



# THREATS AND CHALLENGES TO KOSOVO'S SOVEREIGNTY

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# Foreword

David L. Phillips

Kosovo's sovereignty is threatened and challenged by Serbia, Russia and Turkey. The lack of a common position by the European Union on the Kosovo's independence, coupled with the absence of progress in the EU-facilitated Prishtina-Belgrade Dialogue also impedes Kosovo's progress. These factors have hindered Kosovo's effort to gain greater global recognition, and have undermined its state-building.

Serbia still officially views Kosovo as its province. It ignores the fact that it lost Kosovo and that Kosovo's independence is permanent. In addition to international efforts by Kosovo, Serbia foments discord between Kosovo Serbs and Kosovo authorities in order to delegitimize Kosovo's status as an independent and sovereign state. Its actions, such as sending a train to Mitrovica with Cyrillic slogans, "Kosovo is Serbia", are provocative and represent a security risk to the region.

Moscow feigns Orthodox solidarity, but its support for Serbia is merely a manifestation of its hostility towards the United States, as well as the EU and NATO. Russia's sale of sophisticated weapons to Serbia and the establishment of a forward Russian intelligence base in Nis are inflammatory. So is Russia's manipulation of news outlets to sew distrust and undermine reconciliation between Kosovo and Serbia, as well as between Kosovo Albanians and Serbs.



Turkey pursues a neo-Ottoman agenda in the Western Balkans. Over more than a decade, Turkey has systematically tried to make Kosovo a vassal state. It exports Islamism, under the guise of cultural cooperation, which is aimed at changing the nature of Kosovo society. Turkey uses its diplomatic and economic clout, influencing Kosovo's politicians and acquiring assets on preferential terms. "Erdoganism" as a governing style is increasingly emulated by politicians in countries of the Western Balkans.

China's role is not included in this publication. However, China's economic imperialism presents a threat for future study.

This publication —Threats and Challenges to Kosovo's Sovereignty— is a collection of essays from prominent scholars and opinion-leaders in Kosovo, Macedonia, Serbia, Greece, Turkey and the United States. Essays explore some of the most sensitive issues effecting Kosovo's status and the way forward. The publication serves as a wake-up call. It is a warning to policy-makers and civic actors in directly affected countries, as well as leaders in Western Europe and the United States who are stakeholders in Kosovo's secular, pro-western democracy.

I commend the authors for their quality contributions. I also express special appreciation to Lulzim Peci, my co-editor, and the Kosovar Institute for Policy Research and Development (KIPRED), with whom Columbia

University worked on this publication. Dissemination events are planned for Prishtina and New York.

Beyond the publication, we envision a regular monitoring mechanism to report on conditions in Kosovo. Regular reporting on threats and challenges to Kosovo's sovereignty is critical to peace and progress in Kosovo and the region.

Sincerely,

A handwritten signature in dark ink, appearing to read "David L. Phillips", with a stylized, sweeping flourish at the end.

David L. Phillips

Director, Program on Peace-building and Rights  
Institute for the Study of Human Rights  
Columbia University



# Introduction

Lulzim Peci

Ten years after the Declaration of Independence, the consolidation of Kosovo's statehood and sovereignty, as well as its integration within international community, has remained unfinished business. Developments at the international arena in the last decade were not favorable for the strengthening of Kosovo's statehood. Serbia's hostile policies towards Kosovo, the increase of malign Russian and Turkish influences in the Balkans, the EU's enlargement fatigue and the lack of unity of its members towards Kosovo's independence, have become major and long-term challenges and threats to Kosovo's sovereignty.

With the aim of analyzing these threats and challenges in a comprehensive framework, Columbia University and the Kosovar Institute for Policy Research and Development (KIPRED) have joined their efforts in bringing together a group of prominent scholars and opinion-makers from Kosovo, Greece, Macedonia, Serbia, the United States of America and Turkey.

There is no doubt that the achievement of a 'legally binding' agreement on normalization of relations between Kosovo and Serbia will have long-term implications on Kosovo's statehood and international legal personality. In his analysis, Agon Demjaha

discusses the impact of the current EU facilitated dialogue between Prishtina and Belgrade on Kosovo's sovereignty. Robert Muharremi analyses the implications of partition and exchange of territories for Kosovo, whereas Florian Qehaja discusses Serbia's use of propaganda and fake news about Kosovo as instruments for impeding its further integration within the international community.

As a result of Russia's revival and its foreign policy ambitions for regaining the status of global power by weakening the influence of the West, Russian malign influence in the Western Balkans, and particularly on Kosovo's sovereignty, is complex and multifaceted. In his analysis, Mark Baskin discusses the Russian foreign policy since the end of the Cold War from a global perspective, with a particular focus on the Western Balkans and Kosovo. Sonja Biserko analyzes Russian influence in Serbia and its implications for Kosovo's statehood, while Veton Latifi discusses Russian exploitation of fragilities in the vulnerable zones where Albanians live, with the aim of preventing resolutions of frozen disputes.

The rise of Erdogan and the revival of Turkey's neo-ottoman ambitions are having a detrimental effect on Kosovo's sovereignty. In this regard, Bekim Sejdiu analyzes recent relations between Turkey and Kosovo. Doğu Ergil discusses the phenomenon of Erdoganism and Turkey's influence in Kosovo. On the other hand,

Erdoan Shipoli analyzes Turkey's uneasy relations with the West, the improvement of its relations with Russia and Serbia, and the implications of the Coalition Government between the Justice and Development Party (AKP) and Nationalist Action Party (MHP) on relations with Kosovo.

The EU policies towards Kosovo, including the Berlin Process and the implications of the lack of a common position of EU members towards Kosovo's independence and its impact on the country's European future are analyzed by Ioannis Armakolas, Arben Hajrullahu, and Venera Kusari. Gent Salihu explores Kosovo's membership in the European Free Trade Association, as a way to circumvent political barriers to EU membership.

In the end, it should be stressed that the aim of this publication is not to offer any specific policy recommendations to national and international stakeholders. Instead, it provides ideas for Kosovar and Western decision and policy makers through a comprehensive analysis of the context related to challenges and threats to Kosovo's statehood and sovereignty, and to the overall stability and security of the region.



# **S E R B I A**





# **The Impact of Brussels Dialogue on Kosovo's Sovereignty**

Agon Demjaha

## **Introduction**

Following the United Nations General Assembly Resolution 64/29 of September 2010, the European Union (EU) has facilitated a dialogue between Prishtina and Belgrade that is on-going since the beginning of 2011. According to the Resolution, “the process of dialogue in itself would be a factor for peace, security and stability in the region” and its aim would be “to promote co-operation, achieve progress on the path to the European Union and improve the lives of the people.” During the first phase of technical negotiations, the parties signed several agreements on free movement of persons, customs stamps, recognition of university diplomas, cadastre records, civil registries, Integrated Border Management (IBM). The dialogue culminated in April 2013 with the signing of “The First Agreement of Principles Governing Normalization of Relations,” often referred to as the Brussels Agreement.<sup>1</sup> The 15-point

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<sup>1</sup> The agreement among others specifies “that neither side will block, or encourage others to block, the other side’s progress in the respective EU paths”. See European External Action Service (EEAS), First Agreement Between Serbia and Kosovo of Principles Governing Normalization of Relations, at: [http://www.eeas.europa.eu/dialogue-pristina-belgrade/index\\_en.htm](http://www.eeas.europa.eu/dialogue-pristina-belgrade/index_en.htm)

agreement aimed at integrating Kosovo Serb majority municipalities of the north of Kosovo, into the constitutional and legal system of Kosovo through establishment of an Association/Community of Serb Municipalities (ACSM). It affirmed the primacy of Kosovo's legal and institutional framework, while at the same time providing the basis for considerable local self-governance for the Serb majority in the north of Kosovo. The EU and other major international actors such as US, OSCE, NATO and UN have welcomed the dialogue and have basically hailed the Brussels Agreement as a historic break-through for Kosovo-Serbia relations. However, opposition parties and certain civil society circles in Kosovo fiercely criticized the Brussels agreement, fearing a *de facto* federalization of the country as well as interference of Serbia on Kosovo's internal affairs. The entire Brussels dialogue has often been portrayed by opposition parties in Kosovo as a direct threat to Kosovo's sovereignty. On the other hand, opposition parties in Serbia have also strongly opposed the dialogue and have even considered the Brussels Agreement as recognition of Kosovo. They have expressed dissatisfaction with the exclusion of Serbs living in the north of Kosovo and their leaders have voiced fears that dialogue would contribute to gradual disassembling of Serb parallel structures in the north of Kosovo.

Moreover, the dialogue has continuously suffered from ambiguities and inconsistencies, both in terms of its

overall aim as well as in terms of implementation of already signed agreements. Initially, the dialogue started as a 'technical' one, without establishing its end result. The dialogue has neither defined what "normalization" means, nor has addressed the core issue – recognition of Kosovo by Serbia. Furthermore, the EU's ambivalent and inconsistent position coupled with conflicting interpretations and contradictory narratives of Kosovo and Serbia have led to confusion and tensions. All agreements signed so far represented political arrangements and were not legally binding. As a result, the implementation process has been slow and has not yielded the expected results. Currently, some agreements are completely blocked while implementation of the others has been seriously delayed. All these factors have put significant doubts on the usefulness of the dialogue as well as on the likelihood of producing end results.

### **Current State of Affairs**

The period after the Brussels Agreement was characterized by highest-level representation of both Serbia and Kosovo, as a necessary step for implementation of the Agreement and for further dialogue on other topics as part of the normalization process. On 25 August 2015, Kosovo and Serbia concluded four new agreements on the establishment of the Association/Community of Serbian Municipalities

(ASM)<sup>2</sup>, an energy agreement to regulate electricity supply for Kosovo Serbs, a telecommunication agreement that would allow Kosovo its own country code (383), and an agreement on freedom of movement across the Mitrovica Bridge. These agreements were supposed to be implemented during 2016; however, the implementation ASM has proven to be the most discordant. The creation of the ASM was strongly criticized by opposition parties and civil society in Kosovo. They claimed that the ASM represents an evolving structure similar to that of Republika Srpska in BIH and would serve as a tool for Serbia's even greater involvement in Kosovo's internal affairs.<sup>3</sup> Several violent demonstrations were staged in Prishtina, with opposition parties setting off tear gas in the parliament.

Following the request by the then president of Kosovo, Atifete Jahjaga, to review the legality of the agreement on the establishment of the ASM, the Constitutional

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<sup>2</sup> European External Action Service (EEAS), Association/Community/ of Serb majority municipalities in Kosovo - general principles, main elements, at:

[http://eeas.europa.eu/archives/docs/statements/eeas/docs/150825\\_02\\_association-community-of-serb-majority-municipalities-in-kosovo-general-principles-main-elements\\_en.pdf](http://eeas.europa.eu/archives/docs/statements/eeas/docs/150825_02_association-community-of-serb-majority-municipalities-in-kosovo-general-principles-main-elements_en.pdf).

<sup>3</sup> Cemaliye Beysoylu, *The European Union and Peace Implementation: The case of Brussels Dialogue between Kosovo and Serbia*, in Ioannis Armakolas et al. eds. *State-building in post-independence Kosovo: Policy Challenges and Societal Considerations*, Prishtina: Kosovo Foundation for Open Society, 2017, p. 199.

Court of Kosovo has in November 2015 decided that the article of the First Agreement on establishing the ASM violated Kosovo's Constitution and suspended implementation of the Agreement. The Court found that 22 points in the ASM were in collision with the Constitution and recommended steps to bring the 25 August 2015 accord in line with the constitution based on the original agreement of 2013.<sup>4</sup>

Such reality created a constitutional crisis related to the ASM, brought its implementation to a standstill, and it polarised overall relations between Kosovo and Serbia. In addition, repetitive crises after almost every cycle of parliamentary elections in Kosovo have considerably impeded the Brussels dialogue as well as the implementation process. The building of the concrete wall in northern Mitrovica by the Serb authorities, the arrest of a former Kosovo Prime-Minister, Ramush Haradinaj in France, and the attempt of Belgrade authorities to operate a direct train between Belgrade and northern Mitrovica decorated with nationalist slogans, exacerbated tensions. The train incident prompted one of the most hostile exchanges between

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<sup>4</sup>Miruna Troncotă, Four Years of EU Mediation Efforts in the 'Brussels Dialogue of the Deaf': Analysing the Negotiations for the Association/Community of Serb Municipalities in Kosovo, in Ioannis Armakolas et al. eds. *State-building in post-independence Kosovo: Policy Challenges and Societal Considerations*, Prishtina: Kosovo Foundation for Open Society, 2017, p. 224.

the two sides since the war in 1999.<sup>5</sup> As a result, the Kosovo authorities have suspended the dialogue with Serbia until the release of the then former Prime Minister Haradinaj. Later, in January 2018 the dialogue was suspended by Serbia following the killing of a top Kosovo Serbian politician, Oliver Ivanovic, outside his office by an unknown gunman. Serbian authorities have conditioned the continuation of the dialogue with the identification and imprisonment of the assassins.

However, meetings resumed and several working-level meetings were held, while the Kosovo and Serbia Presidents Aleksandar Vucic and Hashim Thaci had a joint meeting with the EU foreign policy chief Federica Mogherini in March 2018. The latest meeting between Vucic and Thaci, was held in July 2018, but it has ended quickly and without progress towards the normalization of relations. The meeting showed that the two sides remain entrenched in their opposed positions. A legally binding agreement on the normalization of relations remains elusive.<sup>6</sup>

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<sup>5</sup> Agon Demjaha, *Inter-Ethnic Relations in Kosovo*, *SEEU Review*, South East European University, Vol. 12, Issue 1, 2017, p. 192.

<sup>6</sup> Serbia-Kosovo Meeting Ends Without Progress, *Balkan Insight*, 18 July 2018, at: <http://www.balkaninsight.com/en/article/serbia-kosovo-meeting-ends-without-progress-07-18-2018>

## **Impact on Kosovo's Sovereignty**

In terms of Kosovo's sovereignty, one could argue that the Brussels dialogue has from its inception undermined country's external sovereignty since it was not established as a dialogue between two independent states, but rather as one between Belgrade and Prishtina. Moreover, as David Philips argues, documents and news coming from Serbia describe the dialogue as one between Serbia and Kosovo Provisional Institutions of Self-government.<sup>7</sup> Opposition parties in Kosovo have already voiced their concern that dialogue with Serbia on these terms undermines Kosovo's statehood. The prominent Kosovo intellectual, Veton Surroi, has insisted that the dialogue has damaged the process of the recognition of Kosovo's independence by basically giving an excuse to all non-recognising countries to postpone such decision until the dialogue is concluded. The dialogue with Serbia has already been mentioned as major justification of certain states for delaying the recognition of Kosovo. Following similar logic, some states that have already recognised Kosovo after the beginning of the dialogue with Serbia have clearly emphasized continuation of the dialogue as one of the preconditions for eventually granting diplomatic recognition to Kosovo. The government of Serbia has

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<sup>7</sup> David Philips, Implementation Review of the Kosovo-Serbia Dialogue, Program on Peace-building and Rights, Columbia University's Institute for the Study of Human Rights, New York, 5 September 2017, p. 12.



blatantly stated that the dialogue is a tool to undermine Kosovo's statehood and delay its international recognition.<sup>8</sup> By delaying Kosovo's international recognition and by undermining its statehood, one could argue that the Brussels dialogue directly erodes Kosovo's external sovereignty.

