammenhänge, die Ursache für die Kriegsverbrechen waren, die Täter, die bewaffneten Gruppen, die Opfer, die Zeugen und andere Beweismittel, die in den Verhandlungen eingesetzt wurden.“ ² Es ist in der Tat sehr zu empfehlen, die Website des ICTY www.icty.org zu besuchen. Sie enthält vielfältige Informationen zu den Angeklagten, den Verfahren und Urteilen (einschließlich der erwähnten „abweichenden Meinungen“) und vielen anderen Gesichtspunkten der Arbeit des Haager Tribunals.

Eine erkenntnisreiche Lektüre wünscht
Ihr Redaktionsteam

Hansjörg Brey

Claudia Hopf



Stabilitätspakt für Südosteuropa
Gefördert durch Deutschland
Stability Pact for South Eastern Europe
Sponsored by Germany

1 Am 28. Februar 2013, nach dem Start dieses Publikationsprojekts, setzte das ICTY auch den früheren Generalstabschef der Jugoslawischen Armee, Momčilo Perišić, auf freien Fuß. Er war zuvor für in Kroatien und Bosnien und der Herzegowina begangene Kriegsverbrechen zu 27 Jahren Haft verurteilt worden. Dieses Urteil wurde in Serbien mit großer Genugtuung aufgenommen.

2 Übersetzung der Redaktion.

Main Focus: The ICTY's Acquittal of Gotovina and Haradinaj and Its Consequences

Dear Reader,

on 16 November 2012, the International Criminal Tribunal for the Former Yugoslavia's Appeals Chamber has acquitted the Croatian Generals Ante Gotovina and Mladen Markač, thus annulling the first-instance verdict sentencing Gotovina to 24 and Markač to 18 years in prison. The Trial Chamber had convicted Gotovina, as commander in the "Operation Storm" in the summer of 1995, for contribution to a "*Joint Criminal Enterprise* (JCE)", whose common purpose was to permanently remove the Serb civilian population from the Krajina region, by ordering unlawful artillery attacks on the towns of Knin, Benkovac and Obrovac and by failing to make serious efforts to prevent crimes committed by his subordinates against Serb civilians in the Krajina. The Appeals Chamber held that the Trial Chamber's verdict had been erroneous in applying the so-called "200 Meter Standard", as a range of error of artillery projectiles fired on the towns of the area (i.e. any shell that fell further than 200 meters from a legitimate military target in the towns should be presumptively considered as evidence of an unlawful indiscriminate attack). Two of the five judges objected to the verdict, explaining at length their fundamental dissent from the entire Appeal Judgment, which, according to Judge Fausto Pocar in the conclusion to his dissenting opinion, "contradicts any sense of justice".

On 29 November 2012 the ICTY in a re-trial acquitted former Kosovo Prime Minister Ramush Haradinaj (together with two other accused) of war crimes committed in 1998 in his capacity as former commander of the Kosovo Liberation Army (UÇK). The Indictment had included the abduction, detainment, torture, cruel treatment, and killing of Kosovo civilians. The Appeals Chamber had ordered partial re-trial in July 2010, as it found that the Trial Chamber had failed to take sufficient steps to counter witness intimidation that permeated the trial. Again, Haradinaj was acquitted as he was not found criminally responsible as participant in a JCE.

The ICTY verdicts and the return of the acquitted provoked frenetic cheers and satisfaction both in Croatia, and later, in Kosovo. In Serbia, on the contrary, people reacted with anger and frustration. In the international media, the verdicts on Gotovina and Markač were met with both considerable attention and predominant skepticism as to their supposed consequences in the region of the former Yugoslavia.

Given the obviously far reaching impact of the verdicts on the political discourse, for justice, reconciliation and cooperation in the region, the Southeast Europe Association has decided to dedicate a special focus in its journal *Südosteuropa Mitteilungen* to the topic of the ICTY's Gotovina, Markač and Haradinaj verdicts and the consequences in the Western Balkans. This

project is also partly considered as a continuation of the earlier main focus on "War Crimes and Transitional Justice in Former Yugoslavia" (vol. 3/2012). The German Federal Foreign Office is lending its support for the publication project through funds of the Stability Pact for South Eastern Europe.

