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**THE TENSIONS BETWEEN SERBIA AND KOSOVO – A MAJOR
GENERATOR OF INSTABILITY IN THE REGION**

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1. Historical retrospect

In March 2007, after seven years of Kosovo being a United Nations protectorate, the UN Special Envoy Martti Ahtisaari proposed independence. The United States supported this proposal but Russia categorically did not, nor, of course, did Serbia. The United States proposed a three-part plan to stabilize an independent Kosovo. First, all high government posts would be distributed based on religion and ethnicity, second, a new Constitution must specifically safeguard the rights of the Serbian minority and, third, a substantial peacekeeping force must be in place to protect the Serbs and the minorities. Notwithstanding the seven years of the UN protectorate, hundreds of Orthodox Christian churches have been destroyed and thousands of Serbs have left Kosovo. For example, before the UN took over there were 40,000 Serbs living in Priština compared with about a hundred today. In 1971 Kosovo was 75% Muslim compared to at least 92% today.¹

Kosovo declared its independence from Serbia on February 17, 2008 with the backing of the United States. Kosovo's new Constitution took effect on June 16, 2008 - nine years almost to the day that the Kosovo war ended with UN resolution 1244. President Bush welcomed President Fatmir Sejdiu and Prime Minister Hashim Thaci of the Republic of Kosovo to the White House on July 21, 2008. According to the earlier announcement from the White House: *"The President looks forward to meeting with President Sejdiu and Prime Minister Thaci during their first visit to the United States as leaders of an independent Kosovo. The visit will provide an opportunity for the President to discuss with President Sejdiu and Prime Minister Thaci his strong support for the efforts of the Kosovo Government to build a democratic, prosperous, multiethnic state with institutions that serve all of Kosovo's citizens."*²

Now, the relationship between the two counters is complicated. Serbia would like to start traveling down the road of EU accession as would the many friends of Serbia's popular president Boris Tadic in different EU capitals. But Serbia first has to come to terms with the existence of Kosovo. Serbia with the backing of Russia and some EU capitals brushed away Kosovo's claim to be an independent new nation-state as irrelevant – on a par with the claims of South Ossetia or northern Cyprus.

But last year the International Court of Justice (ICJ) issued a landmark ruling that upheld Kosovo's right to declare its independence. In one of the longest most detailed judgments to come from The Hague, the ICJ dismissed one by one Serbia's international legal arguments.³

Belgrade accepts Kosovo as a nation but resists recognition of Kosovo as a state. This earned Serbia's President Tadic a public dressing down from Germany's Chancellor Angela Merkel when she insisted that Serbia had to dismantle the parallel structures it maintains in northern Kosovo. Serbia spends €200 million in subsidizing north Kosovo. Serbs elsewhere in Kosovo live at peace if apart from their Kosovar neighbors much as Catholic and Protestant communities are separate in Northern Ireland but under a common law and administration.⁴

¹ G. Richard Jansen, "Albanians and Serbs in Kosovo: An Abbreviated History An Opening for the The Islamic Jihad in Europe", 22.07.2008, at: <http://lamar.colostate.edu/~grjan/kosovohistory.html>, last accessed on 05 November 2011.

² Ibid.

³ Denis Mac Shane, "Can a Kosovo-Serbia Deal Cheer Up the Balkans?", 09.11. 2011, at: <http://www.isn.ethz.ch/isn/Current-Affairs/ISNinsights/Detail?lng=en&id=133931&contextid734=133931&contextid735=133928&tabid=133928&dynrel=4888caa0-b3db-1461-98b9-e20e7b9c13d4,0c54e3b3-1e9c-be1e-2c24-a6a8c7060233>, last accessed on 09 December 2011.

⁴ Ibid.

The main problem with the recognition of Kosovo is on the agenda and the tense relations between the two countries are a global problem and not just one for Serbs and Albanians.

2. Positions of the parties

After the declaration for independence the situation in Kosovo remains extremely unstable, especially in political terms. Both sides are trying to impose their will, with their own forces and with the support of others who stand behind the position of the countries.

Negotiations between the two sides are not currently running in the direction of settlement and reaching any concrete solutions. Pressure from the U.S. and many EU countries over the two countries is very strong, but no concrete decisions have been reached till now.

