

The Kosovo-Serbia Dispute: Can the Region Help?

The Council for Inclusive Governance (CIG) hosted on June 11, 2020 a discussion via teleconference for a number of political observers from Kosovo, Serbia, Albania, Bosnia and Herzegovina, and North Macedonia on what the Western Balkans countries can do to help the resolution of the Kosovo-Serbia dispute. The discussion revolved around the recent developments of the dialogue, the inevitable negative consequences of the widely rumored quick deal that could include territorial exchanges, and the need for regional partners to understand and advocate for the urgency of this matter. Furthermore, the participants stressed the impact that the involvement of the US and the EU has had in the dialogue, namely the Trump administration's "superficial approach" to solve the dispute "to merely advertise it as a score of success" in the November presidential elections, and the EU's vacillating attitude which has merely dragged the process so far.

The participants agreed that the Kosovo-Serbia dispute remains a substantive challenge, and that whatever happens in the bilateral relationship between the two countries, it will also have regional implications. Therefore, the participants agreed that the region must be active in terms of raising awareness by decision makers, as well as by think tanks or civil society activism on the importance of regional cooperation, and prevent "bad deals" from happening before it is too late. Some participants admitted that the rumored bad deal should serve as a lesson learned on this issue, given that most of the regional partners became active and alarmed about the dispute only when the border swap idea was brought to the table. The region should therefore share its experiences in solving ethnic conflicts and strengthening multiethnic democracies and societies, which could be useful for creating a conducive environment both for the agreement and its implementation. Among the conclusions that the discussion produced was the importance of having Pristina and Belgrade identify what kind of assistance would they need from the region, so that the neighbors can then give their contribution as needed.

The workshop is part of a larger CIG initiative on the Kosovo-Serbia relations supported by and implemented in cooperation with the Swiss Federal Department of Foreign Affairs. The report is based on the discussions held under the Chatham House Rule. We have tried to be accurate and balanced in summarizing the discussions, and ask for the understanding of the participants whose remarks may have not been fully captured in this brief report.

The US or the EU or Both?

From the Kosovo perspective, a participant said that Kosovo continues to remain in limbo, especially now with the increasing pressure from the Trump administration, namely the US Special Envoy Richard Grenell, who, many said, "has little experience in the Balkans," to push forward a deal that might include land swaps. Grenell has been enticing Kosovo with promises that "its citizens will be rewarded with a positive economic perspective" after the deal is reached without offering any details, however, about these benefits or the nature of the

deal itself. On the other hand, the EU aspires to lead the dialogue, but Kosovo's current leadership seems to have little trust in the EU. Many are surprised that the Democratic League of Kosovo (LDK) went so far as to damage its relations with Germany. "LDK must have had huge pressure from Grenell." Both the US and the EU have leverage on Kosovo, but the US is doing a better job in terms of promoting its own leverage, some said, despite the fact that both Kosovo's and Serbia's ultimate path is EU integration.

At the same time, while considering a rushed deal a bad option, some said that it could also be a window of opportunity. Kosovo has no EU or NATO perspective because of the dispute with Serbia and the fact that there are EU and NATO member states that do not recognize Kosovo's independence. "If we miss this window of opportunity, the conflict will continue to drag on for years," a participant said. "The only other option is to somehow persuade the non-recognizers to change their opinion, but that is unlikely to happen without Serbia's recognition."

A participant argued that Kosovo is witnessing the shift of the American position on Kosovo because of Trump. Yet, the bond that exists between Kosovo and the US is too difficult to break, which is why, many argued, that "for Kosovars it is difficult to say no to their historical friend." Another participant added that Kosovars do trust the US because the "US has never failed to deliver." Just last year it pushed for the establishment of Kosovo's army despite EU's reservations. The EU, on the other hand, "the furthest it has helped Kosovo to go is the signature of the SAA agreement." The EU has failed to fulfill Kosovar citizens' biggest wish—visa liberalization—causing a lot of frustration to the isolated population, the only one remaining in Europe.

From Serbia's perspective, the normalization process is of mutual interest for both countries. The participants expressed strong criticisms towards the EU. The EU has been present in the Western Balkans in many dimensions, especially in Kosovo and Serbia. However, its conditional approach on the state building process has proven to be ineffective because of the following reasons—lack of commitment of political elites to EU integration, absence of forceful EU enlargement policy, and the unsolved status issue because of EU's divided position on Kosovo's statehood. All this has had a paralyzing effect on the political processes. A participant identified two possible scenarios, one including an implicit recognition with the establishment of the Association/Community of the Serb-Majority Municipalities—some kind of an autonomy model—with Kosovo becoming a UN member, and the second one with a correction of borders and an explicit recognition between the two countries. The first scenario shows modest results because a) the US wants a permanent solution, but with the limited timeframe there is not enough time for reconciliation; b) the ethnic distance between the Serbs and the Albanians prevails over reconciliation; c) Serbian President Aleksandar Vucic and Kosovo President Hashim Thaci want to reach an agreement which they would label as national victories.

