

**AUTONOMY
- AN ALTERNATIVE
TO SECESSION?
A Seminar on the Åland
Islands as an Example for
Peaceful Governance**

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mostly could not: a rational, stable response to rapid reconfigurations of geopolitical power.

I hope so. After all, the stalwart, peaceful, prosperous Ålanders deserve to be famous for something other than being odd creatures with big hands and no knowledge of foreign languages.

CAN THE ÅLAND EXAMPLE BRING PEACE TO THE BALKANS TODAY?

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Madame Ambassador, Excellencies, Ladies and Gentlemen, Åland Islanders,

On the face of it, the differences between the Åland Island case and the current contests over national self-determination and territorial control in the Balkans do not give one much ground for hope that the Åland autonomy agreements could serve as the basis for bringing peace, finally, to the Balkans. The remarks by Deputy Secretary General Louise Fréchette are as good a demonstration as any.

Of the multiple conflicts over self-determination and territory in the area of the former Yugoslavia to which it would have to apply, the best candidate in terms of similarities and favorable conditions was Croatia in 1990-95. The wish of the Serb minority in border areas of Croatia to secede from Croatia when Croatia chose itself to secede from Yugoslavia – or rather, in the words of Serbs, to remain in Yugoslavia with fellow Serbs and redraw the Croatian border without them – led not only to war but eventually to a United Nations peacekeeping deployment to help create the conditions for internationally assisted negotiations on a way to keep the territory in Croatia by granting autonomy to the region where Serbs concentrated. As Åland Administrator Elisabeth Nauclér can tell you better than anyone else, very real efforts were made by the diplomatic team of the International Conference on the former Yugoslavia and sympathetic persons in and around the UN Civil Affairs office to use the Åland example seriously to bring this conflict to an end. But neither international forces nor internal ones (neither the Croatian government in Zagreb nor the Serb leadership in Knin) were ready. A precious opportunity was lost in August 1995 when the Croatian government retook control of the territory militarily and expelled the United Nations, not only for Croatia but for other conflicts, in Bosnia and Herzegovina, Serbia, and Macedonia that remained unresolved.

As many analysts have attempted to do since then, however, one can learn lessons from the Åland Island case about the conditions necessary to finding peace in the Balkans. Although many tend to focus on the technical details of the autonomy agreement and its provisions, it seems to me that we can learn far more from the conditions that made for success in the Åland case. Two conditions stand out: (1) the willingness of outsiders – some parallel now to the League of Nations and the Swedish government in 1920 – to facilitate and

guarantee an autonomy agreement, and (2) the generosity and good faith of the majority and government of the country in which autonomy for a territory and minority is to be granted.

Because the most unpeaceful part of the Balkans currently, and the focus of most international attention and concern, is Kosovo, many authors have looked into the possibilities of applying Åland there. In my view, Kosovo is the least likely candidate for such an internationally guaranteed autonomy arrangement to work – even though that is the core solution proposed by United Nations Security Council Resolution 1244 and the mandate of the United Nations Mission in Kosovo currently. For starters, the Åland case demonstrates very clearly the elaborate constitutional mechanisms in the constitution of the parent state (Finland) that are necessary to such autonomy, including the veto rights of the President over Åland legislation and the compensating protection in the authority of the Finnish Supreme Court to adjudicate disputes between the Åland Islands and Finnish authorities. In the case of Kosovo, this would require that Serbia (or the Federal Republic of Yugoslavia) have a stable constitutional identity and self-understanding that could withstand such adaptation and modification for Kosovo's autonomy. But both Serbia and Yugoslavia are currently undergoing fundamental discussions about their national and constitutional identity and only after that is resolved, a complete rewriting of constitutions that are no longer appropriate to the new circumstances will occur. Serbia is not Finland in 1920, even if one takes into account the civil war and the effect of the Russian Revolution on it. Serbia is not ready for Kosovo autonomy any more than is the population of Kosovo whose expectations of full independence were so encouraged by the NATO operation in 1999. Secondly, the Kosovo case is not just that of a linguistic minority wanting to secede, but of two or more layers of linguistic minorities wishing to separate: Albanians from Serbia, and Slavic speaking non-Albanians within Kosovo wishing separation or autonomy from Albanians. This makes the constitutional design even more complicated, as UNMiK officials can tell us.

There are two cases in the Balkans, however, where the Åland case might well be applied today in support of a lasting peace: Bosnia and Herzegovina and Macedonia.

We stand at a very important moment internationally. The democratic changes taking place in Serbia and Croatia, along with the change of administration in the United States, have encouraged a remarkable shift in opinion about Bosnia and Herzegovina. It is still a mood and it is most apparent in Europe, but it is growing rapidly. We are now, this opinion says, in a Post-Dayton period. Some say this fearfully – that the recent efforts by the Croatian Democratic Union of Bosnia and Herzegovina to set up a third entity for Bosnian Croats within

Bosnia and the impact of the rapid move toward independence for Kosovo and the end of the Milošević regime in Serbia on Bosnian Serb aspirations to detach themselves from Bosnia and join Serbia may together be destroying the Dayton compromise to protect Bosnian territorial integrity. But most say this hopefully – that the Dayton accord served its purpose well, to stop the war in Bosnia and Herzegovina. Five years' later, war has not resumed. With Milošević and Tudjman gone and both Serbia and Croatia focused on their own internal constitutional reorganizations, we can now begin to talk about the appropriate constitution for a post-war Bosnia, one that will make it stable in the long run. Although neither Bosnian Serb nor Bosnian Croat community speaks a different language from their Bosniac compatriots, they do believe strongly that they have a different culture to preserve and that is at risk from Bosniac majoritarianism.

