

Implications of a Kosovo-Serbia Agreement for Kosovo, Serbia, and the Kosovo Serbs

Introduction

The Council for Inclusive Governance (CIG) organized a roundtable on January 29, 2019 in Pristina for political party representatives and members of civil society organizations on the implications of a potential deal between Kosovo and Serbia. Various ideas for a potential agreement between are being debated, but one that includes some form of ‘border change’ dominates the debate.

The roundtable addressed potential implications—positive and negative—an eventual agreement could have on the Serb community in Kosovo and the Serb-Albanian relations in general, the main post-agreement risks and how to manage them, and what needs to be done to make sure that the progress in the Albanian-Serb relations of the past two decades is not reversed and that the final agreement does not harm the Serb community in Kosovo.

The roundtable is part of a larger project on Kosovo-Serbia relations and Kosovo Serb integration supported by and implemented in cooperation with the Swiss Federal Department of Foreign Affairs.

The roundtable participants were skeptical than an agreement between Kosovo and Serbia will be reached soon, pointing to the divisions within Kosovo and Serbian politics and publics and within the international community. An agreement that includes border changes has dominated the debate in the past year. Reportedly, Presidents Hashim Thaci and Aleksandar Vucic favor such an option. EU foreign policy chief Federica Mogherini and the Trump administration supposedly also support such a deal. However, most of the EU members, led by Germany and Great Britain, strongly oppose it, fearing it would have grave ramifications not only for Kosovo and Serbia but also for the region.

The roundtable discussions echoed these fears. The participants’ message was that an agreement should not lead to ‘ethnic cleansing,’ however ‘peaceful’ it may be.

The report is based on the roundtable discussions and individual conversations with a number of interlocutors held under the Chatham House Rule. We have tried to be accurate and balanced in summarizing the discussions, and ask for the understanding of participants and interlocutors whose remarks may have not been fully captured in this brief report.

Border change scenario

The ‘border delineation’ option is now considered as a compromise by Kosovo and Serbian presidents, EU’s foreign policy chief, and the US. Many in Kosovo say this is simply partition of Kosovo, with the north, about 10 percent of Kosovo’s territory, being incorporated into Serbia. Few believe Serbia in exchange would give Kosovo any substantial territory in the Presevo Valley. Some speakers do not believe that Serbia would agree to such an option at all. They said that Serbia’s goal is to internationalize its contestation of Kosovo’s borders. “Belgrade simply wants Kosovo’s borders on the table, without any intention on closing the issue by recognizing Kosovo’s independence.” Most agree that such a deal will not be easily implemented.

The idea of the Brussels dialogue was to normalize relations between Belgrade and Pristina and perhaps to find a solution without recognition. This changed later with Mogherini’s appointment. Albania’s Prime Minister Edi Rama supports the idea, allegedly in exchange for some Kosovo-Albania confederation. But Kosovo cannot join Albania, a speaker explained. Albania is a NATO member and all NATO members will have to vote to approve this confederation. Border changes will bring new tensions and intensify old ones.

Instead of border games, Serbia, Albania, and Kosovo should work together on improving regional cooperation and become part of Europe. There are many modalities to establish such cooperation, but none is possible without Serbia’s recognition of Kosovo.

Negative implications

1. *Major public reactions in Kosovo and Serbia.* Public reactions would create internal instability in Kosovo and Serbia. However, some speakers said apart from some protest, the process will be largely peaceful. They said that the international community would “manage Kosovo’s public,” while in Serbia Vucic has enough power to do it alone.
2. *Ethnic cleansing.* Partition would fare badly for the Serbs in the south of Kosovo. “We will have a peaceful ethnic cleansing.” Some were not sure that border changes could ever happen peacefully. “We may see huge population movements.”
3. *Ethnic turbulence would be a dark stain on Kosovo.* Border changes followed by an ethnic turbulence will become a dark stain for Kosovo. “Some may be nominated for the Nobel Peace Prize, but thousands of others could be fleeing Kosovo.” This would put into question Kosovo’s viability as an independent state and could lead to de-recognition by major countries. It could also affect Kosovo’s prospect for EU integration, since ‘ethnic cleansing’ would clash with the EU vision of multiethnic and multicultural states. The guilty party in the end will be Kosovo, as a state that cleansed its own minorities.
4. *Internal and regional instability.* The ethnic principle will serve as a model for ethnic solution in other countries in the region. A Kosovo-Serbia partition deal would not settle the Serb-Albanian relations. The deal would not remove “borders between people, but build new ones.” Border changes cannot be done peacefully, and would have negative implications in the region.
5. *The Ahtisaari provisions would be removed.* People who would remain on “the wrong side of the border” would lose their existing rights. Serbs’ political rights will become similar to the other minority communities in Kosovo. What would be the status of Serbs in the south, the status of the Serbian Orthodox Church, the status of the Serb private properties? “In case of