On the other hand, one of the main aims of the Brussels Agreement signed in 2013 was the integration of Kosovo Serb majority municipalities of Northern Kosovo into the constitutional and legal system of Kosovo through the ASM. While the ASM would have "full overview of the areas of economic development, education, health, urban and rural planning," the agreement also guarantees integration of all Serbian security structures in the North into Kosovo institutions, implying there will be only one Kosovo Police Force.<sup>9</sup>

The Brussels dialogue has neither a clear final aim nor a time frame for concluding talks. As such, the dialogue indefinitely postpones the primacy of Kosovo's legal and institutional framework throughout Kosovo's territory and population, thereby undermining Kosovo's internal sovereignty.

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<sup>8</sup> Edward Newman and Gëzim Visoka, *The Foreign Policy of State Recognition: Kosovo's Diplomatic Strategy to Join International Society*, *Foreign Policy Analysis*, May 2016, p. 17.

<sup>9</sup> Agon Demjaha, *Inter-Ethnic Relations in Kosovo*, SEEU Review, South East European University, Vol. 12, Issue 1, 2017, p 191.

Finally, the most intriguing element related to Brussels dialogue is its relationship with the recognition of the independence of Kosovo. Authorities in Prishtina have from the outset considered the on-going EU-led dialogue with Serbia as an important step towards the recognition of Kosovo's independence by Serbia. Furthermore, during a discussion in the European Parliament last year, then Kosovo's Foreign Minister, Enver Hoxhaj, made it clear that dialogue with Belgrade is useless if it does not lead to mutual recognition.<sup>10</sup> The position of the Belgrade authorities regarding this issue has been inconsistent. Most of the time, Serbia denies recognition and insists that dialogue is part of its constitutional obligation for improving conditions of Serbs living in Kosovo. In mid-January 2013, however, the Serbian government adopted and the parliament endorsed a platform for talks with Prishtina which in fact accepts Kosovo's territorial integrity and jurisdiction over the North. The platform called for the creation of an "Autonomous Community of Serbian Municipalities," comprised by the north and six other Serb-majority municipalities elsewhere in Kosovo. Though such a Community would have broad self-governing powers, it would still be integrated into the Kosovo legal system and be subject to Kosovo law.

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<sup>10</sup> Enver Hoxhaj: Dialogue with Belgrade is Useless if it Does Not Lead to Mutual Recognition, *Euinside*, at: <http://www.euinside.eu/en/news/without-recognition-the-serbia-kosovo-dialogue-is-useless>

Although the platform and the parliament's resolution repeat Serbia's traditional rejection of Kosovo's independence, for many observers this was a sign that Serbia's government is attempting to accept and work with the *de facto* reality of a sovereign Kosovo, while setting aside *de jure* recognition of independence.<sup>11</sup>

During the last meeting between the Serbian and Kosovo Presidents held in July 2018, Vucic pointed out that "the only 'compromise' that the Kosovo side is offering ... is to recognize the independent state of Kosovo. It doesn't work that way."<sup>12</sup> Throughout the Brussels dialogue, Serbia's authorities have occasionally suggested partition of the North from Kosovo or a 'territorial swap' with Southern Serbia. Authorities in Prishtina have rejected the idea of partition, claiming that Kosovo's borders cannot be compromised, and the North, though currently not under full control, remains an integral part of its territory. Partition has so far also been refused by the international community due to the risk that such step would open the so-called 'Pandora's Box' and would eventually encourage similar separatism by Serbs in Bosnia-Herzegovina and Albanians in Macedonia. Moreover, such partition or 'territories swap' risks triggering ethnic violence involving 60 percent of Kosovo Serbs who live south of

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<sup>11</sup> International Crisis Group, Serbia and Kosovo: The Path to Normalisation, ICG Europe Report No 223, Pristina/Belgrade/Brussels, 19 March 2013, pp. 8-9.

<sup>12</sup> Balkan Insight, July 2018.

the Ibar river.<sup>13</sup>

Recently, the idea of territory exchange or partition of Kosovo along ethnic lines in exchange for recognition by Serbia has been voiced as a possible compromise and end-result of the Brussels dialogue. Hashim Thaci, the President of Kosovo, has openly argued in favor of exchange of territories between Kosovo and Serbia as a final step towards “normalization” of relations between the two countries. However, all other leaders in Kosovo have fiercely opposed such idea. The Prime-minister Haradinaj has even warned that “trading” with Kosovo territory represents an act of national treason. The response of the international community has in addition of being vague and ambivalent, also been blurred with various speculations. The reaction from US has often been contradictory and confusing. The EU has also not taken a clear position regarding this issue, while there are clearly differences regarding this issue among its member states. Germany has been the only important EU member state that has so far decisively opposed such scenario.<sup>14</sup> Knowing the strategic importance of the

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<sup>13</sup> Agon Demjaha, *Inter-Ethnic Relations in Kosovo*, SEEU Review, South East European University, Vol. 12, Issue 1, 2017, p.189.

<sup>14</sup> See: Presidenti e nxjerr në pazar territorin e Kosovës, *Gazetaexpress*, at: <https://www.gazetaexpress.com/lajme/presidenti-e-nxjerr-ne-pazar-territorin-e-kosoves-563973/>; see also: Rreth 80 deputetë shqiptarë kundër Thacit, pro tij PDK'ja dhe Lista Serbe, *Gazetaexpress*, at: <https://www.gazetaexpress.com/lajme/rreth-80-deputete-shqiptar-kunder-thacit-pro-tij-pdk-dhe-lista-serbe-570881/>

Presevo valley for Serbia, fears in Kosovo have been raised that territory exchange is being used only as guise for partition of the country. It is clear that eventual partition of the country not only directly threatens Kosovo's sovereignty, but it undoubtedly jeopardizes its very existence.<sup>15</sup>

## **Conclusions**

Since March 2011 Serbia and Kosovo have been engaged with EU-facilitated talks between the governments of the two countries. These talks have culminated with the Brussels Agreement that laid down principles governing the normalization of relations between Kosovo and Serbia. Since its introduction, the Brussels dialogue has contributed in bringing the two countries closer to each other. Still, the dialogue has delivered far less than expected. To begin with, the EU has never clearly defined what "normalization" means, ignoring the recognition of Kosovo by the government of Serbia. Furthermore, the EU's ambivalent, inconsistent and often ambiguous position has increased confusion and tensions. Conflicting interpretations and contradictory narratives of Kosovo and Serbia exacerbated differences.

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<sup>15</sup> Serwer godet Thacin: Idetë për shkëmbim terrioresh fundi i shtetit të Kosovës, Gazetaexpress, at: <https://www.gazetaexpress.com/lajme/serwer-godet-thacin-idete-per-shkembim-terrioresh-fundi-i-shtetesise-se-kosoves-564076/>

Currently, the dialogue is functionally stalled, while the implementation of many already reached agreements is either blocked or lagging seriously behind. Although initial aim of the dialogue was to find pragmatic solutions for many unresolved problems between Kosovo and Serbia, its end result so far has been the empowerment of ethno-nationalists, both in Belgrade and Prishtina, while at the same time limiting benefits to communities in Kosovo.

Without being established as a dialogue between two independent states, but rather as one between Belgrade and Prishtina, the Brussels dialogue directly undermines Kosovo's sovereignty. By delaying Kosovo's international recognition and by undermining its statehood, the dialogue also directly erodes Kosovo's external sovereignty. On the other hand, without a clear final end-result and a clear time frame, the dialogue might indefinitely postpone Kosovo's rule over its whole territory and population, thus directly undermining its sovereignty. The recent idea of partition of Kosovo in exchange for recognition by Serbia not only threatens Kosovo's sovereignty, but jeopardizes its very existence.

With the current format, without clear principles and result, absent a time frame, and with many already reached agreements either blocked or seriously delayed, the entire usefulness of the dialogue comes under question. The EU should conduct an implementation

review and condition further progress towards accession with implementation of the existing agreements. Kosovo, on the other hand, should establish a unified position related to the dialogue and draw clear red lines about solutions that threaten not only its sovereignty but its very existence as a country.

# **Implications of Partition and Exchange of Territories for Kosovo**

Robert Muharremi

## **Introduction**

The idea of a partitioning and exchange of territory began to make headlines in early 2018 when proposed by Serbia's foreign minister Dacic as the 'only realistic and long-term solution' to the conflict between Albanians and Serbs. Public discussion of partition and exchange of territory intensified in mid-2018. On the one hand, Serbia's President Vucic and Kosovo's President Thaci supported a 'correction of borders', a euphemism for partition and exchange of territory. Albanian parties in the Presheva Valley have also expressed their desire to join Kosovo, which is supported by some Kosovo Albanian politicians. On the other hand, the majority of Kosovo Albanian political parties, and especially Prime Minister Ramush Haradinaj, oppose the idea of partition. Germany and the United Kingdom oppose any change of borders, while the United States and even the EU have indicated to be willing to accept any agreement which Kosovo and Serbia might reach, even one including 'border adjustment'.

Despite much talk about partition, exchange of territory and border adjustment, there is no clear idea what this could mean and which territories would be affected.



Partitioning could mean that the territory of Kosovo north of the river Ibar, comprising Serb majority municipalities, would be ceded to Serbia, and if exchange of territory is included, that the Albanian majority Presheva Valley in Serbia would become part of Kosovo. The territories in question are roughly of the same size, i.e. the northern municipalities of Kosovo with ca. 1007 km<sup>2</sup> and the Presheva Valley with ca. 1200 km<sup>2</sup>.

The idea of partitioning Kosovo is an idea which was actively promoted by Serbia since the mid 1980's. The International Crisis Group stated in 2010 that 'Prishtina will not accept partition but gives some hints it might consider trading the heavily Serb North for the largely Albanian-populated parts of the Presheva Valley in southern Serbia.', by implying that the implications of an autonomy for the northern Serb dominated municipalities for the overall stability and effective functioning of Kosovo could outweigh the risks and costs associated with an exchange of territory with Serbia in return for full recognition.

An exchange of territory would be legally possible in form of an international agreement between two sovereign states provided this agreement would not violate *ius cogens* norms. In 2016, The Netherlands and Belgium signed a border correction treaty with which they agreed to exchange territory and, in this way, to adjust their border. The two EU member states settled

peacefully an ongoing territorial dispute. Even if the tract of land in question is not vast, it shows that the exchange of territory is, in principle, legally possible. The conclusion of such agreement would imply Serbia's recognition of Kosovo as an independent state because the exchange of sovereign territory is only possible between sovereign states. Such agreement would therefore resolve the problem of recognition by Serbia. *Ius cogens* norms are peremptory norms in international law which prevail over agreements reached by sovereign states.

These norms include the prohibition of aggression, the prohibition of crimes against humanity and other systematic violation of human rights. Provided the exchange of territory is designed and implemented in a way that (i) there would be no forcible transfers of populations, (i) acquired rights of individuals living in the territories which are subject to the exchange would be protected, (iii) the affected individuals would have a choice to retain their existing nationality or acquire the nationality of the other state, and (iv) the exchange of territory does not diminish human rights guarantees and legal protection mechanisms, such agreement would not be in violation of international law. Even if Kosovo's current borders reflect the international law principle of *uti possidetis* which was applied to all entities of the former Yugoslavia upon its break-up, this principle does not prevent sovereign states to alter the border by agreement and exchange territory.

## **Arguments for Partition and Exchange of Territory**

The idea of partitioning Kosovo and exchanging territory with Serbia is highly controversial. On the one hand, there are some arguments made in favour of partitioning and exchange of territory. In 2000 John Mearsheimer made the 'case for partitioning Kosovo'. He suggested that 'NATO should pursue a settlement that partitions the province, creating an independent Albanian Kosovar state. This new state would control most of current Kosovo, while the Serbs would retain a slice of north and north-western Kosovo. The Albanian-controlled portion could remain independent or unite with Albania if it chose'. He considered the option of the US working 'to reconcile the Kosovar Albanians and the Serbs to living together in a multi-ethnic democracy'<sup>16</sup>. However, for Mearsheimer this would be a 'pipe dream' because history would not provide an example where ethnic groups agreed to share power in a democracy after a large-scale civil war. Such wars would end 'only with a dictatorship that restores order by the knout, or with partition'. Mearsheimer's key point was that 'ethnic separation breeds peace, while failure to separate breeds war'. Separating Albanians and Serbs and giving each of them what they believe is their territory would offer better incentives for real peace and reconciliation than trying artificially to make them live together which

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<sup>16</sup> John Mearsheimer, *The Case for Partitioning Kosovo*. Carpenter T.D. (Ed.). *NATO's Empty Victory: A Postmortem on the Balkan War*. Washington D.C., 2000, pp. 133-138.

is only possible due to the presence of a NATO force on the ground. Mearsheimer also points out that 'some borders are untenable and preserving them causes conflict, not peace'.

A partitioning of Kosovo and an exchange of territory could be a face-saving solution for both Serbia and Kosovo. Retaining the northern part of Kosovo would make it much easier for Serbia to extend formal recognition to Kosovo than if its leaders would have to justify to their public why they are giving up a Serb dominated territory in Kosovo and still open the door for Kosovo's full independence. Kosovar leaders could justify the loss of the northern part with the argument that in return an Albanian dominated territory has joined Kosovo. The Constitution could be changed to reflect the new reality while still maintaining constitutional safeguards to protect the human rights and community rights of the remaining Serbs in line with European human rights standards. Both sides could also make the argument that an exchange of territory would come close to restoring the territory of Kosovo as it existed originally. It was only at the end of World War II that Yugoslav leadership attached Leposavic, which is today among the largest of the northern Serb majority municipalities to Kosovo, and carved out what today is known as the Presheva Valley to attach it to Serbia in order to change the demographic composition of Kosovo.

The point could also be made that a partitioning of Kosovo would just reflect and legalize a political reality on the ground which was created by the international community back in 1999. The partitioning of the northern part of Kosovo happened in fact in 1999 when NATO forces prevented the Kosovo Liberation Army from entering the territory of Kosovo north of the Ibar and created there a 'safe haven' for Serbs fleeing from the southern parts. NATO forces also did not intervene to stop the forceful removal of Albanians by the Serbs in the north, as much as they did not prevent the same from happening to the Serbs in the south. Serbia continuously maintained parallel government structures in the north despite NATO and UN presence. In spite of efforts to disband these parallel structures and to integrate the Serbs in the north into Kosovo's institutions, the territorial proximity to Serbia and a weak Kosovo government penetration in the north would allow Serbia to quickly regain control of the north if political circumstances allow or demand this.

### **Arguments against Partition and Exchange of Territory**

Partition and exchange of territory are objected mainly for the following reasons. First, the states which promoted Kosovo's independence, i.e. the United States and its European allies, designed Kosovo as a multi-ethnic society and they have invested much in this idea. The Constitution defines Kosovo as a multi-ethnic

society. The EU in particular went to great lengths after Kosovo's declaration of independence to implement the idea of a multi-ethnic Kosovo by trying to integrate the northern municipalities into Kosovo's governance structures. Partitioning Kosovo along ethnic lines would destroy the idea of a multi-ethnic Kosovo as it would turn it into another Albanian state. It could also be interpreted as a failure of the Western idea of multi-ethnic states and societies in the Western Balkans.