2.1. The Serbian position.

On the issue of Kosovo, the only realistically obtainable objectives for Belgrade are better status for Serbs in Kosovo, saving its reputation and maintaining and increasing the influence in the region. Kosovo's independence seems to be an irreversible process to most Serbian citizens. However, the Serbian government wants to negotiate with Kosovo in order to get to a compromise solution. The same logic was used with The Hague process for achieving the temporary delay of resolving the Kosovo issue and making tangible progress in the EU integration process. Belgrade has no other option but to try to get what is realistic, given the cards it has been dealt. Three cards that Serbia currently has, and is ready to use are: the dialogue with Priština, regional stability, and the policy of re-committing the big powers to the region.⁵

Although the current Serbian policy toward Kosovo sounds like a hawkish defense of Serbia's 2006 Constitution, the reality is different. All statehood attributes will be resolved through "technical negotiations" without crossing Serbian "red lines" (including state symbols or status questions). Belgrade is constantly proposing new solutions for resolving the 'technical issues' with Priština in order to ensure the candidate status and negotiation date for Serbia in order to cross the Serbian 'Rubicon' toward the EU. People in Serbia are aware that Kosovo is not under Serbian control and street riots are constrained to small radical groups. Only people in Northern Kosovo feel abandoned and furious. Even Štefan Füle, European Commissioner for Enlargement and European Neighborhood Policy stated that Serbia could not be a full EU member until the Kosovo problem is solved.⁶

Nowadays, Serbia's 'four pillars' foreign policy (with the EU, U.S., Russia, and China) is also aiming to slow down the process of further recognition of Kosovo throughout the world. Perhaps these two extremes seem contradictory, but the aim is clear: getting legitimacy and support for the current EU and Kosovo formulae. Belgrade needs international as well as domestic support. In order to gain legitimacy with its own people, the Serbian government needs the votes of those who are most affected by the policies advocated by the Serbian minister of foreign affairs and the chief of the Serbian negotiation team on Kosovo.⁷

At this moment Serbia is trying to divert public attention from domestic problems associated with impoverishment of the population and rising unemployment, and put forward 'Kosovo issue'. According to the State Secretary of the Serbian Ministry for Kosovo and Metohija

⁵ Aleksandar Roncevic, "Serbia and regional stability", 13.10.2011, at: <http://blogs.lse.ac.uk/ideas/2011/10/serbia-and-regional-stability/>, last accessed on 13 October 2011.

⁶ Ibid

⁷ Ibid

Oliver Ivanovic, however, the political configuration in Serbia and Kosovo doesn't require substantial advances in negotiations. Ivanovic believes that Serbia has no interest in the speedy conclusion of the negotiation process, the main goal is to limit the conversation to the completion of technical agreements without discussing the status of northern Kosovo.⁸

The Belgrade-Priština dialogue "has always been hanging on the edge because the partner on the other side is trying to politicize every topic so much that it turns into a direct or an indirect recognition of Kosovo's independence".⁹

According to him, the momentary standstill in the negotiations does not represent a big problem. Northern Kosovo mayors were legitimate partners in the entire process, especially since the implementation of a part of the agreement would affect them.¹⁰

Although it is hard to conclude that Serbia has a grand strategy how to counter Kosovo demands, it might be concluded that for now it tries to buy time hoping to position itself better in any future negotiations.

It is important to know that recent moves by Belgrade are different and raise many questions. In this regard, could be seen Tadic's visit to Skopje and its position that "The essence of European integration is internal reforms. Serbia, just as Macedonia and the region, has their future in the EU. There are challenges in front of us that need to be fulfilled".¹¹

Regarding Kosovo, Tadic said Serbia has legitimate interests that it cannot renounce, adding that Kosovo should not be an obstacle to Serbia's European future.¹²

According to the Serbian party the negotiations are preset to achieve big goals in a relatively short period of time, which does not allow for making a groundbreaking progress. In this regard Ivanovic expects achievement of the real arrangements at the beginning of 2013.