Leading journalists, analysts and civil society representatives from the Western Balkan countries, from Austria, Switzerland, and Germany were asked to contribute their analysis. They were requested to comment on the verdicts and its consequences: How were the verdicts perceived in the countries and societies of the Western Balkans? What do they mean for the domestic discourses on national and individual responsibility for atrocities committed during the Yugoslav wars? How will they affect future national jurisdictions against war criminals and cooperation with the ICTY? What consequences can we expect for the leading narratives of national history, for reconciliation and regional cooperation? How are the verdicts interpreted by the victims' families? ¹

As one of our authors rightly states "criticism of individual judgments by no means detracts from the legacy of the ICTY, either in relation to the facts established by the Court or in relation to the collected and publicly available documentation on the disintegration of the former SFRY, the political and social contexts in which the war crimes were committed, the perpetrators, armed formations, victims, witnesses and other evidences used in the proceedings". It is indeed highly recommendable to visit the ICTY's website www.icty.org, which provides ample documentation about the accused, the trials and judgments (including the dissenting opinions), and many other aspects of the Tribunal's work.

With the best wishes for a valuable reading
Your editorial team

Hansjörg Brey

Claudia Hopf



1 On 28 February 2013, after this publication project has been launched, the ICTY also acquitted Momčilo Perišić, former Chief of Staff of the Yugoslav Army, who had previously been sentenced to 27 years in prison for war crimes in Croatia and Bosnia-Herzegovina. This decision was met with satisfaction in Serbia.

SÜDOSTEUROPA

Mitteilungen

Zeitschrift der Südosteuropa-Gesellschaft

Summaries Heft 02/2013 53. Jahrgang

Margarita Popova

Bulgaria – Six Years after Its Accession to the European Union

The article of the Vice-President of Bulgaria is based on a speech delivered at the General Assembly of the Southeast Europe Association on 9 February 2013 at Bochum. Despite of all disillusionment about the delayed transformation process in Bulgaria, the country has fundamentally changed. It is the disciplinary effect of integration that has found widespread recognition within the Bulgarian public. Therefore, for Bulgaria, there is no alternative to EU membership.

The present crisis in the EU is mostly a consequence of compromises without principles and corrupt practices. There is no alternative to deep and thorough reforms of the judiciary, internal affairs and human rights. The democratization of post-totalitarian systems is not only a matter of formal harmonization, but rather of a radical change of mindset and of sustainable application of legal standards. More specifically, organized crime must not be allowed to establish as a legitimate economic and political principle. In the 21st century, organized crime and corruption may only be tackled by a co-ordinate action throughout the EU. This again necessitates further political integration. European integration is seen as an indispensable process for the whole of Southeast Europe. It must be based on the determination of political elites to overcome totalitarian reflexes and prejudices and follow European principles and norms.

Soeren Keil / Bernhard Stahl

A Security Community in the Balkans?

The Foreign Policies of the Post-Yugoslav States

The foreign policies of the post-Yugoslav states have changed fundamentally in the last 15 years. We argue that we can observe the creation of a security community in the former Yugoslavia, in which serious conflicts between post-Yugoslav states become not only unlikely, but literally impossible. While this security community is still in the process of construction, we identify internal democratization and the influence of the EU as the key driving forces behind this change of foreign policies and the move towards a security community.

In the first part we discuss the theoretical literature on security communities and their establishment, before applying our methodological framework to the post-Yugoslav states. We conclude by arguing that further study of the foreign policies of the post-Yugoslav states is necessary to make further assessments about long-term developments and patterns in foreign policy behavior.

Ana Babić
Serbia – Ten Years after Zoran Djindjić

On the 12th of March 2013 Serbia marked the 10th anniversary of the assassination of its first democratic Prime Minister, Dr. Zoran Djindjić. Every year on this date, a commemorative "Walk for Zoran" takes place, with thousands of people marching to the central streets of Belgrade to honour his memory.

Zoran Djindjić is often described as the greatest reformist of modern Serbia. Looking back at his achievements within his short tenure from January 2001 to March 2003 and examining the slow reformist process after his assassination to date, it is more than clear that he was a visionary who understood the political circumstances, he was able to think ahead of his time and was practical enough to recognize the necessity of unpopular moves and cumbersome reforms for the sake of the future. He was often misunderstood and his innovative ideas and enthusiasm were often met with criticism or contempt. The moment he paid with his life for his bold politics, many of those who had not supported him realized how extraordinary he was. What's more, today his persona and deeds are being used as a kind of a myth or often misused by some politicians to score political points by identifying with his politics. Nowadays, seen from a historical distance of ten years, it is even more evident that Zoran Djindjić with his democratic leadership, left an indelible mark within the Serbian society and beyond for the generations to come.