Second, the Contact Group Guiding Principles of November 2005 made clear that there should be no return of Kosovo to the pre-1999 situation, no partition of Kosovo, no union of Kosovo with any or part of another country, and that the settlement needs to be acceptable to the people of Kosovo.

Third, the Report of the Special Envoy of the Secretary-General on Kosovo's future status, which was submitted to the UN Security Council in 2007 and which recommended supervised independence for Kosovo, did not consider partition as an option. It only discussed Kosovo's return to Serbia, continuing international administration, and supervised independence as acceptable options. This implies that partition was ruled out as a matter of principle. As Kosovo's declaration of independence incorporates the recommendations of UN Special Envoy Martti Ahtisaari and his Comprehensive Proposal for the Kosovo Status Settlement the argument could be made that Kosovo's Declaration of Independence rules out partition. Kosovo's Declaration

of Independence is not just a 'political' declaration but also a legally binding unilateral statement under international law on which other states have relied when recognizing Kosovo.

Fourth, there are concerns that population transfers could follow, i.e. Serbs from southern Kosovo to Serbia or to the northern part of Kosovo and Albanians from northern Kosovo to the parts south of the river Ibar. This would also raise questions about the rights of the Serbs remaining in Kosovo and of the Albanians remaining in Serbia.

Fifth, a partitioning of Kosovo would threaten the economic viability of Kosovo because vital assets, such as the Gazivode Lake and some of Trepca's mines, could then belong to Serbia.

Sixth, partitioning Kosovo along ethnic lines could set a dangerous precedent for other countries which have similar ethnic problems, such as Macedonia and Bosnia-Herzegovina. If the international community accepts partitioning along ethnic lines in Kosovo, what would speak against this in the case of Macedonia and Bosnia-Herzegovina? A partitioning of these two countries could destroy the order created in the Western Balkans since the Dayton Agreement and lead to new conflicts.

## **Discussion**

The above arguments should be carefully discussed. First, while Kosovo is a multi-ethnic society on paper, in reality it is an ethnically segregated society. While there are here and there examples of Serbs and Albanians living together, in general both groups are separate with little interaction between them. The best indicator for this is that young Albanian and Serb Kosovars do not speak each other's language and have to communicate in a foreign language to understand each other. However, this does not mean that Albanians and Serbs would not be able to form a multi-ethnic society. This requires Serbia to recognize Kosovo, to abandon its policy of obstructing Kosovo's sovereignty and to send a clear signal to Serbs in Kosovo that they belong to Kosovo and that their future is in Kosovo as an independent state.

Second, it is not clear how much fears about possible population transfers and a new conflict are based on proper polls and to what extent they are advanced as strategic arguments. On the one hand, the majority of Kosovo's Serbs lives south of the Ibar and it does not seem to support partition. Some local Serb politicians have already announced a massive exodus of Kosovo Serbs in case Kosovo is partitioned. Other Kosovo Serb politicians, however, have announced a Serb exodus whatever the agreement will be. On the other hand, population transfers have already happened in 1999 and shortly thereafter with Serbs leaving the southern part



of Kosovo and Albanians from the north fleeing southwards. Serbs and Albanians who have remained are unlikely to create new massive population movements for the simple fact that those who wanted to leave have already left and those who decided to stay are likely to stay whatever agreement Kosovo and Serbia will reach. If Kosovo and Serbia agree on partition and exchange of territory there is a very low chance of a new conflict between them but it does not rule out internal conflicts in Kosovo as a result of an internally non-consensual partition and a shift in internal power relations. An exchange of territory might also mean that Kosovo would acquire Serbia's military base near Bujanovac and even threaten Serbia's control over Pan-European Corridor X which connects Serbia southwards with Macedonia and Greece, and northwards with Croatia, Slovenia and Austria. One could ask why Serbia would allow Kosovo to take over these two strategic assets and this could be a deal-breaker. In view of the above, it is unpredictable what chain of events and unintended consequences could be caused by partition/exchange of territory.

Third, Kosovo's economic viability only partially depend on the few assets which could fall to Serbia. Three out of five Trepca mines are located south of the Ibar and would remain with Kosovo. Revitalizing Trepca, whether only the mines south of the Ibar or all of them, will require significant amounts of fresh capital and efficient management structures which are not in

place now. It will also take time until the impact of revitalization efforts, even if Kosovo starts with them today, will positively affect Kosovo's economy. Kosovo needs substantial economic, legal, educational and political reforms to attract and retain investment and to generate domestic production and consumption driven by production and not remittances or third party donations. These reforms do not depend on Trepca. However, the weak spot for Kosovo is the Gazivode Lake which supplies Kosovo with water for drinking, irrigation and the generation of electricity. If this lake falls in its entirety to Serbia, it would be able to exert pressure on Kosovo by diverting or blocking the flow of water to Kosovo that may lead to future conflict between Kosovo and Serbia. For geopolitical and economic reasons, Kosovo therefore insists in having control over the Gazivode Lake. Even if Kosovo owns and controls the lake, it would not prevent Serbia from diverting the water supply to Sandzak as it controls the water flow which feeds the Gazivode Lake. However, if Serbia would stop the water, it would also cut off the Serbs in Kosovo's northern municipalities from access to the water, which would be politically and financially costly for Serbia. Serbia would have enormous difficulties in justifying why it violates the Kosovo Serbs' right to water (UN General Assembly resolution 64/292 of 28 July 2010) while it pretends to protect their interests. Serbia could also incur liability under international law concerning the use of trans-boundary

watercourses. The problem of the Gazivode Lake and the water supply from Serbia to Kosovo is therefore very complex and will require a comprehensive agreement on trans-boundary water management.

Fourth, it should be carefully discussed if the partitioning and exchange of territory in Kosovo would indeed be a precedent for other countries in the Western Balkans. The fear is that following Kosovo's partition, Serbs and Croats in Bosnia-Herzegovina would claim secession and unification with Serbia, respectively Croatia, which would eventually lead to the dissolution of Bosnia-Herzegovina and perhaps even a new conflict between Croats, Muslims and Serbs. Albanians in Macedonia could also claim unification with Albania or Kosovo. The argument could be made that the case of Kosovo is 'sui generis' and not a precedent for other contentious states. The partitioning and exchange of territory would be by agreement between two states, i.e. Kosovo and Serbia and there would be no international law which would prohibit partition/exchange of territory. Macedonia and Bosnia-Herzegovina are different. In the case of Bosnia-Herzegovina, the Dayton Agreement of 1995 and UN Security Council resolution 787 (1992) confirm the territorial integrity of the Republic of Bosnia-Herzegovina and preclude any unilateral secessions. In Macedonia, the Ohrid Agreement of 2001 confirms the territorial integrity of Macedonia. Whether the partition of Kosovo would set a precedent or not may be subject to legal discussion but

it would certainly change the international political discourse. Russia's reference to Kosovo as a justification for its incorporation of Crimea shows what happens when a political narrative change. Once the political narrative is set that Kosovo and Serbia reached an agreement based on territorial changes along ethnic lines, and that this was accepted by the international community, this will change the political discourse without regard to Kosovo's specific circumstances. The underlying thread of the new political discourse will be border changes based on ethnicity as a legitimate way of solving international problems. Even if Kosovo would not be directly a precedent for other contentious states, partitioning/exchange of territory in respect of Kosovo would mean a substantial deviation from current the US and European policy of preserving multi-ethnic and liberal democracies in the Western Balkans. This could be used by Russia as an argument to legitimize its policy in relation to Crimea, South Ossetia and Abkhazia to undermine Ukrainian and Georgian sovereignty. Turkey may also have an interest in supporting partition in order to create spill-over effects in the Sandzak, a Bosnian-Muslim populated territory in Serbia, and to extend its influence from Kosovo through the Sandzak to Bosnia-Herzegovina. This could easily develop into a security dilemma for Serbia and Turkey which could also entangle Kosovo, the region and the EU into a security competition with uncertain outcome.

## **Conclusions**

Partitioning/exchange of territory is controversial and dangerous due to all the uncertainties surrounding it and the vast potential for adverse and unintended consequences. It will be a particularly dangerous and adventurous option for Kosovo if it pursues it without the consent of the US and its Western allies who may oppose this option in view of their global and regional strategic interests. Kosovo cannot afford to alienate its Western allies as this would not only affect its security but also its state identity and its Euro-Atlantic political orientation. The idea of a multiethnic and democratic Kosovo within its current borders is grounded in current Western interests and values and makes Kosovo part of the West. It motivated not only NATO's humanitarian intervention in 1999 but also US and European support for Kosovo's independence. While a partition/exchange of territory looks simple and attractive, Kosovo's leadership should be careful with this due to its uncertain implications for the country and the region.

# Acting against the Normalization: Serbia's Diplomatic Offensive on Kosovo

Florian Qehaja

## Introduction

The unresolved dispute between Kosovo and Serbia remains one of the most challenging political and security issues in the Western Balkans. Kosovo declared its independence in February 2008 which led to prompt recognition by vast majority of Western countries. As Kosovo has been working on its diplomatic efforts to secure membership in International Organizations (IOs), it is severely challenged by the Serbia's proactive measures to stop Kosovo's effort to integrate into the international system. Kosovo managed to get membership in major financial and economic organizations, partial membership in some international organizations/conventions as well as sports associations. However, Kosovo's progress halted when it failed to get membership in UNESCO (2015) as a result of Serbia's aggressive lobbying and fake messaging comparing Kosovo with the Islamic State terrorists.<sup>17</sup>

Since the UNESCO setback, Serbia has continued to block Kosovo's efforts to gain greater global recognition

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<sup>17</sup> See: Dacic: Kosovo membership in UNESCO would be like accepting ISIL, no difference there, at:  
<http://www.kim.gov.rs/eng/v316.php>

at the same time as it participates in the EU-facilitated dialogue, which is intended to normalize relations with Kosovo. Just when many actors believed Serbia and Kosovo were on the verge of achieving a comprehensive legally binding agreement, Serbia's actions proved the opposite. Serbia is working against Kosovo's recognition: lobbying against its recognition from countries that have not recognized it yet and pursuing states that have already recognized Kosovo to withdraw/revoke their recognition of Kosovo and pressuring states to not support Kosovo's membership in IOs. Its propaganda machinery, aided by Russian and pro-nationalist tabloids, led to increased tensions and skepticism that relations could be normalized.<sup>18</sup> Overall, the recent moves by Serbia are seen more as a tactical tool to position itself before a potential agreement with Kosovo.

This essay looks at the impact of Serbia's aggressive diplomacy on Kosovo's statehood. The essay offers context of the EU facilitated dialogue, and assesses Serbia's diplomatic offensive to the detriment of Kosovo.

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<sup>18</sup> See Pëllumb Kallaba's report "Russian interference in Kosovo: how and why?" offers a deep insight into Russian propaganda and fake news regarding Kosovo, at: [http://www.qkss.org/repository/docs/Russian\\_interference\\_in\\_Kosovo\\_finale\\_2\\_735070.pdf](http://www.qkss.org/repository/docs/Russian_interference_in_Kosovo_finale_2_735070.pdf)

### **Acting for normalization – a context**

Since the commencement of the dialogue between Kosovo and Serbia in 2010, there were attempts to normalize relations between both countries. The first agreements were indeed technical, but aimed at approaching both countries and making the life of people much easier. It is right and understandable to consider that the Albanian-Serbian relations in the Balkans are crucial to building and maintaining stability in the region. The so called “historic agreement” that was reached in April 2013<sup>19</sup> —followed by a more comprehensive agreement in August 2015<sup>20</sup>— brought a framework as the basis for all future agreements

These agreements were highly welcomed, since they set the stage for Kosovo to regain limited control over the northern part of Kosovo after almost 15 years of the “status-quo”. The crucial part of this agreement had to do with dismantling of Serbian parallel structures and their integration into Kosovo’s institutional structure. In particular, the core agreements foresaw the full integration of the Serbian community within Kosovo’s justice, police, and other public services. All of these agreements were aimed at normalizing (nominally)

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<sup>19</sup> See more on “historical agreement”, at:

<https://www.theguardian.com/world/2013/apr/30/serbia-kosovo-historic-agreement-brussels>

<sup>20</sup> See more related to 2015’s agreement read Guy Delauney, Kosovo and Serbia sign ‘landmark’ agreements, BBC News, at:

<http://www.bbc.com/news/world-europe-34059497>.



relations, despite evident challenges. In particular, some agreements had direct impact in the life of people. For example, having in mind that mobility directly affects the lives of all people from both countries, the governments of Kosovo and Serbia agreed upon a set of rules and standards so people could travel freely from one country to the other.<sup>21</sup>

There were some agreements which were never implemented, such as the one on the Diploma Recognition, Energy and Association of Serbian Municipalities.<sup>22</sup> Some agreements were especially controversial such as the one on Kosovo's participation in regional initiatives, widely known as "footnote agreement".<sup>23</sup> Despite a painful "consensus" at the

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<sup>21</sup> See more on the Freedom of Movement Deal, at: on <http://www.balkaninsight.com/en/article/kosovo-serbia-freedom-of-movement-deal-in-force> and [https://eeas.europa.eu/headquarters/headquarters-homepage/9823/eu-facilitated-dialogue-implementation-of-the-freedom-of-movement-agreement\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/9823/eu-facilitated-dialogue-implementation-of-the-freedom-of-movement-agreement_en)

<sup>22</sup> Research Institute of Development and European Affairs (RIDEA) & Balkans, Policy Research Group (BPRG), Scenarios for the 'Grand Finale' between Kosovo and Serbia, 2018, at: [https://docs.google.com/viewerng/viewer?url=http://balkansgroup.org/wp-content/uploads/2018/04/SCENARIOS-FOR-THE-GRAND-FINALE-BETWEEN-KOSOVO-AND-SERBIA.pdf&hl=en\\_US](https://docs.google.com/viewerng/viewer?url=http://balkansgroup.org/wp-content/uploads/2018/04/SCENARIOS-FOR-THE-GRAND-FINALE-BETWEEN-KOSOVO-AND-SERBIA.pdf&hl=en_US)

<sup>23</sup> Donika Emini, Kosovo's Membership and Representation in Regional Security Initiatives, 2014, offers a detailed explanation of the footnote agreement, at: [http://www.qkss.org/repository/docs/Kosovo%E2%80%99s\\_Member](http://www.qkss.org/repository/docs/Kosovo%E2%80%99s_Member)

expense of Kosovo, Kosovo was excluded from regional initiatives. For example, Kosovo is blocked from regional initiatives by Serbia and Bosnia-Herzegovina while the latter is frequently used as a satellite of Serbia due to the influence of the Republika Srpska.

The EU, as facilitator of the agreement, has been able to cajole both Kosovo and Serbia in the negotiations using European integration as leverage. Having in mind that the EU has been constantly emphasizing “the carrot and stick” approach towards Kosovo and Serbia, there is a tendency to use this type of conditionality to suspend discussion about core political issues while concentrating only on the dialogue’s technical achievements. This is rather problematic because it appears that the conditionality over the fight against corruption and organised crime is overshadowed by progress in the dialogue.<sup>24</sup> In particular, it was Serbia that promptly progressed towards the EU with candidate status and the opening of fast-track negotiations for EU membership. Kosovo, on the other hand, could not progress beyond the Stabilisation and Association Agreement (SAA) largely because of five

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ship\_and\_Representation\_in\_Regional\_Security\_Initiatives\_668693.pdf

<sup>24</sup> Balkans in Europe Policy Advisory Group, *The Crisis of Democracy in the Western Balkans - Authoritarianism and EU Stabilitocracy*, 2017, at: <http://www.biepag.eu/publications/the-crisis-of-democracy-in-the-westernbalkans-authoritarianism-and-eu-stabilitocracy/>

EU members which do not recognise its independence.