Thus, it might be concluded that at this stage, Serbia will continue to protract negotiations as long as possible and will seek to keep their format in which both parties negotiate with the mediation of Brussels. On the other hand, the Serbian side openly declares that it will not recognize Kosovo as an independent state in the foreseeable future. Belgrade believes that the separation of northern Kosovo, like the Turkish Republic of Northern Cyprus (TRNC) is an unrealistic goal, but at the same time, Serbia's efforts will be directed towards gaining autonomy on that part of the country. Thus, Serbia hopes to sabotage the work of Kosovo institutions through the autonomous north.

The Serbian side does not preclude the ability to bind the solving of the issue of Kosovo's north with possibly speeding up the negotiation process for EU membership.

According to Ivanovic, he does not rule out the possibility that Serbs from northern Kosovo may "declare independence" of that part of the province. This could happen if the West

⁸ "State secretary: Belgrade-Priština talks could continue", *B92*, 13.10.2011, at: http://www.b92.net/eng/news/politics-article.php?yyyy=2011&mm=10&dd=13&nav_id=76829, last accessed on 13 November 2011.

⁹ Ibid

¹⁰ Ibid

¹¹ Misko Taleski, "Macedonia and Serbia boost relations", 20.12.2011, at: http://setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/12/20/feature-04, last accessed on 22 December 2011.

¹² Ibid

continues to insist on the implementation of the agreement on customs stamps and other issues in Pristina's favor.¹³

It is believed that within the Kosovo Serb community there are negative factors that can significantly influence the process of negotiation. For example, some members of the Serbian organized crime have been taking advantage of the stalemate in the northern Kosovo until recently as a convenient intermediate point for smuggling goods from Serbia to Kosovo. The interests of the local Serbian gangs match conveniently the stubborn resistance of Kosovo Serbs and take advantage of the built barricades on major roads in the northern part of Kosovo. Such a marriage of interest would not exclude future collisions on this basis, which in turn could seriously undermine the action of Belgrade for the acquisition of special status for northern Kosovo. The state secretary for Kosovo pointed out that removal of the barricades would not be a good solution and that communication between the northern Kosovo mayors and KFOR was the right way to find an acceptable solution.¹⁴

In the case of Kosovo's participation in regional forums, Serbia would accept it only under the condition that the list of participants is placed against Kosovo asterisk and a footnote text corresponding to UNSCR 1244. The national flag of the participants should not be displayed.

A diverse group of Serbian politicians, intellectuals and civil society activists have been urging the government to change its long-standing Kosovo policy in order to enable Serbia to continue the stalled EU integration process. In early November of 2011, LDP Cedomir Jovanovic, Serbian Renewal Movement (SPO) leader Vuk Draskovic and Social Democrat Party leader Zarko Korac (SDU) signed a declaration named "Preokret" (a turn), which calls for changing the "Kosovo is Serbia" policy.

The signatories invited Serbian President Boris Tadic to accept this document. Tadic refused, saying it is an illusion to expect an accelerated EU accession process in exchange for giving up Serbia's interests in Kosovo - as co-operation with International Criminal Tribunal for the former Yugoslavia has shown.

According to Tadic, by applying Ahtisaari's plan, the Serbian people would completely disappear from Kosovo and Metohija within three decades.

Members of the Serbian public have expressed wide-ranging reactions to the declaration. While there are some who support a policy change towards Kosovo, many are vehemently opposed, and still others dismiss the move as political marketing.¹⁵

The position of Serbian Foreign Minister Vuk Jeremic is that recognition of Kosovo independence would be a dangerous precedent. He stresses that a decision to recognize

¹³ "Northern Kosovo could declare independence", 19.11.2011, at: <http://mysouth.su/2011/11/northern-kosovo-could-declare-independence/>, last accessed on 20 November 2011.

¹⁴ Op. Cit.; "State secretary: Belgrade-Pristina talks could continue", *B92*, 13.10.2011, at: http://www.b92.net/eng/news/politics-article.php?yyyy=2011&mm=10&dd=13&nav_id=76829, last accessed on 13 November 2011.

¹⁵ Biljana Pekusic, "Cracks appear in Serbian's Kosovo policy", *Southeast European Times*, 14.11.2011, at: <http://www.setimes.com/cocoon/setimes/xhtml/bg/features/setimes/features/2011/11/14/feature-01>, last accessed on 22 November 2011.