Main Focus:

The ICTY's Acquittal of Gotovina and Haradinaj and Its Consequences

Andreas Ernst
The Hague Yugoslav Tribunal Does Not Write History
Why the Social Effect of War Crime Trials Is Overestimated

Widespread criticism after the ICTY's acquittal of several high-ranking military leaders stressed its negative consequences for reconciliation between ex-Yugoslav societies. However, this assumption is based on an overestimation of the ICTY's influence on the public perception of the 1990's wars. The ICTY is seen by these societies as a political court run by "foreigners".

This deprives it from being an instrument of reconciliation. Moreover, the ICTY's attempt to "write history" has failed in the legal field as well. New categories as the "*Joint Criminal Enterprise*", meant to describe the planning and managing of big crimes as ethnic expulsion and "cleansing", were not successful in the court room. Future generations of researchers might nevertheless profit from the huge amounts of sources collected by the ICTY. But in order to advance historical research and improve the regional discourse about the past, more has to be done. A proposal by Wolfgang Klotz should be taken into consideration – namely to establish a "*German Historical Institute on Southeast Europe*", which would link researchers from the region with their colleagues not only in Germany but in Europe as a whole.

Florian Bieber

The ICTY's Limits: After the Acquittals of Gotovina, Markač and Haradinaj

The controversial decisions of the ICTY to acquit Ante Gotovina, Mladen Markač, Ramush Haradinaj and Momčilo Perišić have undermined the Court's ability to establish a record of the wars during the 1990s.

The article argues that the verdicts have revealed the weaknesses of the Court, and with it an opportunity. The disappointment in the ICTY by many post Yugoslavia civil society activists forces them to shift efforts to examine the past away from its overdependence on the Court in The Hague. Instead, the verdicts highlight the need to draw on other sources to explore the past and to understand the intrinsic difficulties of any court to establish a meaningful narrative of conflict.

Nataša Kandić

The ICTY Acquittal of Gotovina and Haradinaj and Its Aftermath in the Western Balkans

Reconciliation is not the objective of either the ICTY or of domestic criminal courts. Nevertheless, they do have an effect on reconciliation in a positive or negative sense depending on whether the judges are guided by legal or other motives.

As it has turned out, the acquittals of the high-ranking civilian and military representatives of some ex-Yugoslav states have created the perception in the public that no war crimes took place, a state of affairs interpreted by victims' families as a denial of the dead.

Nevertheless, criticism of individual judgments by no means detracts from the legacy of the ICTY, either in relation to the facts established by the Court or in relation to the collected and publicly available documentation on the disintegration of the former SFRY, the political and social contexts in which the war crimes were committed, the perpetrators, armed formations, victims, witnesses and other evidence used in the proceedings.

To begin with, the legacy of the ICTY is the strongest bulwark against forgetting the misdeeds that were committed. Second, no national history can ignore the judicial facts and factual conclusions of the ICTY pertaining to concrete events, evidence and victims. The forensic truth handed down to us by the ICTY, irrespective of its disputable legal decisions, is a very important contribution to reconciliation in the Balkans.

Žarko Puhovski

War Crimes and Post-Communist Morality

The fact that in its latest verdicts the ICTY has acquitted Gotovina, Markač, Haradinaj and Perišić was, first of all, a source of sincere surprise (although with different evaluations) for many citizens of post-Yugoslav states (including practically all of the experts – and would-be “experts”).

There are many political, moral and ethnic reasons for that, but the crucial was linked to the fact that the ICTY has failed to realize its main goal – as it was stated by almost all the politicians and activists concerned. Regardless of their differences, most of them expected the ICTY to act as some kind of institutionalised *super ego* for the post-Yugoslav nations. The ICTY started with the war crime prosecution in a period in which no authority in the post-Yugoslav territory was even remotely ready to do so. With all its mistakes and systematic imperfection it enabled (some) courts in Beograd, Zagreb (maybe even Sarajevo) to function today on a level that is – in terms of legality and justice – above the average ICTY level. And that is something that makes the whole venture worthwhile (at least for those who care about the rule of law).

