

# BULLETIN

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## The North of Kosovo in Relations between Belgrade and Pristina

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*The recent agreement between Serbia and Kosovo on the implementation of integrated border management is an important element of the normalisation of relations between the two countries and could lead to further progress in Serbia's integration with the EU. The issues related to the administration of the northern part of Kosovo probably will soon be a part of the dialogue between Belgrade and Pristina and will become a source of the EU's conditions for the further European integration of Serbia. The acceptance of the solutions among residents in the north of Kosovo will be a condition for the effective implementation of the dialogue's further provisions in this area.*

**The Importance of the Belgrade-Pristina Dialogue.** In early December, Prime Ministers Hashim Thaçi and Ivica Dačić agreed on the implementation of integrated border management, under which clerks and police from Serbia, Kosovo and EULEX would operate. The exchange of liaison officers appointed to the EU's delegations in both capitals was also agreed. The accord on border management was reached a year ago but has not entered into force mainly because of the elections in Serbia and the unexpected change of authorities. The Kosovo government was reluctant to negotiate further agreements until the earlier ones were implemented. Therefore, the last results of the dialogue were those from February on the regional representation of Kosovo by the government in Pristina. This enabled Serbia to obtain candidate status for EU membership.

As before, the progress of Serbia's integration with the EU will depend on its relations with Kosovo. Because the recent findings have so far been efficiently implemented, it offers the chance for Serbia to obtain a date for launching accession negotiations. The implementation of the agreement also strengthens the Kosovo government's position in regard to the course of the country's borders. In the dialogue that has lasted from March 2011, Belgrade and Pristina have reached several agreements, including on the free movement of persons.

**The Question of the North of Kosovo.** Five years after the declaration of independence by the parliament in Pristina—which Serbia still does not recognise—Kosovo's government has failed to administer the northern part of the country, which is inhabited almost exclusively by several tens of thousands of Serbs. This area is slightly larger than 1,200 km<sup>2</sup>, borders Serbia and is administered by the Assembly of the Community of Municipalities of the Autonomous Province of Kosovo and Metohija—a body independent from Pristina. However, the government of Kosovo considers the northern municipalities as an integral part of the country and enjoys support from the European Commission (EC), which refers to the need to respect the territorial integrity of Kosovo, regardless of its international status. The U.S., in turn, not only rejects the possibility to change Kosovo's borders but also considers the decision on independence as irreversible. The position of the EC and the U.S. is a response to the suggestions of some Serbian politicians who have suggested a possible partition of Kosovo by attaching its northern part to Serbia in exchange for the independence of the remaining territory. Kosovo's independence was recognized by 97 countries, or half of the UN members.

Meanwhile, the Serbs from the north of Kosovo claim this area to be a part of Serbia. In a referendum from February, they rejected submission to the authorities in Pristina. In summer 2011, their resistance to the deployment of border officers subordinated to Pristina in the north of Kosovo led to riots that ended with KFOR intervention. While the recent findings of joint border management led only to a short-lived protest from the local population, the results of the future negotiations on

such issues as citizenship will be difficult to implement if not preceded by consultation with the people of the northern part of Kosovo.

**European Integration of Serbia and Kosovo.** Given the EU's position, Serbia will have to continue the dialogue with Kosovo in the current format. Serbian society sees the talks with Pristina as concessions from the government in Belgrade. The evolution of the EU's attitude—from a separate approach to both European integration of Serbia and the dialogue with Kosovo to the linking of these two processes—has led to a decline in the EU's credibility among the Serbs. In the second half of 2012, public support for EU accession has dropped below 50% from 70% three years ago when Serbia applied for membership. Pro-EU sentiment melted even more in November 2012 after the International Criminal Tribunal for the former Yugoslavia released a Croatian general, Ante Gotovina, and the leader of the Kosovo Liberation Army, Ramush Haradinaj, both previously accused of war crimes against the Serb population. These decisions by the tribunal, coupled with the slow process of Serbia's integration with the EU, does not help the government of the country gain public confidence in the dialogue with Kosovo. However, despite the unfavourable internal conditions, the Serbian government is determined to continue talks with Kosovo and the EU, as evidenced by such things as the recent agreement, which were unpopular with the Serb community.

The Kosovo authorities, in turn, feel supported by the EU institutions and Member States and by the U.S. Despite this, there have been protests against the government by some in the opposition, calling on the authorities to administer the entire country without the dialogue with Serbia. Kosovo is the least advanced in the European integration of the Western Balkans countries but the EC has recently proposed a feasibility study for a Stabilisation and Association Agreement (SAA). A European Parliament resolution from December calls on the member countries for increased efforts to both sign the SAA with Kosovo and to open the accession negotiations with Serbia.

**Conclusions and Recommendations.** Yet another agreement between Belgrade and Pristina proves the determination of the two governments and the effectiveness of the EU's dialogue. European integration remains a major incentive for Belgrade and—due to the early stage of state-building—to a lesser extent for Pristina to reach agreements. Because the dialogue consists of the gradual transfer of the attributes of one state to another, in addition to conditioning this on further European integration, it is also important to ensure the sustainability of the proposed solutions. This involves taking into account the real situation, particularly in the north of Kosovo. The effectiveness of the implementation of agreements will in fact depend largely on the attitude of the local Serb community. The recent protests once again show that this community no longer sees the government of Serbia as a defender of their interests. The belief that they have been excluded from the dialogue can lead to an escalation of the conflict and to clashes with the international community, which has provided security in the region. This has already occurred in the past when there were changes to the status quo in the north of Kosovo. In order to avoid security threats in its territory and to make the solutions sustainable, it is important that the accords are understood by the local community and contain benefits visible to them. Failure to comply with these rules will result in a situation in which the dialogue does not lead to reconciliation between Kosovo Serbs and Albanians but only deepens the mutual distrust.

The EU should recognise the determination of the government of Serbia, which makes often unpopular solutions that lead to the normalisation of relations with Kosovo. If the EC in spring 2013 issues positive opinions on the possible opening of accession negotiations with Serbia and on signing the SAA with Kosovo, Poland should support both of these initiatives. Lessons learned are that the more a candidate country is involved in negotiations with the EU, the more consistently their government reforms. Moreover, the decision to set a date for the opening of accession negotiations with Serbia would improve the pro-EU sentiment in this country, and thanks to the initiation of efforts to conclude the SAA with Kosovo, the EU can gain an instrument to influence the enforcement of structural reforms. Support for actions aimed at accelerating the integration of the EU and these countries not only promotes the priorities of Polish foreign policy—which are the democratisation of the EU's neighbourhood and the Union's further enlargement—but also remains in line with the assumptions of the Polish presidency of the Visegrád Group. Furthermore, due to the increasingly visible effects of the process of normalisation of relations between Belgrade and Pristina, Poland should extend accreditation of its embassy in Skopje on the territory of Kosovo. Poland is one of the few EU countries with no diplomatic relations with this state, whereas such cooperation was established even by countries that are less involved militarily in Kosovo or which have not recognised its independence. Meanwhile, the experience of other countries shows that a diplomatic presence not only enables more accurate monitoring of the political situation in the newly established state but also improves bilateral economic cooperation, which also is reflected in foreign investment in Kosovo.