However, the border correction idea is dangerous and, indeed, it would open Pandora's box. The regional partners have acknowledged this danger, because the consequences would have an impact on their internal problems as well. That is why their involvement is necessary, and whatever agreement is reached between Belgrade and Pristina, it should include the consent of their Western Balkans neighbors.

What Can the Region Do to Help?

First and foremost, the region should understand the urgency of the matter and the need for a solution, a participant emphasized. Second, there should be an improvement of relations and trust building among the Western Balkan countries. For example, Vucic does not trust some of the countries in the region, because they have been complaining to the German Chancellor about Vucic's failure to cooperate with them. That is why he has turned to some old friends in the wider region, like Hungary's Prime Minister Viktor Orban for instance. For Kosovo, on the other hand, the relations have almost been ruined even with Albania because of Prime Minister Edi Rama's involvement in the Mini-Schengen initiative and Kosovo's exclusion from it. The border swap idea is dominating the discussions on a Kosovo-Serbia deal. If it comes to pass, serious negative regional implications are inevitable. That is why the region should rally around a solution that excludes border changes.

Another participant from Serbia said that the region should use a language of a dialogue that enables normalization also between the populations. "The normalization process should not only be about the two omnipotent guys, but for the actual people." The region should support any kind of deal that Kosovo and Serbia agree upon under two conditions, a) it excludes violence not just between the two states, but also within them; b) protects minority rights and guarantees protection for those left behind. The different weight of different neighbors should also be taken into consideration, e.g. Albania should be careful not to speak in ethnic narratives, but rather about relations between people. Montenegro and North Macedonia could also lead by example and create less of an image that the Serbs are under threat.

A speaker said that it was actually Bosnia and Herzegovina that first invented the model of such a deal and is serving as an example of a failed democracy. When it comes to the help needed from the region, it should be experts and analysts who can put additional and urgent efforts to raise awareness on the issue for the US and the EU. Politicians should stay out of this because they will only complicate matters. Yet, one should try to see the potential positive element of a good deal that establishes a communication network so that Belgrade and Pristina can have open talks that would lead to a solution.

The participant also mentioned additional potential foreign influence such as Russia. Vucic will meet with Russian President Vladimir Putin after the Serbian June 21 elections, and it is very likely that a potential agreement with Kosovo will be part of their discussion. "Additional foreign influence will only add fuel to the local fire." In the absence of the EU, the Balkans will be carved into spheres of influence of Russia, Turkey, and China, and there is a likelihood that there could be divisions in Bosnia and Herzegovina, North Macedonia, Montenegro, and in Serbia's Sandzak region.

Other participants were concerned about potential regional implications of a Kosovo-Serbia 'bad deal.' A speaker agreed that regional implications should be put on the table, and that the consent of neighbors is important, but they should not be kept hostage from each other because of individual relations with either Kosovo or Serbia. Albania can be constructive but not neutral. That is, Tirana can neither ignore Pristina nor be kept hostage on daily relations with Belgrade. Tirana's position at the moment is neutral, and that is because it does not want to displease neither Washington nor Berlin. However, Albania shares the same wish as the regional partners for wanting this chapter closed.

A participant pointed out that the region couldn't care about the issue more than the actual citizens of Kosovo and Serbia. "If they really want a bad deal, let them have it." The border swap idea could reopen the minority issues in North Macedonia. The majority of the

Albanians in North Macedonia would not want to enter into “risky processes and ruin their improved position in the country but there are always fringe elements that see it as a window of opportunity.” Given North Macedonia’s experience with Greece, the speaker stated it is important to choose the right timing and momentum.

An exchange of territories is unlikely to happen without an exchange of population. A participant predicted that people will move voluntarily or involuntarily from their homes to the “right side of the border.” However, the speaker did not predict any serious conflict. There are elites that are making all the noise about the conflict, and with such elites, there is no bright future for the region, but “there is no potential for renewed violence either.”

Conclusions and Recommendations

In conclusion, the participants laid out a number of suggestions and recommendations.

- The region should increase awareness that the Kosovo-Serbia dispute is a Kosovo-Serbia bilateral, regional, and European issue and it requires the involvement of all these stakeholders.
- If there are drafts of an agreement, they should be discussed before signed, so as to avoid regional conflicts. While an agreement might resolve the Kosovo-Serbia dispute, but open up even more intractable conflicts in Bosnia and Herzegovina and North Macedonia.
- A final agreement should include not only the signature of Pristina and Belgrade but also the endorsement by the region.
- A final agreement must include a “dealing with the past” component.
- A final agreement should reconfirm the rights of minorities.
- Civil society organizations in the region should put pressure on stakeholders and promote an agreement that benefits the citizens, not individuals.
- The region’s strategic priority should remain EU integration and normalization among the region’s countries.
- The region should help create a more conducive environment for an agreement and its implementation through a series of formal and informal initiatives.
- The EU must deliver on its long-held promise of visa liberalization to Kosovo and make the EU future tangible for the country.

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