Karl-Peter Schwarz
The ICTY's Revision Judgements on Gotovina and Markač
Late Satisfaction for Croatia

The acquittal of the Croatian generals Ante Gotovina and Mladen Markač by the Appeals Chamber of the International Tribunal for War Crimes in the territory of former Yugoslavia (16 November 2012) was based on a thorough revision of factual and formal errors committed in the first trial which had led to the conviction of both defendants to long custodial sentences (15 April 2011). Nevertheless, the judgement of the Appeals Chamber has been widely and rightly perceived as political, in Croatia and in Serbia as well as in Western Europe. The political dimension consists in the refutation of the biased assumption that the mass exodus of Serbian civilians must have been the result of a deliberate „ethnic cleansing“ planned, prepared and executed by a “*Joint Criminal Enterprise*” of the political and military leadership of Croatia – an assumption that blurred the difference between aggression and legitimate defense.

Adelheid Wölfl
Croatia after the ICTY Acquittals in November 2012
A Short Reflection

The acquittals of the former generals Ante Gotovina and Mladen Markač by the ICTY in November 2012 have emphasized the narrative of the “just, legitimate war” in Croatia, especially the legitimacy of the “Operation Storm” in 1995. The verdicts are often generalised as acquittals for all Croats and perceived as a “legal victory” after the “military victory”, for some even as a kind of “compurgation” of the “nation”. This narrative includes that Croatia could prove that Croats are not “barbaric” but “European” before the accession to the European Union. Crimes committed against Serbs are consequently played down. But some representatives of the civil society and Serb politicians like Milorad Pupovac are warning that generalisations that are not questioned could establish a misunderstanding of the verdicts and “legitimization” of ethnic cleansing. The way the verdict was publicly discussed widened the gap between perceptions of the majority of Croats and members of the Serbian minority in Croatia.

Sonja Biserko
Serbia and the Gotovina and Haradinaj Verdicts

The acquittals of two Croatian generals, Ante Gotovina and Mladen Markač, and of Kosovo leader Ramush Haradinaj by the ICTY Appeal Chamber in November 2012 opened up a major issue Serbia has neglected for long: the nature of ex-Yugoslav wars. Reactions by governmental institutions, the media and even the civil sector revealed again how deep-seated the theories of Serbs' victimization are and how little Belgrade is ready to face up its responsibility for the cruellest conflict in Europe after WW II. Speaking as one, the state and the media claimed that Serbs were again victims of global injustice and homogenized the public.

Obviously, facing the past is a complex and difficult process that requires mature and responsible elites, as well as a national consensus on the past failings. National reconciliation implies compromise and a mutual recognition of contemporary realities. The political elites and authorities in Serbia have still to rise up to this historic challenge. Will they muster the political wisdom and vision, courage and political will to substitute the current culture of denial by a culture of a sincere confronting of the recent past? And if, when?

Only through changing programs of education, teaching materials, books, exhibits, for adults and children, is it possible to seek vital responses to mass violence. Teaching cannot be only about facts but also about finding common humanity.

Fatos Lubonja
The Acquittal of Ramush Haradinaj and Its Perception in the Albanosphere

How to explain the glorification of Ramush Haradinaj by Albanians after his return from The Hague in November 2012 in spite of having enough information to at least doubt that the accusations against Haradinaj were based on true facts?

Firstly, this can be explained by the fact that nationalism as an ideology of power and the program of the unification of all Albanians still remains dominant in Albania and Kosovo. Secondly, when defending Haradinaj the Albanians equally defend the image of their country and of themselves in the eyes of the international community, because they see themselves as part of the European Union program as well.

This has developed a double language among Albanians, used even by Haradinaj: When speaking with the internationals he brands the six stars Kosovo flag, whereas when speaking with his Albanian countrymen and politicians he brands the red black Albanian flag.

This duplicity is very much helped by the ambiguities of Europe. The future of the European project has never been so deeply in crisis than at present. The double language of Haradinaj and of most important Albanian politicians in Albania and in Kosovo is for sure even a reflection in the Balkans of the perplexities and ambiguities of Europeans concerning their future.