Kosovo's independence would be dangerous partly because of those who refer to southern Serbia as "eastern Kosovo".¹⁶

According to a statement by president Tadic during the dialogue on November 21st, 2011, which was held in Brussels, Serbia would not allow to find itself in a position to recognize Kosovo implicitly or explicitly in the Kosovo dialogue. He added that the Serbian side wants to resolve the problems of citizens and does not want to sweep the issue of Kosovo under the rug, but quite the opposite. Belgrade wants initiatives, which would help resolve the problems of Kosovo, which affect not only the Serb population, but also the whole of the European continent.¹⁷

Serbia continued to be under pressure from the EU to normalize relations with Kosovo if it wanted to obtain EU membership candidate status by the end of 2011. Belgrade expected the arrest of war crime fugitives Ratko Mladic and Goran Hadzic to suffice, but German Chancellor Angela Merkel said in Serbia recently that it was necessary to normalize relations with Priština and dissolve parallel structures in northern Kosovo.¹⁸

2.2. Kosovo position.

The position of the Kosovo side in the negotiations remains firm and unyielding. The Deputy Prime Minister of Kosovo and chief negotiator Edita Tahiri and Foreign Minister Enver Hoxhaj insist on implementing Ahtisaari's plan.¹⁹

However the government has not developed a strategy for northern Kosovo yet. The main argument is that the Serbs south of Ibar River, have been successfully integrated into public and political life in the country and the issue of autonomy is not possible on the agenda. The Kosovo side insists that the issue of northern Kosovo should be considered in the framework of the decentralization of Kosovo.²⁰

Politicians in Kosovo considered that the issue of northern Kosovo has been deliberately used by Serbia in order to mask its territorial ambitions, while putting under question the constitutional framework of the state. In this regard, it might be expected that Kosovo will seek direct talks with Serbia, which would make it more legitimate. So far the Serbian side refused any direct talks with Priština, fearing that such a conduct will be considered as an act of recognition of Kosovo's institutional legitimacy.

According to Prime Minister Hashim Thaçi, the rule of law will be extended in the whole territory of Kosovo in close coordination with EULEX, NATO, the EU, and the United States. He thinks that there will be democracy also in the north, there will be elections and leadership which will be elected by the will of the citizens and close cooperation with the central

¹⁶ "No to independence due to "eastern Kosovo" claims", 26.11.2011, at: <http://english.albeu.com/albania-news/no-to-independence-due-to-eastern-kosovo-claims-/54333/>, last accessed on 28 November 2011.

¹⁷ "No implicit or explicit recognition of Kosovo", 21.11.2011, at: www.tanjug.rs/news/24918/no-implicit-or-explicit-recognition-of-kosovo.htm, last accessed on 23 November 2011.

¹⁸ "Serbia, Kosovo resume dialogue in Brussels", Radio net, 02.09.2011, at: <http://daily.tportal.hr/146444/Serbia-Kosovo-resume-dialogue-in-Brussels.html>, last accessed on 23 November 2011.

¹⁹ "Belgrade-Pristina talks in Brussels end for today", 21.11.2011, at: <http://www.tanjug.rs/news/24932/belgrade-pristina-talks-in-brussels-end-for-today>, last accessed on 24 November 2011.

²⁰ "Foreign Minister Enver Hoxhaj of Kosovo: Kosovo looks to Europe", 28.10.2010, at: <http://www.formin.fi/public/default.aspx?contentid=232960&nodeid=15148&contentlan=2&culture=en-US>, last accessed on 24 November 2011.

institutions. According to him, the integrated border management is a European model and is in full accordance with the Constitution and laws of Kosovo, and the mandate of the Assembly.²¹

Internationally Kosovo currently enjoys the full support of the U.S., as many important decisions are coordinated in advance with representatives of the U.S. Embassy in Priština or directly with Washington. Kosovo coordinates its moves (politics) with another important person in the country at this moment, namely Fernando Dzhentilini, special EU representative for Kosovo.²²

Along with the tensions in July 2011 in northern Kosovo, a kind of inertia and apathy in Pristina for dialogue and almost complete indifference of Belgrade are the main factors preventing the expected renewal of negotiations in October 2011.