- partition, one speaker pointed out, we will become a small endangered community and will end up fighting for our basic human rights.”
6. *Regional conflict.* If partition takes place, Kosovo would likely unify with Albania. Border changes in Bosnia and Herzegovina and Macedonia will follow.

Positive effects

1. *Resolve the status dispute and open Kosovo's door for international integration.* Some say that even a “bad deal is better than no deal.” Recognition by Serbia could lead to better social, political, and economic relations between Kosovo and Serbia and improve the security situation. Kosovo would most likely be recognized by the five EU non-recognizers and become a member of the UN and other international organizations. Kosovo’s statehood would get the international stamp of approval.
2. *The agreement will include a lot of other things.* Many other outstanding issues will be resolved in a package: energy, succession, freedom of movement of goods and people. These issues would directly improve the lives of the people.

Alternative scenarios

The participants discussed a number of alternative scenarios to resolve the dispute. One option mentioned the most was whether Kosovo is willing to give more rights to the Serbs, and whether Serbia would be willing to recognize Kosovo in exchange for more rights for the Serbs.

Kosovo Serbs gain more self-governance. This option would include the full implementation of the Brussels Agreement, including establishment of the Association/Community of Serb-Majority Municipalities, allowing Kosovo Serbs some form of self-governance. “We can be divided, but not on ethnic principle, but on governance principle.” A speaker said that the “self-governance for the Serbs could include another chamber for the Kosovo parliament.”

Status quo or frozen conflict. This option would keep a semblance of stability, especially that the people have gotten comfortable with it during the past two decades. In the long run, this option would accelerate the immigration of people from Kosovo and Serbia. “The status quo would empty our countries.”

Serbia declares Kosovo an occupied territory. A speaker reported that one option discussed in some Serbian circles is to declare Kosovo an “occupied territory.” The benefit of this option for Serbia is that it preserves the right to claim Kosovo back in the future. Apart for very few in Serbia, however, this option is not popular anywhere else. This option also leaves open the potential for conflict for future generations. It is an unlikely option.

Endless dialogue. Serbia is using the dialogue to advance its position but not to resolve the problems. A speaker said that Vucic might not even agree to partition. “He’s interested in keeping the conflict frozen.” ‘Endless dialogue’ is harmful for Kosovo, weakening Kosovo’s position while strengthening the Serbian side, some speakers argued. Internal dialogue in Serbia was also part of this ‘endless dialogue’ strategy. Many said that dialogue produced no results. Some suggested to organize an internal dialogue among the Kosovo Serbs and an internal dialogue between Serbs and Albanians in Kosovo.

Participants

English alphabetical order

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Aida Derguti, Member of Parliament of Kosovo (Social Democratic Party)
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Enver Hoti, Member of Parliament of Kosovo (Social Democratic Initiative Nisma)
Dalibor Jevtic, Deputy Prime Minister of Kosovo
Donika Kadaj Bujupi, Member of Parliament of Kosovo (Alliance for the Future of Kosovo)
Dragisa Krstovic, former Member of Parliament of Kosovo (Coalition Return)
Blerim Kuci, Member of Parliament of Kosovo (Alliance for the Future of Kosovo)
Miodrag Milicevic, Executive Director, Aktiv
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Besnik Osmani, Auditor General of Kosovo
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Jovana Radosavljevic, Executive Director, New Social Initiative
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