### **Serbia acting against normalization**

The progress in reaching and partially implementing some agreements became a stalemate in 2016 as a result of Belgrade's rhetoric and implied military threats. In late 2016, Serbian Foreign Minister (FM), Ivica Dacic stated that he had begun an intense set of diplomatic activities intended to impeded further recognition of Kosovo. The turning point on this was also the failure of Kosovo to get membership in UNESCO in late 2015, which created a new momentum for Serbia's counter-offensive. Serbia claimed it increased meetings with officials from states that have already recognized the Republic of Kosovo, as a means to convince them to change their position regarding Kosovo's independence. Furthermore, Dacic publicly stated that it was in the process of consultation with countries that recognized Kosovo in order to urge them to change their position towards, while expanding political and economic cooperation between Serbia and these states.<sup>25</sup>

In late 2017, Serbian officials declared that both Suriname and Guinea-Bissau had withdrawn their recognition of Kosovo. Additionally, there were reports that Burundi decided to revoke its recognition in April.

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<sup>25</sup> Dacic lobbying against further recognitions of Kosovo, at: [https://www.b92.net/eng/news/politics.php?yyyy=2016&mm=11&dd=24&nav\\_id=99774](https://www.b92.net/eng/news/politics.php?yyyy=2016&mm=11&dd=24&nav_id=99774)

The Foreign Ministry of Kosovo disputed these assertions, indicating that it had not received any official notification from those countries that they no longer recognize Kosovo's independence. It called Serbia's assertions fake news. However, this would not be the last "withdrawal" of recognition of Kosovo to be reported by Serbian media.

In June 2018, Serbia reported that Liberia, which recognized Kosovo in 2008, had now taken the decision to annul the note on recognition of Kosovo until a conclusion to the negotiations of the EU-facilitated dialogue between Kosovo and Serbia.<sup>26</sup> In July 2018, Serbia announced that Papua New Guinea had withdrawn its recognition. Foreign Minister Pacolli stated that Serbia was spreading falsehoods, while initiating a tour of Africa to reconfirm that countries which Serbia alleged were reevaluating Kosovo's recognition maintained their support for Kosovo's independence.<sup>27</sup>

Fake news was particularly prominent in Serbian local tabloids (such as Alo, Kurir, Informer), as well as

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<sup>26</sup> Pete Baumgartner, Arbana Vidishiqi, Flare-Up Between Kosovo And Serbia After Liberian Gaffe, Radio Free Europe, at: <https://www.rferl.org/a/flare-up-between-kosovo-and-serbia-after-liberian-gaffe/29314209.html>

<sup>27</sup> Gazeta Express, Liberia to open Embassy in Pristina, reaffirming recognition of Kosovo, at: <https://www.gazetaexpress.com/en/news/liberia-to-open-embassy-in-pristina-reaffirming-recognition-of-kosovo-174273/>

Sputnik, the Russian news agency Sputnik, which has an office in Belgrade. From the media reports, it appears that Serbia sought to present Kosovo's statehood as contested and its status as depending on the dialogue with Serbia. Such propaganda might have negative effect towards Kosovo, especially with states that have not yet recognized Kosovo and hesitate to do so. Serbia's approach can be characterized as a "new foreign policy of fake news and hybrid warfare," which it used to destabilize the region.<sup>28</sup>

The support provided by Moscow's in the battle for withdrawal of Kosovo's recognition is visible.<sup>29</sup> Parallel to this, from a broader international security perspective, Kosovo has become a new front line in Russia's "new cold war" with the West. As such, Moscow has been transferring sophisticated weapons to Serbia and taking provocative acts. For example, a Russian-made train emblazoned with the message "Kosovo is Serbian" in 20 languages was stopped by Kosovo authorities at the border in December 2016. The ensuing war of words almost spiraled into a violent confrontation.

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<sup>28</sup> Enver Hoxhaj cited at:

<http://www.balkaninsight.com/en/article/kosovo-deputy-pm-slams-serbia-s-false-recognition-claims-11-27-2017/1589/2>

<sup>29</sup> David Phillips, Why Serbia must recognize Kosovo's independence: Lack of progress has a negative impact in both states, at: <https://www.washingtontimes.com/news/2017/sep/4/why-serbia-must-recognize-kosovos-independence/>

### **What's in Serbia's strategy?**

Revocation of recognition is Serbia's key foreign policy goal. Belgrade has used its intelligence, political connections and lobbying with money as a mean to convince states to not recognize Kosovo as an independent state. Parallel to this, the means used in case of "withdrawal" of Suriname offers an interweaving of Serbia's diplomacy and partnership with Russia. In fact, analyzing in sequence, the news for recognition of Suriname seems to be more valid because it represents a single voice of Suriname's diplomacy on the recognition. Suriname has made a doctrinarian shift while opening way to an enhanced economic and military cooperation with Russia instead of the U.S.<sup>30</sup> As a result, its annulment of recognition is a product of Russia's pressure as well as Serbia's financial incentive provided to its officials, including visa free regime. For the visa free regime offer to Suriname and other countries, there is an increasing fear by the EU that this would allow wave of people from developing countries in the South to use Serbia as a launch point for entering the Schengen zone. Parallel to this, Serbia's actions could be perceived as a "propaganda" for inner consumption in its domestic politics in Serbia. In this account, Serbia is trying to prove to Serbian citizens that

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<sup>30</sup> See more on Suriname's and Russia's current relations, at: <https://www.telesurtv.net/english/news/Suriname-Due-to-Become-Latest-South-American-Nation-to-Waive-Visas-for-Russians-20171019-0026.html>

it is determined to complicate Kosovo's path towards membership in international organizations IOs and presenting Kosovo as unsolved case.

Analyzing the pattern of countries that Serbia has pushed to withdraw their recognition of Kosovo, it is evident that Serbia targets countries having similar disputes as Serbia and Kosovo, domestic challenges, while also targeting countries with which Yugoslavia has had good relations in the past. For instance, Papua New Guinea is facing a referendum on the secession of a part of the country. Therefore, Serbia uses this situation in order to get them to rethink their decision on recognizing Kosovo. From such standpoint, it is evident that Serbia targets countries where a minority or majority of population wants its independence or where there is social unrest. Not to forget, that Serbia's foreign policy uses its historical good relations with non-aligned countries. Such good relations since the period of Yugoslav President Josip Broz Tito with Non-Aligned Movement states was mentioned when Serbia requested Gambia and Liberia to reconsider their decision to recognize Kosovo's independence.<sup>31</sup> Nonetheless, Serbia also pays attention to deepening the bilateral relations with states that do not recognize Kosovo, through

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<sup>31</sup> See, at:

[https://www.b92.net/eng/news/politics.php?yyyy=2017&mm=10&dd=31&nav\\_id=102684](https://www.b92.net/eng/news/politics.php?yyyy=2017&mm=10&dd=31&nav_id=102684) and

[https://www.b92.net/eng/news/politics.php?yyyy=2018&mm=02&dd=23&nav\\_id=103567](https://www.b92.net/eng/news/politics.php?yyyy=2018&mm=02&dd=23&nav_id=103567)

diplomatic visits and exploring new ways of cooperation. For instance, the Serbian Foreign Minister Dacic publicly stated that Serbia should pay attention to Azerbaijan as a country that does not recognize Kosovo, while highlighting that the size of countries is irrelevant.<sup>32</sup>

Bearing in mind that the EU facilitated dialogue between Kosovo and Serbia is in its final stage, Serbia's goal is to tactically position itself far more advantageously before its potential final deal with Kosovo. Assuming that some countries have withdrawn recognitions, successfully blocking Kosovo's membership in international organizations through the support of Russia and China and preventing further recognition, Serbia aims to increase its influence in the final phase of the dialogue where it could gain some points at the expense of Kosovo.

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<sup>32</sup> FM Serbia won't trade despite pressure over Kosovo, at: <http://rs.n1info.com/a389963/English/NEWS/No-trade-with-EU-over-Kosovo-Serbia-s-FM-says.html>



## **Conclusions**

Kosovo- Serbia relations are very important to maintain peace and stability in the Western Balkans. Despite this importance and notwithstanding the fact that the EU facilitated dialogue is in its final stage, Serbia is simultaneously working to undermine Kosovo's statehood and international legitimacy. Its efforts are a sign of ill-will towards Kosovo and to the goal of normalization. It is doing so through a heavy-handed lobbying campaign against Kosovo's recognition, targeting countries that have not yet recognized Kosovo, while also engaging states that have already recognized Kosovo and urging them to withdraw their recognition. In addition, Serbia is actively lobbying to prevent Kosovo's membership in IOs. Serbia targets states which face similar problem as Serbia does with Kosovo, as well as states that were a part of Non-Aligned Movement. Rather than compromise and accommodation, Serbian diplomacy seeks to damage Kosovo's statehood and international position through its soft-power and deep cooperation with Russia. At the same time, Serbia presents itself as having EU aspirations. Based on propaganda and fake news, aided by Russian and pro-nationalist tabloids, the nationalist Serbian lobby is undermining Serbia's goal of European integration and setting back the goal of normalization of relations with Kosovo.





# **R U S S I A**



# Unpacking Russia's Balkan Baggage

Mark Baskin

## Introduction

Together with China, Spain and other influential states, e.g., Russian resistance to the international sovereignty of Kosovo presents a serious challenge to policy makers in Prishtina and Kosovo's supporters in Europe, North America and elsewhere.<sup>33</sup> As a permanent member of the U.N. Security Council, the Russian Government's 'originalist' views on Kosovo, which invoke the authority of international law, pose no small challenge to Kosovar and international policy makers who seek to win 'international legal sovereignty' for the Government of Kosovo.<sup>34</sup>

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<sup>33</sup> Stephen Krasner distinguishes four types of sovereignty: "*International legal sovereignty* refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence. *Westphalian sovereignty* refers to political organization based on the exclusion of external actors from authority structures within a given territory. *Domestic sovereignty* refers to the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity. Finally, *interdependence sovereignty* refers to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state." *Sovereignty, Organized Hypocrisy*, Princeton University Press, 1999, pp. 3-4, Italics added.

<sup>34</sup> In Moscow's 'originalist' view, Kosovo remains legally under the authority of SCR 1244 and therefore under the sovereignty of the

This paper assesses Russia's policy in Kosovo (and, by extension, in the Balkans). It briefly surveys Russian perspectives on the international system, conflicts and institutions; and highlights some of the tools of soft power that it employs in practice

There are three broader, related points about Russian policy towards Kosovo since the mid-1990s. The first is that the Yeltsin and Putin governments have both pursued strongly realist policies towards Kosovo and the Balkans. These primarily serve the Russian Federation's broader foreign policy agenda whose primary objective is for the Russian Government to regain its position as a global power. To this end, the Russian Government employs the full array of soft and hard power tools.<sup>35</sup>

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Republic of Serbia. The clearest statements can be seen in the 121 meetings of the UN Security Council from 1997-2018, at: <http://www.un.org/en/sc/meetings/> However, Anton Bebler challenges the dominant Russian/Serbian interpretation that views Kosovo is legally part of Serbia: "Kosovo as an International Problem," *Civic and Uncivic Values in Kosovo: History, Politics and Value Transformation*, Budapest: Central European University Press, 2015.

<sup>35</sup> See Dmitry Trenin, *Should We Fear Russia?*, Cambridge: Policy Press, 2016;; Mark Baskin, "Russia's Double-Edged Diplomacy in the Balkan War", Geir Flikke, ed., *Russia and International Peacekeeping*, Norwegian Institute of International Affairs, Center for Russian Studies, No. 206, 1996.

Second, Russia's Kosovo (and Balkan) policy remains peripheral, enabling small Russian investments in support of Serb interests against Kosovo sovereignty as one means to thwart Western efforts at strengthening its own networks of influence in Kosovo and the Balkans.

Further, Russian support for continued Serbian international legal sovereignty in Kosovo is consistent with its own preference for security in its near abroad and support for insurgent powers against post-Soviet governments who might wish to join NATO and the EU, e.g., Ukraine, Georgia or Moldova.

Finally, the deployment of soft power in Kosovo and the Balkans is both a reminder of putative cultural affinities among Orthodox Slavs via the Russian Orthodox Church and a demonstration of Russia's great power benevolence by supporting Serbia's crisis response capacity. Russia lays down its stake in the current regional iteration of the 'great game'. This seeming window dressing over a policy guided by strategic and economic interests may take on a life of its own and provide normative and cultural constraints and opportunities for constructive progress.



## Russia as a Global Power

The Russian Government has consistently pursued a policy aimed to strengthen its position as a global power. Andrew Radin and Clint Reach summarize this mainstream consensus: “Russia’s underlying foreign policy interests have remained relatively consistent since the end of the cold war ... maintaining territorial integrity, preserving the regime, exercising dominance within Russia’s ‘near abroad’ ... securing noninterference in domestic affairs as a fundamental principle of global governance and pursuing political and economic cooperation as a partner equal to other great powers.”<sup>36</sup>

The Russian Government insists on taking its place at the table as a government with regional command and global reach. President Putin is a leader pursuing Russian national interests, much as did Ivan the Great, the Gatherer-in of Russian Lands, in the fifteenth century.<sup>37</sup> Angela Stent suggests that Russia’s three-fold strategy of restoring its great power status involves regaining

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<sup>36</sup> *Russian Views of the International Order*, Rand Corporation, 2017, p. ix, 7-30. See also Dmitri Trenin, *Should We Fear Russia?*, Cambridge: Polity Press, 2016, DMITAR BECHEV, *Rival Power: Russia’s Influence in Southeast Europe*, New Haven: Yale University Press, 2017, and Angela E. Stent, *The Limits of Partnership: US-Russian Relations in the Twenty First Century*, Princeton: Princeton University Press, 2014.

<sup>37</sup> See George Vernadsky, *Russia at the Dawn of the Modern Age*, Yale University Press, 1959.

control over the 'Soviet space, including the near abroad, re-establishing links with China and the five major powers constituting the BRICS, and re-asserting Russian influence in places where the USSR had been active, including in the Middle East, Latin America and elsewhere.<sup>38</sup>

Radin and March point to the Russian leaders' four-fold hierarchy of desired influence: most importantly in the core Soviet space of Russia, Belarus, Central Asia and Ukraine; then to the Caucasuses; then to the Baltics; and only then to the Western Balkans and Ex-Warsaw Pact states.<sup>39</sup> The influential Valdai Club's Discussion Club Report of 2016 sees Russia and China loosely heading one of the two major blocs against that of the "USA, the European Union, and their allies."<sup>40</sup> This thinking expressly rejects the imposition of a western "model that

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<sup>38</sup> Angela E. Stent, *The Limits of Partnership: US-Russian Relations in the Twenty First Century*, Princeton University Press, 2014, Chapter 12.

