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The determinants behind Serbia's policy in the recent Kosovo crisis

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The renewed tensions between Serbia and Kosovo and between Kosovo and its ethnic Serb minority have raised concerns in key western capitals about yet another crisis for Europe.

The crisis in northern Kosovo emerged out of a confluence of factors. These factors included the prolonged license plate dispute officially settled in November, followed by mass resignations of ethnic Serbs from Kosovan institutions in protest of the need to exchange Serbian license plates with Kosovan ones and, the arrest of a Kosovan Serb police officer. In response to the arrest, Kosovo Serbs set up barricades and blocked the main roads that connect north Kosovo with the rest of the country.

Although previous events were important in deteriorating the fragile peace, the crisis is grounded in deeper causes. Firstly, Serbia's overarching goal in Kosovo is the establishment of an Association of Serbian Majority Municipalities, a policy that is welcomed and supported by many Kosovo Serbs. Furthermore, the Serbian foreign security policy cannot be fully analyzed without evaluating the domestic pressures from far right and pro-Russian political groups. Additionally, Kosovo's ongoing quest for statehood is another major, if not the most significant, determinant in formulating the Serbian foreign policy. However, this policy analysis will focus only on the first two of these causes approaching the topic solely from the Serbian standpoint. Finally, this paper argues that the latest crisis amid the war in Ukraine provides a window of opportunity for a new phase in the dialogue.

Association of Serbs Municipalities

Serbia and Kosovo have already signed more than 30 agreements, mainly on low political issues, including one on the freedom of movement. Undoubtedly, and as discussed below, the most notable agreement signed was the Brussels Agreement of 2013, formally known as the First Agreement of Principles Governing the Normalization of Relations (Kelmendi, 2022; Russell, 2019).

The Brussels Agreement consists of fifteen points. For the Serbian side, the most prominent element of the agreement is the provision for the creation of an Association/Community of Serbian Majority Municipalities.

The Association would ensure increasing autonomy in education, economy, healthcare, and town planning in Serb-majority areas within Kosovo state institutions. Any other municipality may join as long as the other municipalities agree. The Agreement also secures the incorporation of the existing members of Serbian parallel security structures into the Kosovo Police Force. It guarantees the foundation of a Court of Appeal, comprised principally of Kosovo Serb judges. In addition, there will be only one regional police commander for four Serb majority municipalities who will be a 'Kosovo Serb nominated by the Ministry of Interior from a

list provided by the four mayors of the Community/Association'(Dragojlov, 2020: 353-354; Beysoylu, 2018: 207-208). In exchange for broader autonomy, Serbian communities need to be integrated and function under Kosovo law and state authorities. In other words, integration within Kosovo in exchange for autonomy.

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Serbia secured the support of the United States (US) and the European Union (EU) on this crucial provision of the Brussels agreement. Derek Chollet, Senior US diplomat, who visited Pristina in mid-January, stated “that the association is an urgent issue. It is an urgent issue on the agenda of the dialogue. It has taken on even greater importance after the recent events in the north” (Radio Free Europe/Radio Liberty, 2022).

The International community considers the full implementation of the Brussels Agreement a prerequisite for ensuring stability and easing tensions between Serbia and Kosovo while permitting the latter to gain membership in international organizations.

Prime Minister (PM) Kurti strongly opposes the formation of the Association of Serbian Majority Municipalities, and stands behind the Constitutional Court of Kosovo’s decision to declare some elements of the Brussels Agreements as “unconstitutional”, including the founding of the Association of Serbian Majority Municipalities. PM Kurti further insists that establishing a union of Serbian municipalities would create a Republika Srpska in Kosovo, a Belgrade-aligned autonomous region that obtains the ability to obstruct state operations. (Karčić, 2023).



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On the other hand, Serbia lobbies hard to prevent Kosovo from joining international organisations, including the EU. Serbia has been attempting to block Kosovo’s EU membership through EU member states that do not recognise its independence (Spain, Slovakia, Cyprus, Romania, Greece) and Hungary, one of Serbia’s, closing partners inside the EU. Even though Hungary recognises Kosovo’s independence, it has reaffirmed its backing for Serbian efforts to prevent Kosovo from joining the Council of Europe and the EU (Camba, 2023). Interestingly, parts of the mentioned Agreement are violated on

both sides, and the EU has failed to apply sufficient pressure to achieve full implementation of the Agreement. Specifically, the Brussels Agreement states that “it is agreed that neither side will block, or encourage others to block, the other side's progress in their respective EU path” (The Government of the Republic of Serbia, 2022). Belgrade worries that allowing Kosovo membership in international organisations will decrease its bargaining power to save what can be saved in Kosovo. Serbia aims secure more self-governance for Kosovo Serbs and a special status for the Serbian Orthodox Church in Kosovo. That entails, among others, the protection of Serbian Orthodox Church land ownership rights and the right to maintain links with the Serbian Orthodox Church in Belgrade. Thus, the cornerstone of the Serbian strategy is to achieve the Association of Serb Municipalities without de jure recognising Kosovo's independence. But the objective of forming a community for the Serb majority municipalities was put aside amid the negotiations for a land swap. It has re-emerged after the land swap rejection by key EU and regional actors and former Kosovo President Hashim Thaçi's resignation from office to face a war crimes indictment.

Besides pressuring the international community to consider its interests in Kosovo as a requirement for the region's stability, Serbia seeks to add pressure on Arbin Kurti to soften his position over the creation of the Association of Serbian Majority Municipalities. Serbian public diplomacy tries to present PM Kurti as a hardliner who rejects mutual compromise. Conversely, Kosovo's PM states that the only outstanding issue for negotiation is mutual recognition which, of course, no Serbian politician is expected to do, at least for the time being, as it would be political suicide.