An agreement to merge the Albanian and Kosovo consular services abroad has sparked concerns in parts of the Balkans that the deal is a step towards building "Greater Albania". The accord was approved by Albanian Prime Minister Sali Berisha's cabinet on October 20th, 2011. It is estimated that it would halve the two countries consular costs.²³

The Ahtisaari Plan clearly states that Kosovo cannot seek to unite with another state, hence Berisha's intent should be examined with a great deal of concern.²⁴

If the government in Pristina does not uphold this important element of the Ahtisaari Plan, then it is hard to expect that it will endorse the other safeguards provided, which will breed further mistrust amongst Kosovo's Serbs and other non-Albanian populations. The EU, in particular, therefore needs to be more explicit in its criticism of such steps, to try to follow the process at close distance and if necessary to give its views and recommendations.²⁵

The agreement between Kosovo and Albania adds to the existing concerns across the region about the assertion of Albanian ethno-national identity. It has motivated, in part, the boycott of the census in south Serbia, the abandonment of Macedonia's census and tensions within Albania over the number of ethnic minorities. It is also likely to provoke further mistrust in neighboring countries, not only in Serbia, but in Montenegro and Greece²⁶ as well.

2.3. International institutions.

The mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK) was established following UNSCR 1244 (1999).²⁷ The Mission is mandated to help ensure conditions for a peaceful and normal life for all inhabitants of Kosovo and advance regional

²¹ "Kosovo Media Monitor", 21.11.2011, at:

http://newsmonitors.org/mon/index.php?option=com_content&view=article&id=778:broadcast-report-21-11-2011&catid=36:evening, last accessed on 24 November 2011.

²² Svetla Dimitrova, "Sporazum Albanije i Kosova rasplamsava stare sumnje", 31.10.2011, at:

http://www.setimes.com/cocoon/setimes/xhtml/sr_Latn/features/setimes/features/2011/10/31/feature-03, last accessed on 24 November 2011.

²³ Ibid.

²⁴ Ibid

²⁵ Ibid

²⁶ Ibid.

²⁷ At: <http://www.unmikonline.org/Pages/about.aspx>, last accessed on 24 November 2011.

stability in the Western Balkans.²⁸ It is headed by the Special Representative of the Secretary-General, who enjoys civilian executive power as vested in him by the UNSCR 1244 (1999).²⁹

The Special Representative ensures a coordinated approach by the international civil presence operating under UNSCR 1244, including the Organization for Security and Cooperation in Europe (OSCE), which retains the status of UNMIK's pillar for institution building. He also ensures coordination with the head of the European Union Rule of Law Mission in Kosovo (EULEX), which has operational responsibility in the area of rule of law. EULEX is deployed under Security Council resolution 1244 (1999), and operates under the overall authority of the United Nations.³⁰

The Mission has its headquarters in Priština and is supported by field offices in Mitrovica and Pejë/Pec. The Mission also maintains an office in Skopje, which provides political reporting and liaises with local and regional authorities for the transit and delivery of goods to the Mission.³¹

In addition, the UN Office in Belgrade plays an important political and diplomatic role and liaises with political leadership of Serbia.³²

UNMIK continued to assist Kosovo's communities, engaging with the authorities in Priština and Belgrade as well as with regional and international actors. The Mission has increased its focus on political reporting while continuing to promote security, stability and respect for human rights in Kosovo through engagement with all communities. In this regard, 2010 saw a number of achievements. For example, in a coordinated action with UNHCR, Mercy Corps International, and the Roma and other residents of the Česmin Lug Camp, the UNMIK Administration in Mitrovica (UAM), in northern Kosovo, finally closed and sealed off the camp so that it could not be re-inhabited. The camp's former residents relocated to the newly constructed homes funded by USAID in the Roma Mahalla or to Osterode Camp to await the construction of additional homes funded by the EU.³³

UNMIK exercises certain responsibilities in the area of the rule of law, to monitor activities and to cooperate at the technical level with the Kosovo Ministries of Justice and Internal Affairs, and the Serbian Ministry of Justice.³⁴

UNMIK also continued to facilitate communication between the Serbian authorities and non-recognizing States and the Kosovo Ministry of Justice, including receiving and forwarding requests for mutual legal assistance. The impasse between the Kosovo Ministry of Justice and the Serbian Ministry of Justice on mutual legal assistance persisted. UNMIK remains engaged in discussions to address the situation, including with EULEX.³⁵

UNMIK continued to facilitate the work of the Reconstruction Implementation Commission on the reconstruction of cultural and religious heritage sites damaged or destroyed during the violence of March 2004. During the recent period, the final stage of

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo,

12.08.2011, at: <http://www.unmikonline.org/SGReports/S2011514.pdf>, pp. 8, last accessed on 21 December 2011.