<sup>39</sup> *Russian Views of the International Order (RVIO)*, pp. 10-11. Central Asia is comprised of Kazakhstan Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan; the Caucasuses is composed of Georgia, Armenia, Azerbaijan and Moldova; the Baltics are composed of Estonia, Latvia and Lithuania; the Western Balkans are Albania, Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Serbia; and the Ex-Warsaw Pact are Bulgaria, Czech Republic, Slovakia, Hungary, Poland and Romania.

<sup>40</sup> *War and Peace in the 21st Century, International Stability and Balance of a new Type*, Valdai Discussion Club, January 21, 2016, p. 8, at: <http://valdaiclub.com/files/9635/>

presents itself as universal.”<sup>41</sup> Accordingly, the Putin Government has resisted Western efforts, under US global leadership, to bring democracy via intervention and support for civil society, which threaten Russia’s vital interests: “‘Democratism’ is a one-sided mixture of political liberalism, human rights thinking, enlightenment secularism and theories of Western supremacy that strongly resemble colonialism.”<sup>42</sup> To Russian leaders, the effort to impose the values embodied in the liberal, democratic/humanitarian agenda is a violation of Westphalian principles: “[t]he experience gained in the period since the Cold War shows that trust cannot be based on an ideological ‘unconditional surrender’, the acceptance by one side of the opinions and perceptions of the other.

The defects of such an approach are obvious even within the European Union, where a “mental unification” is still lacking, so its attainment in relations with Russia is not to be dreamt of.”<sup>43</sup> Russian leaders see a more traditional global order that legitimately enables “large non-western states ... to assert their interests in

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<sup>41</sup> Ibid., p. 4.

<sup>42</sup> Alexander Lukin, “Russia in a Post-Bipolar World,” *Survival*, Vol. 58, no. 1 (2016), p. 94, cited in *RVIO*, pp 33-34. Also see *War and Peace in the 21<sup>st</sup> Century, International Stability and Balance of a new Type*.

<sup>43</sup> Ibid., p. 3., Also see Dmitri Trenin: “Russia is, in foreign affairs, first and foremost about status”, at:

<https://www.youtube.com/watch?v=sx8AyaOpGpc>

the immediate proximity of their own borders.”<sup>44</sup> They prefer to depend on institutions in which it is an equal share-holder as the United Nations and the Organization of Security and Cooperation in Europe, as the best vehicle for promoting Russia’s national interests, over those in which they are outsiders, such as NATO and the European Union.

In sum, Russia has articulated an alternative perspective on the nature of the current global system that stands in opposition to the vision of liberal democratic governments. Further, Russia’s primary concern lies far outside of the Balkans and not a single serious survey of opinion of Russian elites cites the Balkans as an important area of conflict. Kosovo and the Balkans have been relegated to the discretionary agenda of the great powers who understand that the daunting challenges of establishing a self-regulating, sustainable resolution of conflict appear to outweigh the alluring possibilities of achieving the positive liberal democratic agenda of the 1990s. Russia’s activities in the Balkans appear to have less to do with the Balkans than with its ongoing competition with other great powers.<sup>45</sup>

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<sup>44</sup> *War and Peace in the 21<sup>st</sup> Century*, p. 2.

<sup>45</sup> See Mark Galeotti, “Do the Western Balkans Favor a Coming Russian Storm,” European Council on Foreign Relations, Policy Brief, at:

[https://www.ecfr.eu/publications/summary/do\\_the\\_western\\_balkans\\_face\\_a\\_coming\\_russian\\_storm](https://www.ecfr.eu/publications/summary/do_the_western_balkans_face_a_coming_russian_storm)

## **The Balkans as a Peripheral Interest**

Even with the dissolution of the USSR in the 1990s and its loss of global position, Russian diplomacy ably seized opportunities to pursue interests that were distinct from the western policies during the wars in Bosnia-Herzegovina and Croatia.<sup>46</sup> The Russian government has never accepted the global human rights or humanitarian norms that are encompassed in the 'responsibility to protect'. It remains committed to great power diplomacy that would enable it to remain a key actor in international affairs.<sup>47</sup> In the 1990s, the Yeltsin government leveraged the pan-Slav and pan-Orthodox views within the Russian Duma to fashion pragmatic support for Yugoslavia, Serbia and opposition to Kosovo sovereignty within the context of settled international law. It actively engaged in the wartime diplomacy in Bosnia-Herzegovina and Croatia on the ground and diplomatically. But even as it opposed NATO's 'Operation Deliberate Force' in Bosnia-

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<sup>46</sup> For e.g., Bechev, *Rival Power*. And the key generation of Russian diplomats have been schooled in the Balkans – from long time envoy Vitaly Churkin to current Foreign Minister Sergey Lavrov, all of whom have displayed great affinity for the Balkans.

<sup>47</sup> For the comprehensive set of documents on the Responsibility to Protect, see: <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html> For an earlier version that comes from the same set of values on Kosovo, see the Kosovo Report from the Independent International Commission on Kosovo, at: <http://www.oxfordscholarship.com/view/10.1093/0199243093.001.0001/acprof-9780199243099>

Herzegovina beginning in September 1995 – it had been sidelined in the decision to launch the air strikes – it joined the IFOR (Implementation Force) and SFOR (Stabilization Force) missions in Bosnia-Herzegovina following the war.<sup>48</sup>

Moscow then parted ways with its Western partners over Kosovo. Bechev reports that, at Rambouillet, Russian diplomats failed to pressure Milosevic's team to accept the proposal for Kosovo's autonomy that was on the table and clearly underestimated the will of NATO and the US Government to act militarily. Yeltsin resisted broad domestic opposition to the NATO strikes from both liberals and nationalists out of his distaste for Milošević's tactic of "pushing us to political and military confrontation with the West" and of attempting to join the Russia-Belarus State Union.<sup>49</sup> Instead, Yeltsin saved face globally and supported the passage of UNSC Res. 1244 that viewed Kosovo as part of Serbia. It claimed credit for sending a paratrooper detachment from SFOR in Bosnia-Herzegovina to the Prishtina airport. Until 2003, Russia deployed 1,500 troops as part KFOR.<sup>50</sup>

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<sup>48</sup> See Aleander Nikitin, "Partners in Peacekeeping," *NATO Review*, Winter 2004, at:

<https://www.nato.int/docu/review/2004/issue4/english/special.html>

<sup>49</sup> Cited in DMITAR BECHEV, *Rival Power: Russia's Influence in Southeast Europe*, New Haven: Yale University Press, 2017, p. 46.

<sup>50</sup> *Ibid.* See also Angela E. Stent, *The Limits of Partnership: US-Russian Relations in the Twenty First Century*, Princeton University Press, 2014, Chapter 2.

To Russian leaders, NATO's intervention in Kosovo demonstrated US unilateralism. It signified a defeat for Russian diplomacy and prompted Russia to oppose Ahtisaari's efforts between 2006 and 2008 to conclude a comprehensive status settlement.<sup>51</sup> The Russian Government's rejection of the plan and of Kosovo's independence suggests that they welcomed the freezing of the conflict, notwithstanding the ups and downs in relations between Russia and a Serbian Government that continues its long tradition of wavering between rival great powers out of fear of becoming a mere vassal to either of them.<sup>52</sup> The three most significant Russian spokesmen of the 21<sup>st</sup> century on the Balkans — President Putin, Foreign Minister Lavrov and late UN Envoy Vitaly Churkin— laid out Russia's position that Belgrade and Prishtina must work out their differences themselves, and that it was senseless to impose a time table on these talks.<sup>53</sup> The Russian Government has consistently supported these methodological principles in application to the negotiations when the UN dominated diplomatic developments before 2008 and when the EU came to dominate these developments after Kosovo's declaration of independence.

Nor has the Russian Government proven entirely willing to see Kosovo's declaration of independence as a

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<sup>51</sup> Ibid, Chapter 7.

<sup>52</sup> See Dmatar Bechev, *Rival Power: Russia's Influence in Southeast Europe*, New Haven: Yale University Press, 2017, Chapter 2.

<sup>53</sup> Ibid., pp. 60-61.

precedent that might serve its own interests. Putin claimed to see “no difference between (Kosovo) and post-Soviet separatist states” at the G-8 Summit in 2007 and then said that Kosovo’s declaration of independence “is a harmful and dangerous precedent ... you can’t observe one set of rules for Kosovo and other for Abkhazia and South Ossetia,” both para-states that won Russian recognition following armed conflict in 2008.<sup>54</sup> Russian support for independence movements within its presumed sphere of influence, (e.g., anti-Russian governments in Ukraine, Moldova, and Georgia who are flirting with western regional organizations), may be consistent with its rejection of independence for Kosovo. ‘Frozen conflicts’ in Crimea, Donetsk, Lugansk, Transnistria, Nagorno Karabakh, Abkhazia, and South Ossetia decrease the prospects for western penetration into an area of Russian interests.

Support for rebels in the near abroad both weakens the efforts of anti-Russian governments to join European institutions and enhances Russian influence in the near abroad. And notwithstanding —or perhaps, because of— strong western support for Kosovo’s sovereignty, Russian challenges to that sovereignty continues to keep Kosovo from becoming a UN Member State or joining UN organizations. At the same time, Kosovo remains in the outer ring awaiting accession to the EU.

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<sup>54</sup> Cited in Angela E. Stent, *The Limits of Partnership: US-Russian Relations in the Twenty First Century*, Princeton University Press, 2014.



Putin seeks to 'gather in the Russian lands' in the near abroad, and is content with its modest investment in maintaining frozen conflicts in Kosovo and Republika Srpska: a relatively low-cost stalemate is far preferable to a defeat especially when this stalemate raises the costs to the West, while maintaining Russia's stake in the region. The point appears to be keeping the game intact and remaining in play.

### **Russia's Soft Power or Hybrid Warfare?**

Russia's many other commitments and domestic economic difficulties limit its capacity to support a 'strategy of chaos' in the Balkans that would successfully challenge Kosovo's sovereignty.<sup>55</sup> This challenge is part of the broader global game in which the great powers all vie for regional leverage. Among Russia's instruments of influence is the Russian Serbian Humanitarian Center in Nis, allegedly an intelligence outpost.<sup>56</sup> Russia also uses energy diplomacy,

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<sup>55</sup> Mark Galeotti, "Controlling Chas: How Russia Manages its Political War in Europe," European Council on Foreign Relations Policy Brief,, at: [https://www.ecfr.eu/publications/summary/controlling\\_chaos\\_how\\_russia\\_manages\\_its\\_political\\_war\\_in\\_europe](https://www.ecfr.eu/publications/summary/controlling_chaos_how_russia_manages_its_political_war_in_europe) Also see Peter B. Doran and Donald J. Jensen, "Putin's Strategy of Chaos" *The American Interest*, March 1, 2018, at: <https://www.the-american-interest.com/2018/03/01/putins-strategy-chaos/>

<sup>56</sup> Milena Djurdjic, US Sees Russia's 'Humanitarian Center' in Serbia as Spy Outpost, *Voice of America*, at:

diplomatic deployments and frequent visits, and relations among Orthodox Churches as instruments of soft power. The Kremlin's influence is strengthened by the regular visits of Serbian leaders to Moscow or of Russian leaders to Belgrade for holidays and anniversaries. This low-cost effort helps strengthen Russian presence in the Balkans beyond its formal diplomatic representation that includes 13 diplomats in Kosovo, 29 diplomats in Albania, 25 diplomats in Montenegro, 20 diplomats in Macedonia and 97 diplomats in Serbia.<sup>57</sup>

These efforts aim to achieve three goals: first, to increase Russian leverage over the region by providing essential goods and services; second, to enhance Russian presence in the region as a benevolent great power; and third, to strengthen the fraternal relations among Slavs through which the Putin Government can demonstrate its solidarity. Russian economic leverage in the region is real. Its exports to all Balkan countries, including Serbia, are substantially greater than its imports because of its export of energy. However, the hoped-for economic benefit from Russia's connection to the Serbian economy has not materialized in a substantial way, manifest either through budget support, purchase of Serbian

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<https://www.voanews.com/a/united-states-sees-russia-humanitarian-center-serbia-spy-outpost/3902402.html>

<sup>57</sup> Mark Galeotti, "Do the Western Balkans Favor a Coming Russian Storm.", European Council on Foreign Relations Policy Brief, April, 2018

power companies, promises to supply natural gas via the South Stream Pipeline that was scuttled in 2014 or even the future promise of the Turkish Stream pipeline.<sup>58</sup> No story line leads to a conclusion that Russia is strengthening its capacity to dominate the economy in the Balkans or in other countries. The Chinese and the Turkish Governments represent far greater “threats” to the western governments who are investing in Kosovo, Serbia and elsewhere.

Relations among the Russian Orthodox Church and the Serbian Orthodox Church provide an even more compelling connection that fuses the sacred and political to strengthen ties among the faithful. For the 180th anniversary of Serbian-Russian relations in Belgrade on February 22, 2018, Foreign Minister Lavrov unveiled a new mosaic at the Temple of St. Sava in Belgrade together with Serbian secular and religious leaders, including Republika Srpska President Milorad Dodik. Serbian President Vucic called the Temple a “symbol of brotherhood between Serbs and Russians ... the most fitting place to recall the holiness of our ties, especially of the church and the people, Russia and Serbia, nations who have emerged from the same tribe ...”<sup>59</sup> On May 24,

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<sup>58</sup> Dmatar Bechev, *Rival Power: Russia's Influence in Southeast Europe*, New Haven: Yale University Press, 2017, pp. 64-67.

<sup>59</sup> CEREMONIJA U HRAMU NA RUSKOM, Vucic: Usvojili smo lekcije i odabrali život. Hvala i Đinđiću i Nikoliću; Lavrov: Oduševljen sam, at: <https://www.blic.rs/vesti/drustvo/ceremonija-u->

2018, Patriarch Irinej led a Serbian Orthodox Church delegation to Moscow and declared that "Moscow has always been and remains a great spiritual center not only for the Russian Orthodox Church, but for the whole of Orthodoxy. We rejoice that Russia has once again become what it once was, and we hope that it will succeed on this path. The Serbs have always tied their small boat to the great Russian ship. We pin great hopes on Russia's assistance. Today we are experiencing a time of severe trials in Kosovo, and the Russian Church in Ukraine. The rulers of this century want to take away our land, where our greatest shrines are located, for which a great deal of blood was shed by our ancestors who defended Kosovo."<sup>60</sup> This does not make it easy to find a solution.

In the drama that strengthens emotional ties between ordinary people in Russia and Serbia—to the extent that ordinary people pay attention to these matters at all—Kosovo is neither an actor in the conflict nor even an object of dispute, but a constitutive part of Serbia, the field on which a larger conflict is being waged (to Russia) and an object of desire (to Serbia). This suggests that the first key to countering the Russian challenge to Kosovo's international legal sovereignty lies in

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hramu-na-ruskom-vucic-usvojili-smo-lekcije-i-odabrali-zivot-hvala-i/kjytlqk

<sup>60</sup> «Святейший Патриарх Сербский Ириней посетил подворье Сербской Православной Церкви в Москве,», at: <http://www.patriarchia.ru/db/text/5210033.html>

achieving some sort of agreement on the path ahead in which Russia was a key actor.

It might include a way to address other frozen conflicts where the US and Russia have differences, such as Syria. Although few governments in the West would currently accept a Russian 'sphere of influence' in its post-Soviet space, second track discussions on these multiple issues might help to identify some common space among the powers.