Domestic purposes

External determinants cannot provide a complete picture of the causes of Serbia's latest policy towards Kosovo. External as well as domestic factors should be taken into account to understand Serbian foreign policy better.

President Vučić faces intense domestic pressure to harden his stance on Kosovo. The "Coalition for the Preservation of Kosovo and Metohija" was formed by four pro-Russian, right-wing parties to "reintegrate Kosovo back into Serbia's constitutional and legal

political powers vehemently oppose the dialogue between Serbia and Kosovo under the auspices of the EU and reject any mutually compromising settlement.

order". Far-right Members of the Parliament (MPs) have also been pressuring Vučić to "retake Kosovo" and are encouraging him to use hard power. These political powers vehemently oppose the dialogue between Serbia and Kosovo under the auspices of the EU and reject any mutually compromising settlement. For this reason, they anticipate a political catastrophe for Vučić should he come up with a final proposal that is divergent from their principle of preserving Kosovo (Albahari, 2022; Dragojlo, 2022).

Vučić instrumentalises the Kosovo issue to garner public support, silence the nationalist opposition and relieve any domestic pressures. In light of this, Serbia has officially requested to deploy 1000 Serbian troops and security personnel to Kosovo under the terms of United Nations (UN) resolution 1244. The Resolution permits the Serbian military's return if Kosovo Force (KFOR) approves it. According to UN resolution 1244, Serbian security forces can be deployed to Serb patrimonial sites, such as Orthodox Christian religious sites, to Serbian majority areas, and to maintain a presence at key border crossings (UN Digital Library, 2022: 6).

The request to deploy the Serbian army back in Kosovo once again serves largely domestic reasons and, to a lesser extent, a warning to KFOR that if it fails to protect its ethnic kin, Serbia can do it on its own. Simultaneously, President Vučić acknowledged that it was unrealistic to expect the request to be approved. As a result, this initiative was made solely for domestic political reasons, as it was doomed to fail.

He also mentioned that compared to some western governments, he trusts KFOR more. Consequently, Serbia acknowledges that KFOR can provide security to the Serbian community. In this case, the military's return to protect ethnic Serbs was not necessary, unless there were casualties and extensive unrest.

An opportunity for a complete settlement

At a time when President Vučić has been facing strong domestic pressures against any compromising deal, the EU and the US intensified their diplomatic engagement with Serbia and Kosovo.

The security architecture of the European continent has changed dramatically since the Russian war of aggression against Ukraine. While the resurgence of Russia as the primary threat to European security has created a power vacuum and risks, it has also created some potential opportunities for regional stakeholders in the Western Balkans, one of the most volatile regions of Europe.

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The drawing of the EU and US attention to Ukraine has provided an opportunity for Serbia to exploit Kurti's unilateral decisions by encouraging Kosovo Serbs to set up barricades and withdraw from Kosovo's institutions. Correspondingly, Serbia demonstrated its capability to undermine Kosovo's quest for statehood and sovereignty. It did so to pass on the message that its interests in Kosovo should not be overlooked. Undoubtedly, the intensification of the crisis has deteriorated the fragile peace and deepened the division between Belgrade and Pristina, as well as among Kosovo's Albanian and Serbian communities.

While the situation in the Balkans has been volatile for some time, the EU cannot afford another active conflict, not least because it could possibly have spillover effects in other Western Balkan countries, primarily in Bosnia and Herzegovina, Montenegro and North Macedonia. Serbia is able to either project stability in its neighbourhood, in line with the EU's efforts, or to undermine it. Hence, Serbia expects some sort of compensation for agreeing to normalise relations with Kosovo and rejects as unacceptable any calls for recognising Kosovo in exchange for a fast EU entry. Serbian leadership has repeatedly accused key western countries and Kosovo Albanian leadership of trying to humiliate Serbia. Despite this, most investments in Serbia come from the West and "two-thirds of Serbia's foreign trade has been with the West for decades" (Brey, 2022).

Interestingly, the current momentum might be ideal for a final and long-lasting settlement. In other words, the crisis in northern Kosovo creates opportunities, not only risks and a power vacuum (Taylor, 2022). President Biden's government retains close coordination with the EU on Serbia and Kosovo's normalisation process compared to the Trump period.¹

¹ In 2018, the US President Trump's administration initiated a settlement between Serbia and Kosovo based on the land swap despite the strong opposition from key EU countries.

The close coordination is reflected in a joint statement regarding the north Kosovo tension issued on December 28, 2022, where the EU and US commonly expressed concern and called both sides to “unconditionally de-escalate the situation and to refrain from provocations, threats, or intimidation”. Furthermore, the joint statement urged “Kosovo and Serbia to return to fostering an environment conducive to reconciliation, regional stability, and cooperation for the benefit of their citizens. All Dialogue obligations must be fully implemented without delay” (EEAS, 2022).

The joint statement highlights the current environment, dominated by deep mistrust between the two sides. Most notably, the statement concludes with a crucial indirect warning to both parties to respect all past agreements.

In conclusion, the new crisis in north Kosovo reveals the dangers of unresolved political problems for the EU. It is expected that the EU will intensify its diplomatic initiative to embolden both sides to reach a settlement of mutual compromise with no winners and no losers, as a zero-sum game peace deal may create the ground for revanchism in the future. Hard choices are indeed needed for both sides. This will eventually open the path for full integration into the EU and, of course, a gradual distancing of Serbia from Russia, which, for its diplomatic narrative, uses the Kosovo issue for its illegal annexation of Ukrainian territory.



The new crisis in north Kosovo reveals the dangers of unresolved political problems for the EU.

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