³⁵ Ibid.

implementation continued at several sites, and the Commission held consultations with all parties to explore modalities for further activities through the mechanism of the Commission, which remains the only platform for technical interaction on cultural heritage among the Serbian Orthodox Church, Pristina and Belgrade.³⁶

UNMIK's key task in northern Kosovo remains engaging with and mediating between the communities, as well as serving as a bridge between northern Kosovo and the Priština authorities.³⁷

In 2011, 81 of 192 United Nations member states have recognized Kosovo as an independent state. UNMIK continues to implement its mandate in a status neutral manner and operate under Security Council resolution 1244 (1999).³⁸

Since October 2008, the Head of the OSCE Mission in Kosovo has been Ambassador Werner Almhofer of Austria. Ambassador Almhofer also serves as Deputy Special Representative of the Secretary General of the United Nations. The Mission Headquarters is located in Prishtinë/Priština. The Mission has a strong field presence with five regional centers and over 30 field teams, which allows it to effectively cover municipalities throughout Kosovo and to engage with all communities in Kosovo.³⁹

With a ceiling of 189 international and 495 local staff, the Mission in Kosovo is currently the largest OSCE field presence.⁴⁰

The OSCE also co-operates closely with its other major partners, the United Nations High Commissioner for Refugees, the United Nations Office of the High Commissioner for Human Rights, the Council of Europe and the European Union. This involves both working together on specific projects and mutual support in terms of logistics and access to office facilities. In addition, the Mission co-operates closely with international non-governmental organizations to promote a stronger role for civil society in Kosovo.⁴¹

The Mission also maintains close links with the Kosovo Force (KFOR), the NATO-led peacekeeping force.⁴²

The European Union Rule of Law Mission in Kosovo (EULEX) is the largest civilian mission ever launched under the Common Security and Defense Policy (CSDP). The central aim is to assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas. The mission is not in Kosovo to govern or rule. It is a technical mission, which will monitor, mentor and advise whilst retaining a number of limited executive powers. EULEX works under the general framework of United Nations Security Council Resolution 1244 and has a unified chain of command to Brussels. The final staff is around 3,200 (1,950 international, 1,250 local). The mission deadline is until 14 June 2012. The Headquarters is located in Pristina/Priština, Kosovo and the Head of mission is Xavier

³⁶ Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, 12.08.2011, at: <http://www.unmikonline.org/SGReports/S2011514.pdf>, pp. 10, last accessed on 22 December 2011.

³⁷ Ibid.

³⁸ Ibid.

³⁹ At: <http://www.osce.org/kosovo/43378>, last accessed on 25 November 2011.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

Bout de Marnhac. Till this moment the Contributing states are most EU member states as well as Norway, Switzerland, Turkey, Croatia, and the US, but others could join it⁴³, too.

The CSDP mission will assist the Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability. It will further develop and strengthen an independent and multi-ethnic justice system and a multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognized standards and European best practices. The mission, in full co-operation with the European Commission Assistance Program implements its mandate through monitoring, mentoring and advising, while retaining certain executive responsibilities.⁴⁴

The EU wants to see Serbian and Kosovo negotiators back at the bargaining table in Brussels, and EU candidate Serbia seems to have little choice in the matter.⁴⁵

As Enlargement Commissioner Štefan Füle told the Serb daily Politika, "The European Commission recommended that Serbia be granted (EU candidate) status without any additional requirements, expecting that Belgrade would continue the talks with Priština and start implementing in good faith the agreements reached so far".⁴⁶

EU could back off its effort to force Kosovo customs to the boundary crossings in favor of some status neutral approach. This would allow the northern Serbs to bring down their barricades while Belgrade continues to work through the EU dialogue with Priština on further practical steps forward. All this would justify the eminently sensible step of granting Serbia candidacy in December. The Europeans could also drop the confrontational approach that seems to be favored by the US, and instead seek to support Kosovo through a process of getting it ready for its own movement into the EU.⁴⁷