It could include a package of strengthened operational ties between governments in Kosovo and Serbia with great-power guarantees to support changes arrived at in the EU-sponsored Dialogue. This package can move beyond the bombastic public bargaining that is taking place in Summer 2018, such as on the establishment of the Association of Serb Majority Municipalities or an adjustment of the borders of Kosovo and Serbia and include the development of specific joint investments among Serbian and Albanian companies in Kosovo, cooperation in regional municipal services outside of the realm of the ethnic Association of municipalities, and other activities in communities that would provide a real stake for all citizens of Kosovo.

Finally, a longer-term solution to Russian challenges to Kosovo sovereignty is for the Government of Kosovo to enhance what Stephen Krasner would call its "domestic sovereignty" or "the formal organization of political authority within the state and the ability of public

authorities to exercise effective control within the borders of their own polity.”<sup>61</sup> Kosovo must get its house in order through improvements in accountable governance, service delivery, and rights for all, including minorities.

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<sup>61</sup> Stephen Krasner, *Sovereignty, Organized Hypocrisy*, Princeton University Press, 1999.

# The Kosovo Issue from Russia's Perspective

Sonja Biserko

## Introduction

Famously, Winston Churchill defined Russia as "a riddle, wrapped in a mystery, inside an enigma." He said it back in 1939. Today, when the future of the entire world is a big and dangerous enigma, Churchill's effective metaphor —paradoxically enough— is telling no more.

Russia will never be a superpower like the USSR. It is searching for a new national identity and role in the world. Fyodor Lukyanov, the president of the Russian Council for International Affairs (RFACC), argues that Moscow's policy today is, in fact, a skillful imitation of striving for global status, intended to conceal the narrowing of the sphere of its immediate interests.<sup>62</sup>

By forming various coalitions Russia has been trying, among other things, to reaffirm or strengthen its global power. However, unlike in the Soviet era, there is no longer a universal ideology it could lean on at home or at the international arena.<sup>63</sup>

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<sup>62</sup> At: <http://www.eurozine.com/articles/2013-06-28-lukyanov-en.html>

<sup>63</sup> At: <https://pescanik.net/ruske-intervencije-kontrarevolucionarna-sila/>

In order to hinder NATO's unceasing spread through the once Soviet zones of influence after the 1990s, Russia launched its vision for Europe in 2009. Russia proposed a new security agreement and the revision of all agreements made that far. Since its offer found no resonance in the West, Russia turned towards hindering NATO's progress.

In this context, the Western Balkans (the Balkans and the Mediterranean as a whole) became a major zone of strategic competition and latent (or overt) confrontation. Russia has surely not given up its longstanding interests in the region. Because of its limited resources, Russia can barely, if at all, decisively influence events in the Western Balkans. Nevertheless, its presence in the region over the past years and its potential for meddling must not to be underestimated.

Russia works on further disintegration of the Balkans by supporting nationalists in Serbia and in ex-Yugoslav territories.<sup>64</sup> Zoran Dragisic, a Member of Parliament (MP) from SNS and professor at the Faculty for Security, says, "Russia's only power over Serbia can be ensured through conflicts. It is strongly interested in its presence over here, but cannot realize its influence through economy or culture since its own economy is rather poor. Therefore, it lives and will always live on conflicts over here ... Only by inciting tensions it can force its way in the Balkans; and should tensions disappear its

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<sup>64</sup> Ibid.



influence would evaporate.”<sup>65</sup> Russia’s support to nationalistic movements in Greece, Bulgaria and even Turkey serves the same purpose.<sup>66</sup>

Russia is well aware that the Western Balkans aspires towards Euro-Atlantic integration. Its interest, it makes no secret of, is to slow down or deny this orientation in Serbia, Bosnia-Herzegovina, Macedonia and Montenegro. To this end it has been supporting the status quo (i.e. tensions and turbulences in fragile states of the Western Balkans), while siding with Serbia’s interests in Kosovo and Bosnia-Herzegovina. Its destructive and disruptive role is aimed at undermining Euro-Atlantic integration of countries in the Western Balkans.

Russia’s limited success is a result of the failed transition of the Western Balkans, which causes stagnation or even regression in almost all the countries.<sup>67</sup> Membership in the EU is loosing its mobilizing power and countries in the region have begun looking for other options.

The change in Russia’s foreign policy (2007), the role of Eastern Orthodox churches, Eastern Orthodoxy

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<sup>65</sup> At: <https://www.danas.rs/politika/dragisic-interes-rusije-u-srbiji-je-sukob/>

<sup>66</sup> At: <https://pescanik.net/ruske-intervencije-kontrarevolucionarna-sila/>

<sup>67</sup> At: [http://www.democratizationpolicy.org/pdf/Submission\\_of\\_Kurt\\_W\\_Bassuener\\_to\\_House\\_of\\_Lords\\_International\\_Relations\\_Committee\\_9\\_15\\_2017.pdf](http://www.democratizationpolicy.org/pdf/Submission_of_Kurt_W_Bassuener_to_House_of_Lords_International_Relations_Committee_9_15_2017.pdf)

generally, and especially energy supply vulnerability of the Balkans opened the door to new geostrategic penetrations by Russia. In addition, Russia has finally become aware how important “soft power” could be as a foreign policy tool, especially in countries to which it has been close historically. Russia has promoted the idea that Eastern Orthodox civilization is “superior,” which is especially attractive to fragile and frustrated countries such as those in the Balkans, to the societies lacking political culture, and critical democratic potential. Serbia’s conservative elites have traditionally looked towards Russia, particularly the Serbian Orthodox Church.

In the 1990s they had high expectations of Russia. However, Russia failed to provide support because of problems plaguing Russia itself. Once Vladimir Putin came to power, Russia’s support to Serbia concerning Kosovo in the UN Security Council postponed an agreement on Kosovo’s status.

Russia’s intelligence services are increasingly present in the region. Part of its military-intelligence infrastructure has based itself in Serbia. The Russian-Serbian Humanitarian Center in Nis has long been a cause for concern in the West.<sup>68</sup> Moscow insists that its employees receive diplomatic status. Serbia has resisted this pressure so far, with the guidance from Western

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<sup>68</sup> At: <http://www.dailymail.co.uk/wires/ap/article-3824964/Inside-Russian-spy-base-Balkans.html>

governments. Through Serbia, Russia is a major player in destabilization of Macedonia, Montenegro, and Bosnia-Herzegovina, and in addition it hinders Kosovo's progress by insisting on UNSC Resolution 1244.

### **Russia's banks on Serbia**

Serbia's political elites have always counted on Russia even in the 1990s when its assistance was insignificant. Things changed when Putin came to power and made a U-turn in Russia's policy towards the West. Putin's strategy to renew Russia's super power relies on Russia's presence in the Balkans. At the Conference on Security in Munich (2007) Putin announced his strategy, which was grounded on the influence of Russia's energy supply. This factor was decisive for Balkan countries because of their dependence on Russian energy resources.

Russia is notably active in Serbia, the central country in the region, where it counts on favors and support from the present regime. Russian Ambassador Alexander Chepurin says that, along with its cooperation agreement with NATO, Serbia should have appropriate relationship with Collective Security Treaty Organization (ODKB) which was signed in 1992 and is located in Moscow. "Stronger ties and relations between our armed forces are especially important to Russia ... However, Serbia has had just two maneuvers with us

and as many as twenty-two with NATO.”<sup>69</sup> Asked how possibly Serbia could stay neutral when surrounded by NATO members, Igor Panarin, the coordinator of ODKB Analytics, replied, “When Crimea integrated into Russia, Serbia became much closer to us. The range of Russian missiles is over 2,000 kilometers, and is fewer kilometers away.”<sup>70</sup>

In Serbia, the Russian President is the most popular foreign statesman. Domestic opinion-makers portray him as the staunchest defender of “Serbia’s national interests” with the international community, and especially when it comes to Kosovo. His popularity in Serbia rests on the fact that he had placed Russia “back on its feet” restored Russia’s international reputation, and rules with “an iron hand.”

Serbia’s conservative elites are manipulating traditional perceptions of closeness with a “big brother” in the East to build a myth about Serbia’s place “in the East” rather than in the EU. “We know Russia neither historically nor in reality,” says historian Latinka Perovic. Illusion of such special relationship with Russia, she concludes, comes from the fact that.<sup>71</sup>

Official Moscow plays well on Serbia’s frustration with war defeats and especially with its burden of the

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<sup>69</sup> Srbija ne sme u antiruski front“, Greopolitika, broj 86, May, 2015

<sup>70</sup> Ibid.

<sup>71</sup> Address at the launch of the Helsinki Charter in Sabac, March 28, 2011

Srebrenica genocide. It maintains that the West's goals are clear. The West wants to change "the vector of RS developments and its orientation towards Serbia and Russia, and have it fully under the West's thumb instead."<sup>72</sup>

Russia has three clearly defined interests in Serbia: energy, military cooperation and economic investments. In military terms, Russia is already Serbia's partner. Serbia buys Russian arms to the great dissatisfaction of the EU and NATO. Russian influence is strong in the energy sector. The energy supply agreement signed with Russia in 2008 was supposed to greatly benefit Serbia. Its implementation was blocked due to pressure from the Energy Community Treaty (EU). Cessation of the South Stream was a heavy blow to the country's energy security since Serbia almost fully depends on Russian gas and oil.

With the change in international constellation and Russia's strong ambition to restore itself as a global power, Serbia became the Kremlin's strategic bridgehead in Europe, as well as the central "proving ground" for Russian public diplomacy and soft power. Russia made a U-turn in its application of soft power in

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<sup>72</sup> Igor Grekov, Srebrenica; Rusija brani istorijsku pravdu, Geopolitika, August 2015.

2014.<sup>73</sup> The Russian “mindset” influences many Serbian media outlets, including tabloids as well as high-circulation dailies such as *Vecernje Novosti* and *Politika*.

The *Pečat* weekly and *Geopolitika* magazine are the most prominent advocates of anti-Europeanism and promoters of Serbia’s pro-Russian orientation. Anti-European circles include all right-wing political parties, such as DSS and Dveri, as well as the ruling SNS-SPS coalition. The majority of cabinet members is pro-Russian.

Russia has a strong presence in the Serbian media sphere through the *Sputnik* portal. Russian scientists, academicians, historians, and Balkan experts, such as Sergey Bondarenko, Alexander Dugin and others often appear in the public domain. In this way, Russia lends a helping hand to advocates to the right-wing option and safeguarding Kosovo “within Serbia’s borders,” through ritualistic invocation of strict implementation of UNSC Resolution 1244. Official Moscow maintains that the final decision is up to the Serbian administration.

Russian Senator Anatoly Lisickin argues that Serbia could turn itself towards the West but that would be hard given that the Serbian people’s “mentality and spirituality” are close to Russia and Slavs. “Our

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<sup>73</sup> According to Harvard professor Joseph Nye, the author of the soft power concept, basic resources of soft power are value systems, culture and politics.

common history testifies of this,” he says.<sup>74</sup> Russia’s popularity rating in Serbia spikes whenever Russia and President Putin act as Serbia’s “lords and protectors” upholding its alleged national interests.

### **Kosovo–Russia’s manipulative lever**

Kosovo is just one issue of concern to Russia in the Western Balkans. Russia advances Serbia’s policy for Kosovo. Foreign Minister Vuk Jeremic has invested much of his political capital and ministerial work to blocking recognition of Kosovo’s independence. Jeremic has had Moscow’s support.

Russia’s support to Serbia obstructing Kosovo’s international legitimacy is a lever of Russian influence on Serbia. Russia represents a serious challenge to Kosovo’s statehood and state-building, by undermining Kosovo’s integration into the international community, its democratic development and stability. Kosovo officials point out the tools of Russian influence on Kosovo, citing, *inter alia*, illegal sales of Serbian Oil Industry (NIS) oil products in northern Kosovo, of which the European Union has been informed. The majority of NIS shares were sold to Russia’s Gazprom in 2008.<sup>75</sup>

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<sup>74</sup> *SrpskiTelegraf*, April 10, 2018.

<sup>75</sup> At: <https://www.slobodnaevropa.org/a/rusija-kosovo-ruski-uticaj/29206470.html>

Russian media –*Sputnik* most of all – have intensified their coverage of Kosovo emphasizing that Kosovo is a country run by criminal gangs and a hub for militants of the Islamic Iraqi and Levantine (ISIL) militants who are organized by the West and NATO. The following headlines are representative: “Kosovo: ‘Failure’ of one of the West’s Costliest Projects,” “Kosovo: Powder Keg within EU,” “Kosovo Spent IMF Funds on Veteran Pension, Now Fights for IDIL,” etc.<sup>76</sup>

Officially, Russia treats Kosovo as a frozen conflict. Almost all its officials hew to this line. Sergey Zeleznak, the Secretary General of the United Russia Party says, “Serbian interests in Kosovo and Metohija require the status of ‘a long-term frozen conflict’ and supervision in the UNSC where Russia can ensure political, diplomatic and other necessary assistance to our ally.”<sup>77</sup>

Many believe that Russia would resist Serbian approval of Kosovo’s observer status in the UN. They argue that Kosovo-Serbia normalization would not be in Russia’s best interest. When it comes to Kosovo, Russia reacts to pressure on Serbia from the West. According to Victor Kolbanovsky, a Balkan expert, a Russian military base would provide a welcome counterbalance to American presence in Kosovo. This would ensure a military-strategic balance in the Balkans, as well as bolster

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<sup>76</sup> At: <https://www.slobodnaevropa.org/a/kosovo-rusija/28410078.html>

<sup>77</sup> *Politika*, March 28, 2018.



President Vucic's efforts to safeguard Kosovo and Metohija within Serbia. The base would represent an actual military power standing by him.<sup>78</sup> After Vucic's visit to Moscow, Serbia's media reported that Putin promised to protect Serbia's interests and that Kosovo would be the 'red line' for Moscow.<sup>79</sup>

### **Status for Kosovo puts Serbia at test**

Pressure on Serbia mostly from Germany and the EU to settle the status for Kosovo as soon as possible deepens Belgrade's frustration. Belgrade has looked forward to the international community's assent for partition of Kosovo, which was from its point the only option "at the negotiating table." Foreign Minister Dacic raises partition at every occasion.<sup>80</sup>

President Vucic has not yet voiced his stance on partition, avoiding a public position. He launched the so-called internal dialogue on Kosovo, which crystallized Serbia's majority stance: Kosovo should remain a frozen conflict leading the international community to support partition. Defense Minister Vulin

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<sup>78</sup> *Informer*, May 3, 2018.

<sup>79</sup> At: <http://informer.rs/vesti/politika/380612/spektakularno-dobri-rezultati-posete-naseg-predsednika-ruskoj-federaciji-putin-obecao-vucicu-kosovo-cemo-braniti-kao-da-je-rusko>

<sup>80</sup> At: <http://rs.n1info.com/a391450/Vesti/Dacic-Podela-Kosova-dobro-resenje-i-za-Albance.html>

also calls it a frozen conflict.<sup>81</sup> Only a few rational voices against partition come solely from civil society and individuals.