Here the Åland case is extremely helpful. What would be necessary to use it as a path toward a stable solution for Bosnia and Herzegovina? There are three preconditions: (1) that the majority be generous as was Finland and accept the autonomy of these two minorities and guarantee it constitutionally, that is, that the Bosniacs agree to such a revision of Dayton; (2) that the international community, and above all the United States government as patron of Dayton, accept the redrafting of Bosnia's constitutional order and agree to establish international guarantees of Croat and Serb autonomy within Bosnia; and (3) most important of all, the demilitarization and neutrality of Bosnia and Herzegovina. Surely the new conditions in Croatia and Serbia make it a ripe moment for a regional security arrangement, guaranteed perhaps by NATO or the EU, that would make demilitarization and neutralization viable. The problem of Bosnia, outsiders tend to say, is the hardline nationalist Serbs and Croats who are unwilling to accept their commitment to Dayton. The success of the Åland case tells us otherwise and directs us to what does matter.

There is another case ripe for the Åland example in the Balkans today, and it is far more urgent than Bosnia and Herzegovina, for it is a case of conflict prevention. A rare opportunity to prevent another Balkan war before it happens. That case, of course, is Macedonia and the growing strength of Albanian nationalists within Macedonia and over the border in Kosovo. The majority of the Albanian population in Macedonia, according to most reports, is committed to citizenship within Macedonia. Although many support the proposals of some Albanian party leaders to recognize Macedonia as a two-nation state, many others only want fuller satisfaction and guarantees of their demands for Albanian political and cultural rights within the Macedonian state than has occurred until now. Moreover, the areas of Albanian territorial concentration are ethnically mixed, and they include the capital city, Skopje. Territorial autonomy would have to address the rights of the many non-Albanians living in those areas, particularly members of the Macedonian majority. Nonetheless, all agree

also that the situation is rapidly deteriorating and radicalization of a larger number is possible – particularly with the illness of the leading Macedonian Albanian politician on which so much hope for peace has come to rest. NATO's commitments to helping to protect Macedonia's territorial integrity have increased over recent weeks but are nowhere near what will be necessary if conditions worsen. A preemptive move now by the Macedonian government, including representatives of the Albanian community, together with representatives of the international community willing to fashion guarantees would have to be done with caution and all the care and detail that the Åland island case demonstrates is necessary. But the moment is ripe.

Another advantage of using the Åland island model to address the Macedonian situation is that it might well do an end run around Kosovo that could change the conditions there that make it currently an unlikely candidate for the autonomy solution. Beginning with Macedonia would also feed nicely into the proposals of the current Yugoslav government for an internationally assisted negotiation on Kosovo. According to Foreign Minister Svilanović, the federal Yugoslav government is open to any form of self-government for the Kosovo population that is acceptable to all of its neighbors. If the majority in Serbia and Montenegro are willing to acknowledge the Albanian character of Kosovo, with full assurances for the rights of its minority populations, and to structure, with the assistance and guarantees of the international community a constitutional arrangement satisfactory to the Kosovars, then the only remaining condition, according to the Åland success, is demilitarization. All know that this is necessary in any case – that it is the major failing of KFOR in Kosovo this past year and a half not to accomplish -- and a Bosnian precedent, in the context of a regional security arrangement, would be the greatest contribution to peace in the Balkans that we will have achieved since the troubles began in 1878.

The historical realities were key to the success of the Åland Island case. But there are very good reasons to think that we are now in a fortuitous conjuncture. Sweden holds the chair of the European Union with a commitment to conflict prevention; its former prime minister, Carl Bildt, with substantial experience negotiating in the Balkans, is current Envoy of the Secretary General for the Balkans; its distinguished Ambassador, Rolf Ekeus, will assume the position of OSCE High Commissioner on National Minorities, which under Max Van Der Stoel acted early and frequently in Macedonia; I need not tell this audience of the Finnish gift to Balkan peace of its national treasure, President Martti Ahtisaari, several times already, and how much he would be welcome once more; the United States has a new Administration with the freedom to declare Dayton a success and move on; and Belgrade appears willing to play the role of Sweden in 1921. No one in the international community is willing to tolerate more border changes. Perhaps there is room to be hopeful yet.

CLOSING WORDS

H.E. Harri Holkeri

*President of the 55th Session of the General Assembly,
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It is a great personal honour to me to have this opportunity to give the closing remarks of this seminar.

During this afternoon we have had the opportunity to go back in history and follow the development of the autonomy of the Åland Islands, providing a unique and concrete example of peaceful governance from the point of view of international law. We started with the demilitarisation of the islands after the Crimean War, and continued with the development of their legal status from the resolution of the dispute by the League of Nations to the present-day autonomy and neutrality. As regards the present, we have given thought to the more general significance of autonomy as an alternative to sovereignty, as well as to the possibility of applying the example of Åland to the present-day regional and ethnic conflicts, such as the Balkan conflict.

It is important for us to be able to share the lessons learned and experience gained with the international community, including both governmental and non-governmental actors. I strongly believe that the sharing of experiences like this is fruitful and will, on its part, provide a source of inspiration for those aiming at a peaceful settlement of conflicts.

In this connection it is important to remember, however, that the Åland model has been designed for the particular needs of the Åland Islands. I very much agree with what Professor Franck said about this issue. It would not be feasible to suggest that the model could be adopted and applied into a conflict situation with a view to achieving peaceful governance and a solution satisfying all the parties to the conflict. In my mind the case of Åland is more a way of thinking than a model. As we have learnt today, even in the case of Åland the achievement of a satisfactory and balanced situation took years after the League of Nations had settled the dispute. The autonomy of Åland did not find its present form until all the necessary practical arrangements had been established.

As President Ahtisaari observed in his address, the Åland example has two aspects - both the wide regional autonomy and the neutrality and demilitarisation of the islands. This was also touched upon by Madam