NATO has tried several times in the past weeks (November, 2011) to remove barricades in the dead of night. This latest came two days after the recent talks between Belgrade and Pristina failed to resolve the issue of the northern crossing points, and just days before the EU is to decide whether or not to grant Serbia member candidacy on December 9. The EU continues to threaten Serbia with not receiving a favorable outcome unless it allows Kosovo customs on the boundary and begins ending support for the northern Kosovo Serbs and their barricades. The effect of the EU pressures has led to some apparent loss of interest in getting candidacy.⁴⁸

⁴³ At: <http://www.eulex-kosovo.eu/en/info/whatisEulex.php>, last accessed on 25 November 2011.

⁴⁴ Ibid.

⁴⁵ Linda Karadaku, "EU urges Kosovo to plan new strategy for north", 22.11.2011, at: http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/11/04/feature-03, last accessed on 25 November 2011.

⁴⁶ Ibid.

⁴⁷ Gerard M. Gallucci, "Kosovo – sharing a conundrum", 22.11.2011, at: <http://www.transconflict.com/2011/11/kosovo-sharing-a-conundrum-211/>, last accessed on 26 November 2011.

⁴⁸ Gerard M. Gallucci, "Kosovo – Quint brinksmanship", 24.11.2011, at: <http://www.transconflict.com/2011/11/kosovo-quint-brinksmanship-241/>, last accessed on 26 November 2011.

KFOR and EULEX find it impossible to commit fully and openly to peacekeeping, instead of continuing to seek a one-sided political outcome at the northern boundary. They have stopped – for now – using force, but seem unable to address in any way the deep distrust their actions have created in the northern Kosovo Serb community.⁴⁹

Conclusions

The main problems, facing the two countries, are connected to the negotiations between them, which are not currently running in the direction of settlement and reaching any concrete solutions. Concerning this, Serbia openly declares that it will not recognize Kosovo as an independent state. In addition to the tense situation, there is the problem of Serbian organized crime in the northern Kosovo and the dissatisfaction of Serb minorities in the country.

On the other hand, Kosovo considers that Belgrade has deliberately delayed "technical negotiations" and rejects any direct talks with them.

UNMIK and EULEX should continue to coordinate the independence of Kosovo, to comply with all directives, plans and measures, set out in their mission. The most important remains the objective to enforce the law for the protection of human rights of Serbian minorities and the Kosovars in the whole area of their responsibilities. The protection of cultural, historical and religious sites should remain a priority 'must' for all parties involved in the area.

By strengthened bilateral relations between Serbia and Macedonia, it can be concluded that Belgrade seeks close player to its side with similar interests in the region. Although Macedonia has good relations with Kosovo, Dimitar Mirchev, International Relations Council member of president Ivanov's cabinet, stressed that they wouldn't be negatively impacted by Serbia-Macedonia relations. In this way, both parties want to protect their own interests and achieve their goals. On the other hand, such an alliance is counterproductive for both countries as it may have a negative effect on their good bilateral relations, such as between Greece and Serbia and between Macedonia and Kosovo. It is possible for both countries instead of their speeding integration to Europe, to be pushed far back from their enviable goal.

In northern Kosovo, the growing tension remains a cause for concern. In this regard, the current situation will continue to firmly stress that sensitive issues, related to the northern part, can be resolved only through peaceful means - on the basis of consultation with all communities on the ground and not through unilateral action. All sides should refrain from actions, which could undermine the progress made in the dialogue and escalate tensions and to work together to avoid any further deterioration of the situation. Any pressure on the EU by erecting barricades in expectation of promising the reward of getting the 'candidate status' and the respective concession on the Serbian side of dismantling the barricades would not work.

If Europe wants to show its legitimacy and unity, it would be better, the five EU states, which do not recognize Kosovo: Greece, Cyprus, Spain, Slovakia and Romania to do it as soon as possible. Otherwise, the situation between Kosovo and Serbia and the development of each of them separately will stagnate, which in turn could lead to tensions and instability in the Western Balkans' region.

⁴⁹ Gerard M. Gallucci, "Kosovo – separate tracks", 24.11.2011, at: <http://www.transconflict.com/2011/11/kosovo-separate-tracks-911/>, last accessed on 26 November 2011.

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