When President Vucic returned from his tour of some Western capitals visibly displeased with lack of support for a compromise (i.e. Kosovo partition). “I was looking forward to more understanding not only for Kosovo Serbs but also for Serbia; to tell the truth, I am not satisfied with what I have accomplished in my talks. As it seems, major Western powers —and I have had many heavy talks with their decision-makers— are resolute about the principle of maintenance of Kosovo’s independence, which is hard to us to accept,” he said.<sup>82</sup>

At a meeting with students, Vucic said: “I would like to have talks on Kosovo held just between Serbs and Albanians ... with no other powers’ interests involved ... It would be easier to solve problems that way.”<sup>83</sup> Probably such phrasing reflects the attempt by both sides to negotiate behind the back of the international community. This was widely reported beginning in the Fall of 2017.

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<sup>81</sup> At: <http://www.politika.rs/sr/clanak/405662/Vulin-Ja-sam-za-razgranicenje-na-Kosovu-i-Metohiji>

<sup>82</sup> At:

<http://www.novosti.rs/vesti/naslovna/politika/aktuelno.289.html:718026-VUCIC-IZ-NjUJORKA-Prethodne-vlasti-stavile-pecat-na-kosovsku-nezavisnost-Pokusavamo-da-izvucemo-najvise-sto-mozemo>

<sup>83</sup> Ibid.

## **Russia's reactions to pressures from the West**

As tensions between Russia and the West grow, Sergey Lavrov uses sharper language referring to the Balkans. He said in March, "Balkan countries should assess on their own the preconditions to the membership of the EU ... its overt ultimatums about their choice between 'us' and 'against us' turns the Balkans into yet another battlefield in Europe."<sup>84</sup> Lavrov also alerted of a possible "Ukrainian scenario" claiming that by conditioning Serbia with "you are either with Russia or the West the EU is making the same mistake as in the Ukrainian crisis."<sup>85</sup> Later on he softened this statement saying that his country supported "Serbia's independent and multi-directional course".<sup>86</sup>

There are some speculations that Belgrade and Moscow have agreed that, in the case of Serbia's assent on Kosovo's membership of the UN, Moscow would veto it in the UNSC.<sup>87</sup> This is probably why the possibility of an observer status for Kosovo rather than a permanent member is being touched on frequently now. Such a solution would bypass the Security Council since it is the General Assembly that decides with majority vote. The Security Council decides on full membership.<sup>88</sup>

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<sup>84</sup> Ibid.

<sup>85</sup> *Danas*, February 14, 2018.

<sup>86</sup> *Politika*, February 25, 2018.

<sup>87</sup> *Nedeljnik*, March 8, 2018.

<sup>88</sup> *TV N1*, March 31, 2018.

It is speculated that lobbyists are working on Kosovo's partition behind the back of the US administration. It is also speculated that Russian officials would sign an agreement on normalization with Kosovo and leave Belgrade in the lurch.

According to *Blic*, Europe lacks the strength and influence to force the Albanians to do anything. "This is the reason behind the idea about a Trump-Putin agreement on this major problem plaguing us that Europe would accept then as final."<sup>89</sup> The paper reminds its readers that during the campaign Trump "presented Crimea to Russia as a gift", which would recognize a fait accompli. Kosovo's independence would be recognized in turn.<sup>90</sup> According to British writer and expert in Russia, Mary Dayevsky, in an interview with the Radio Free Europe, it is an agreement on "American recognition of Russian rule in Crimea in turn for Russian recognition of Kosovo's independence" that could be a possible.<sup>91</sup>

Such a deal would be a serious breach of the international order. It would condone Republika Srpska's right to integrate into Serbia, which would suit Vucic who recently said "One meter in Kosovo, where

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<sup>89</sup> At:

[https://www.b92.net/info/vesti/index.php?yyyy=2018&mm=07&dd=03&nav\\_category=640&nav\\_id=1414260](https://www.b92.net/info/vesti/index.php?yyyy=2018&mm=07&dd=03&nav_category=640&nav_id=1414260)

<sup>90</sup> *Danas*, July 4, 2018.

<sup>91</sup> At: <https://www.slobodnaevropa.org/a/kosovo-rusija/28410078.html>

anyway we have nothing today” would be Serbia’s gain.<sup>92</sup> The public in Serbia that still sticks to the mantra about Kosovo as Serbia’s heart, although fully aware that Kosovo is actually gone forever.

## **Conclusion**

Should Serbia go along with Brussels’ plan —continue the dialogue and accomplish what has been agreed on— the West offered substantial and unrivalled economic and social benefits. Some domestic skeptics distrust Europe and its offer and suggest that it should firstly admit Serbia to its membership and then launch settlement of the Kosovo problem.<sup>93</sup>

By signing a legally binding agreement, Belgrade will have to change its attitude towards Kosovo Serbs, abandoning its plan to “sustain” only Serbs in northern Kosovo. These 30,000 Serbs constitute one third of the total population of Serbs in Kosovo. Enclaves south of the Ibar River where most Serbs live are marginalized, isolated and left to their own devices and “to obscure persons they’ve been sending them”<sup>94</sup> when it suits Belgrade’s politics.

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<sup>92</sup> At: <https://rs.sputniknews.com/politika/201806301116308687-vucic-putin-dolazak/>

<sup>93</sup> *Vreme*, January 31, 2018.

<sup>94</sup> *Vreme*, March 22, 2018.

A legally binding agreement on Belgrade-Prishtina normalization guarantees better security, economic and social situation of the Serb community. It is also an opportunity for Kosovo to develop its democracy in accordance with European standards, respect for human rights and freedoms. To both Kosovo and Serbia the agreement opens avenues towards membership of the EU.

However, one has to be skeptical about Vucic's willingness to make such a brave decision. It would it be out of character for him. Moreover, Serbia's society is not receptive to new, historical realities and democratic values.

# Russia's Threat to Provoke a New Geopolitical Confrontation

*Veton Latifi*

## Introduction

With its aim to hinder the membership of the countries of the region into NATO, as well as their accession to the EU, Russia today presents a serious threat to the West in the Balkans. The threat generated by Moscow includes geo-political confrontation in areas inhabited by Albanians. Whenever countries in the Western Balkans are at the crossroad or face major events, Russia takes steps to create geo-political tensions. The recent attempt of *coup d'état* in Montenegro prior to its NATO membership, as well as efforts to destabilize Macedonia, is examples of Russian interference.

Following the meeting with foreign ministers from several Balkan countries in mid July 2018, US Defense Secretary James Mattis referred to Russian influence in the region as “a destabilizing element” that seeks to undermine fledgling democracies seeking to join NATO.<sup>95</sup> He emphasized “common purpose” in strengthening defense ties among the countries in the region, in part to combat the complex threat from

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<sup>95</sup> Mattis, Visiting Balkans, Sees Russian Meddling and ‘Hybrid’ Threats to Allies, at: <https://breakingdefense.com/2018/07/mattis-visiting-balkans-sees-russian-meddling/>

Russia. Mattis comments built on his opening remarks at the meeting in Zagreb, in which he omitted identifying Russia by name.<sup>96</sup> According to Mattis, “We are not naive. We are keenly aware that some elsewhere would wish to see us fail in our endeavors here today. Those who seek to divide us for their own reasons will not enjoy our dedication to working together.”<sup>97</sup>

In recent years, Russia has systematically sought to undermine new democracies and fragile states through both economic pressure as well as false news reporting. To provoke Russia’s diplomacy relies on propaganda and fake news. The goal of this strategy is to spread fear of new conflicts, engendering panic among ethnic Albanians who are viewed by Russia and its allies as the main and the most trusted strategic partner of the US in the region.

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<sup>96</sup> Word 'Russia' goes unspoken as Mattis meets Balkan defense chiefs, at: <https://www.reuters.com/article/us-usa-russia-balkans/word-russia-goes-unspoken-as-mattis-meets-balkan-defense-chiefs-idUSKBN1K31KD>

<sup>97</sup> Ibid.



### **Russia's role in perpetuating frozen conflicts**

The July 2018 formal invitation by NATO to Macedonia to join NATO came despite strong opposition from Russia, which is concerned about NATO displacing its influence in the region. Furthermore, Moscow's ambassador to Skopje publicly criticized Macedonia's ambitions to join NATO, saying it could become "a legitimate target" if relations between NATO and Russia deteriorate further.

Russia's role in the region is defined by its efforts to perpetuate frozen conflicts. Russia is ramping up its interference in Bosnia-Herzegovina, Macedonia, Montenegro, and Serbia, and targeting Albania and Kosovo with systematic fake news. The recent NATO membership of Montenegro and the latest invitation to Macedonia to start accession talks come at a critical time for the Western Balkans. The invitation to admit Macedonia will leave only Serbia and the Republika Srpska in Bosnia-Herzegovina as vassals of Russian influence in the Balkans.

Beyond the 2015 coup in Montenegro, Russia has been threatening the progress of other young democracies in the Balkan region in the last few years as well, by trying to block their path to join NATO and the European Union. Macedonia is one of Russia's victims. A few months after Montenegro's coup, there followed a *coup d'état* attempt in Macedonia on April 27, 2017, with the help of Russian agencies that worked closely with

Macedonia's ruling party at the time. It started with riots in front of the Parliament trying to stop the establishment of the new Government by the Social Democratic Union (SDSM), which has a pro-western attitude and is flexible on the name resolution. Disturbances escalated to a violent attack within the Parliament targeting the MPs and the SDSM leader. The coup was intended to support the VMRO-DPMNE Government of Nikola Gruevski who worked closely with the Russian Embassy in Skopje over recent years. The Russian Foreign Affairs Ministry issued a press release, endorsing Gruevski and VMRO, while blaming the West for supporting SDSM's Zoran Zaev. This was the second public reaction of Russia's MFA to Macedonia's political crisis. The previous one occurred in on May 2015 when a mysterious conflict erupted in the urban part of Kumanovo when the head of the Macedonian Directorate of Security and Counter-Intelligence Saso Mijalkov, a cousin of Gruevski, and the interior Minister Gordana Jankuloska were pressed to resign by several western diplomats following their monitored communications. The Kumanovo incident was an attempt to shift attention from the political crisis by provoking violent conflict in multiethnic town in the north of the country.

Recently Skopje press reported that a Russian billionaire, who was formerly a member of the Russian parliament, who now lives in Greece has given hundreds of thousands of euros to Macedonian

opponents of the country's proposed name change. Recipients include football hooligans who have rioted in the capital in beginning of summer 2018. Macedonia's prime minister has accused the Russian businessmen of fomenting unrest in the country over its proposed name change, which —if it goes forward—will finally enable it to join NATO. The Investigative Reporting Lab Macedonia, a partner of the Organized Crime and Corruption Reporting Project (OCCRP), has reviewed documents of the Interior Ministry which reveal details about the payments.<sup>98</sup> At least 300,000 Euros were paid to over a dozen Macedonian politicians from various parties, members of recently founded radical nationalist organizations, and soccer hooligans from the Vardar club who participated in recent riots.

For nearly thirty years, Macedonia's formal name —the Former Yugoslav Republic of Macedonia (FYROM)—has been at the heart of a diplomatic rift between the country and its neighbor, Greece. Athens opposed the name, fearing that it suggested that Macedonia had designs on Greece's northern region, which is also called Macedonia. The dispute over the name issue prevented Macedonia from joining NATO due to Greece's blockade. Now according to the new deal of June 17<sup>th</sup> 2018 between two governments, the country will go by

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<sup>98</sup> Russian Businessman Behind Unrest in Macedonia, at: <https://www.occrp.org/en/investigations/8329-russian-businessman-behind-unrest-in-macedonia>

the new name Northern Macedonia if arrangements are confirmed through a referendum in Macedonia on September 30<sup>th</sup>, 2018. In addition, Russia has fomented protests in Greece over Macedonia's name change. Moscow has denied the claims. Heather Nauert, the US State Department spokeswoman, tweeted that the U.S. is supporting Greece in defending its sovereignty. "Russia must end its destabilizing behavior," the tweet said.<sup>99</sup> Moscow opposes NATO expansion in the Balkans and has used various forms of soft power to prevent Balkan countries from joining the alliance, including steps to sustain the frozen conflict. The same kind of attempts of Russia in stopping the Macedonia's progress to NATO membership was organized in Podgorica to prevent Montenegro from joining the Alliance.

### **Russia provokes a new geopolitical confrontation in the Balkans**

On June 4<sup>th</sup>, 2017 the Guardian published an article stating that Russia has actively been stoking discord in Macedonia since 2008, referring to the name dispute. The article says that Russian diplomats have been involved in a nearly decade-long effort to spread propaganda and provoke discord in Macedonia, according to a leak of classified documents from the country's intelligence agency. The quoted intelligence documents suggest that Moscow has been seeking to

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<sup>99</sup> Ibid.

step up its influence all across the countries of the former Yugoslavia. The Kremlin's goal is to stop countries in the Western Balkans from joining NATO and to pry them away from western influence.

For the last nine years, Macedonia has been "undergoing strong subversive propaganda and intelligence activity"<sup>100</sup> directed from the Russian embassy. That malign influence operation began in April 2008 during the NATO Bucharest summit when Greece blocked Macedonia's attempt to join NATO. Russia's actions are not only a challenge only for the countries of the region. History shows that when it comes to zones of interests in the Balkans, geo-strategic competition can become dangerous.

In spring 2018 almost, each of the countries in the Balkans (excluding Serbia): Montenegro, Albania, Macedonia and Kosovo expelled one or two diplomats of the Russia Embassies in their respective capitals based on evidence that Russia had poisoned a former KGB agent living in the United Kingdom. In July 2018, the Greek Government expelled two Russian diplomats from Athens because of their involvement in trying to stop the agreement with Macedonia. The highly-regarded Greek daily *Kathimerini* covered the case. It

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<sup>100</sup> Russia actively stoking discord in Macedonia since 2008, intel files say, at: <https://www.theguardian.com/world/2017/jun/04/russia-actively-stoking-discord-in-macedonia-since-2008-intel-files-say-leak-kremlin-balkan-nato-west-influence>

reported the two Russian diplomats were designated as *persona non grata* for their activities, which included bribing representatives of the Greek Orthodox Church and local authorities in attempt to undermine the agreement between Athens and Skopje, as well as trying to penetrate the Greek army and intelligence agency.<sup>101</sup> This is a part of the major Russian campaign to extend its influence in the region and provoke the EU and NATO by influencing part of the Greek political elite to cancel the agreement with Macedonia.

### **Fake news syndrome**

A joint investigation by the Organized Crime and Corruption Reporting Project (OCCRP) and partners has discovered the fake news boom in the Macedonian town of Veles.<sup>102</sup> The investigation reveals that at least one member of Russia's "troll factory", who has been indicted by US special counsel Robert Mueller for alleged interference in the 2016 US election, was in Macedonia just three months before the web domain for

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<sup>101</sup> Русија стравувала дека Договорот за името ќе го наруши нејзиното влијание на Балканот, at: <https://fokus.mk/katimerini-rusija-stravuvala-deka-dogovorot-za-imeto-ke-go-narushi-nejzinoto-vlijanie-na-balkanot/>

<sup>102</sup> The Secret Players Behind Macedonia's Fake News Sites, at: <https://www.occrp.org/en/spooksandspin/the-secret-players-behind-macedonias-fake-news-sites>

the country's first US-focused politics site was registered.

Now Macedonian security agencies are cooperating with law enforcement in the United States and at least two Western European countries to probe possible links between Russians and “fake news” websites. Although the investigations are still in an early phase, Macedonian security officials suggest that the Veles fake news operations did not break the law. But what is clear is that the powerful forces of Facebook, digital advertising revenue, and political partisanship gave rise to an unlikely global alliance that increased the spread of misleading and false news in the critical months before 2016 US Presidential Election.<sup>103</sup>

The international partnership of fake news coordinated by Russian officials in the Balkans involved youth in the region. Young people are vulnerable. Between 30-40% of the youth population is unemployed. The opportunity to earn US dollars through Google AdSense and other ad networks was compelling. The owners of websites and social networks in Veles hired American writers to work for them; no one in Veles created their own articles. Facebook pages linked to the Veles sites, with their more than 2 million fans, survived longer than their American partners' pages. In April 2018, Facebook removed them all on the same day.

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<sup>103</sup> Ibid.

The international investigations so far show that there is a Russian connection to the creation and operation of the sites and social networks. And there are obvious signs of coordination, with funding provided by Russian businessmen. Macedonia is the center for fake news. The fake news campaign was launched when the previous Macedonian government made clear its anti-West attitude. Ironically Kosovo is not a center for such activity. Even Kosovo Serbs are not involved in producing fake news, though they are primarily recipients. Fake news stories are well organized as part of a broader strategy to influence policy of governments in the region.

A joint investigation by the Organized Crime and Corruption Reporting Project (OCCRP) and partners revealed the extensive involvement of Anna Bogacheva, who is one of 13 Russian nationals indicted by the US Justice Department. The indictment focused on the role of the St. Petersburg-based Internet Research Agency – often referred to as a “troll factory” – which produced online propaganda and spread messages via social media aimed at defeating Hillary Clinton. Bogacheva was in Macedonia in mid-2015, leaving the country by land to Greece on June 26. No records exist of her entering the country. Bogacheva’s posts on Russian social media site VKontakte show that her trip also took her to Austria and possibly Italy.<sup>104</sup>

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<sup>104</sup> Ibid.



## **Monitoring Russia's threat**

The Russia's threat is not over. It will continue to challenge stability and prosperity in the Balkans. Russia aims to deter countries from joining NATO, and to foster political tensions and ethnic polarization, exacerbating problems of unstable and corrupt governments, and encouraging inter-state disputes.

Monitoring the threat is very complex. The threat is very sophisticated and not always direct. NGOs can play a pivotal role investigating the threat. Moreover, a regional coordinated joint program between governments is needed to monitoring Russia's threat. The Balkan countries should show concrete capacities, working together to prevent Russia's attempt to spread its influence and undermine the West. Balkan countries want constructive relations with Russia, as well as Euro-Atlantic integration. The threat to Balkan nations, and the NATO alliance overall from Russia is a "hybrid" approach, rather than a direct military threat.<sup>105</sup>

Therefore, monitoring of Russia's activities should not only be focused on its military, but its use of soft power to influence events in the region.

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<sup>105</sup> Mattis, Visiting Balkans, Sees Russian Meddling and 'Hybrid' Threats to Allies, at: <https://breakingdefense.com/2018/07/mattis-visiting-balkans-sees-russian-meddling/>

## **Conclusion**

Russia's threat should not be underestimated. Russian military deployments represent a risk to Kosovo's physical security. Also, Russia's malign influence operations pose a great challenge. Russia is trying to take advantage of the reduced American involvement in the Balkans, as US defines its new approach and strategic intentions and priorities in the Balkans. Simultaneously, Russia is trying to make use of the fragility in the vulnerable zones where Albanians live, such as Kosovo, by supporting frozen conflicts in north Kosovo. Russia played the same game with the name issue between Greece and Macedonia. Russian diplomacy is trying to utilize the weaknesses of the countries of the region by fueling inter-ethnic tensions and state fragility in Albania, Kosovo and Macedonia and hindering their Euro-Atlantic aspirations. Western Balkan countries and Albanian territories can address Russia's threat through closer cooperation with one another, as well as with the United States and Europe.



# TURKEY



# **Rethinking the relations between Kosovo and Turkey: Between Facts and Emotions**

*Bekim Sejdiu*

## **Introduction**

Turkey applies its “near abroad” policy in the Western Balkans and Kosovo assumes significant place within this milieu. This policy paper highlights the effects for Kosovo of Turkey’s new foreign policy approach. It considers geopolitical issues, such as relations between Turkey and Euro-Atlantic countries, as well as rapprochement between Ankara and Moscow. It examines the ideological underpinnings of Turkey’s approach to Kosovo, with a focus on religion and culture. It also estimates effects for Kosovo of the course of Turkish democracy in the Erdogan era.

## **A brief historical background of Turkey’s policy towards Kosovo since the beginning of 1990s**

The Kosovo crisis (1998-1999) coincided with a new era in Turkish foreign policy. At the end of the Cold War, Turkey pursued a more assertive and multi-vectored foreign policy. Turgut Ozal’s vision of Turkey as a regional power, stretching its influence from the Adriatic to China, signified a new foreign policy approach.

Within this geopolitical ambit, during the 1990s, Ankara viewed the Western Balkans as an important geostrategic gateway to Europe and was keen on keeping NATO involved in the Balkans. According to then President Demirel, “The crisis in Kosovo presented Turkey with the opportunity to show that it was a “first class NATO member,”<sup>106</sup> during NATO’s bombing campaign against Serbia in 1999. In addition, the Turkish public opinion and political elite paid particular attention to the Ottoman historical heritage in the Balkans, including in Kosovo which is also home to a vibrant Turkish-speaking minority.

Complex factors produced a mixed reaction from Ankara to the Kosovo crisis. During the first half 1990s Ankara kept a low profile, focusing on the Turkish-speaking minority in Kosovo. Other issues surfaced as a result of the war, particularly the humanitarian emergency and the risk of regional spillover of the conflict. Religious issues were also a factor in Turkey’s lenses. “The Serbia-Orthodox union, the foreign policy based on the Serb-Orthodox axis might be far more dangerous than the ideological polarization,” warned the Turkish Premier Ecevit.<sup>107</sup>

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<sup>106</sup> Presidential Briefing, 24 May 1999, quoted in: William Hale. *Turkish Foreign Policy: 1774-2000*, London: Frank Cass Publisher, 2002, pp. 264-265.

<sup>107</sup> Ibid.

Against this background, as early as 13 October 1998 the Turkish Foreign Ministry stated that NATO was preparing for possible action in Kosovo and that Turkey would participate in such an operation. Once the NATO's intervention began, Turkey provided F-16 fighters, which initially conducted monitoring flights and later joined the US and other allies in attacking Serbian targets.

Turkey's engagement in Kosovo expanded when the war ended and the UN international administration was deployed to Kosovo in June 1999. Turkey contributed significantly to the NATO-led peace-enforcement and the UN civilian administration mission in Kosovo.<sup>108</sup>

### **Independence of Kosovo and the new era in relations between Kosovo and Turkey**

February 17<sup>th</sup> 2008 represents a watershed for relations between Kosovo and Turkey. On that day, Kosovo declared its independence. Turkey, alongside the United States, United Kingdom and France were among the first countries to recognize Kosovo's independence. Kosovar officials were deeply grateful to Turkey for its prompt recognition of Kosovo and its role in the coordinated declaration of independence. Turkey was active in pushing forward the process of international

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<sup>108</sup> Initially, in 1999 – 2000, Turkey contributed to the international peace-building operation in Kosovo, with 918 military personnel, 201 civilian personnel and 214 police officers.



recognition of Kosovo, particularly among countries of the Organization of Islamic Conference. "Kosovo is aware that many of the countries have recognized Kosovo because of the direct diplomatic influence of Turkey," stated the Minister of Foreign Affairs of Kosovo during a visit to Turkey in February 2015. In addition to supporting the recognition of its independence, Turkey has supported Kosovo's overall state-building progress since 2008.

For Turkey, the benefits of moving swiftly to recognize Kosovo exceeded any possible cost. Turkey was motivated by geopolitical considerations and historical paradigms. With the independence of Kosovo, Turkey appreciated the pivotal role of the Albanian factor in the Balkans. The large number of Albanian-origin citizens in Turkey and the presence of ethnic Turkish minority in Kosovo were also motivating factors. Erdogan's aids mentioned, as an anecdote, "the pressure" to recognize Kosovo that Erdogan had from his personal friends in Turkey, many of whom have Albanian ethnic background. Turkish Foreign Minister, Ahmet Davutoglu, stated that there are more Kosovo origin citizens living in Turkey than there are Kosovars in Kosovo, during a discussion with his Kosovar counterpart in Ankara in 2009.

## **Turkey's Foreign Policy in the Erdogan era: the prospect of relations with Kosovo**

Turkey adopted a new foreign policy approach at the end of the Cold War and in response to domestic socio-political and economic transformations that took place during the 1980s. The societal transformations of 1980s, the economic crises and instability of governments in the 1990s, and the diminishing influence of centrist parties, created conditions for the Justice and Development Party's (AKP) rise to power in 2002.

From the AKP's perspective, the new international setting allowed Turkey to reposition itself. Turkey was no longer the Eastern tail of the West but the epicentre of an emerging new geopolitical reality. The foreign policy of Turkey became more assertive. Policies of "zero problems with neighbours" or the doctrine of "strategic depth" asserted by former Foreign Minister Davutoglu positioned Turkey as a global actor. Turkey proclaimed its unique geo-strategic and geo-cultural attributes, as an indispensable bridge-builder between different countries, regions and cultures. The new foreign policy direction was pursued by conventional diplomatic instruments, as well as by new tools including economic and military assistance and cultural diplomacy.

Ankara introduced the “cultural diplomacy,” which means the reference to cultural and religious factors as a tool for projecting soft power in an imaginary Ottoman geography. Thus, in addition to conventional diplomatic mechanisms, the foreign policy objectives were to be pursued through the web of institutions and platforms such as the Turkish Cooperation and Coordination Agency (TIKA), Yunus Emre cultural centres; the Religious Directorate (Diyanet); media outlets (such as state-run TRT and Anadolu Agency); and scholarships for foreign students.

Kosovo-Turkey relations are not as smooth today as they were in the first decade of the AKP’s rule. Two cases highlight worsening trends. On March 29, 2018, Kosovo handed over to Turkey six Turkish nationals who were accused by Ankara of being members of the network of Fetullah Gulen, a Pennsylvania-based cleric accused by Turkey of staging the attempted coup of July 2016. The entire action of deportation of six alleged members of Gulen movements was covered with the veil of secrecy and confusion. Amid reactions in Kosovo and outside, the Prime Minister dismissed the Interior Minister and the Chief of Intelligence for not informing him about the action. The EU spokesperson stated that “the arrest and subsequent deportation of six Turkish nationals legally residing in Kosovo raise questions about the respect of the due process of law. The rule of law is a fundamental principal of the European

Union."<sup>109</sup> The Assembly of Kosovo established an investigation commission to look into the event.

A few months later, heated debate erupted in the Kosovo Assembly over another controversy – the Government of Kosovo's decision to pay a fine of 53 million Euros to the Turkish-American consortium Bechtel-Enka, which won a public tender of more than one billion Euros to build two of the biggest road projects in Kosovo. This bidding process, as well the privatization of the public owned electric distribution company by the Turkish company Calik Holding and the concession of the Airport of Prishtina to another Turkish-French consortium, were criticized by media and civil society for lacking transparency and price gouging.

Whether we will see such episodes again depend on three factors. First, the Euro-Atlantic vector in Turkey's approach towards the Balkans. Second, the role that Ankara will attribute to the religion and history in its foreign policy outlook on the Balkans. Third, the road that Turkish democracy will follow in the aftermath of Erdogan's electoral victory in June 2018, which allows him to consolidate powers under the aegis of an executive presidency.

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<sup>109</sup> EU Criticizes Kosovo, Turkey Over Deportation Of Six Erdogan Political Foes. *Radio Free Europe*, April 4, 2018.

## **Euro-Atlantic dimension of relations between Kosovo and Turkey**

In the Albanian historical narrative, Albanians were detached from the occidental backyard, first by the Ottoman-Turks, for five centuries, and then by the Soviet communist ideology for another half century. Notwithstanding the feeling of historic injustices inflicted by the West against Albanians in the nineteenth and twentieth century, Albanians never seriously questioned their Western political and cultural orientation. Liberation of Kosovo by NATO and buttressing of its independence by the US and major European countries, has greatly boosted the pro-Western feelings of Albanians in general, and Kosovars in particular. It is not surprising, therefore, that Kosovo tops the list of the most pro-American and pro-EU countries in the Balkans.

Oscillation in relations between Turkey and the Western countries, as well as Ankara's rapprochement with Russia, has been followed carefully in Kosovo. Regardless of Ankara's statements that Turkey remains dedicated to its NATO allegiance, the public opinion in Kosovo views with unease the deepening relations between Ankara and Moscow. Media reports indicate a growing concern in Brussels about the policies of Russia and Turkey in the Balkans. There is a widespread perception in Prishtina that Kosovo is becoming an arena for geopolitical competition between the EU, Russia, and Turkey. The gradual withdrawal of the US

from the Balkans, Brexit and the problem with refugees in the EU, exacerbate these concerns.

A rift in relations between Ankara with major Euro-Atlantic countries and structures would be, inevitably, a barrier in relations between Turkey and Kosovo. Regardless of the frustration among the Kosovars for the delayed visa liberalization and the failure by 5 EU member states to recognize Kosovo's independence, Kosovars still see their future as part of Euro-Atlantic structures. Hence, Turkey can remain an actor in Kosovo only in harmony with the EU, US and within NATO.

### **Cultural diplomacy and religious discourse**

The role of history and religion for relations between Kosovo and Turkey is an issue over which Ankara and Prishtina hold totally conflicting views. The discourse that Turkey uses to speak about the Balkans is a mixture of diplomatic rhetoric, religious sermons and historical folklore. In the eyes of the new political elite in Ankara, strong relations with Kosovo are not purely outcome of the convergence of political views and interests. They stem from a common historical heritage. Former Speaker of the Turkish Grand National Assembly, Cemil Cicek, called relations between Kosovo and Turkey spiritual during his visit to Kosovo in 2013. During a visit to Kosovo in 2016, the Deputy Prime-Minister of Turkey, Numan Kurtulmus, declared provocatively,

“Kosovo is European country which has absorbed Islamic culture in roots. As such, Kosovo is the most important point of the Islamic geography in the West.”<sup>110</sup>

Ankara should be aware about the sensitivity of using religious symbolism as a political tool in the Balkans. Particularly Albanians have strong reason to reject such a tendency. The views of Albanians are not sufficiently understood in Ankara. Most Albanians in the Balkans are Muslims, but there is also a significant number of Albanian Catholics and Christian Orthodox. The strong feeling of ethnic brotherhood unites them. Ethno-linguistic elements constitute the crux of the Albanian national conscience, with religion playing no role. Others do not easily grasp the uniqueness of ethno-cultural narrative of Albanians, with its secular historical origin. “Look *not* upon *mosques* and *churches*, the religion of Albanians in Albanianism,” reads a powerful line in the cherished poem “Oh Albania” of Pasko Vasa, in mid-nineteenth century. This message became powerful cliché of Albanian nationalism ever since. It represents a pan-Albanian appeal for mobilization based on ethnicity, language and common history.

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<sup>110</sup> Turkish Deputy Prime-Minister: We see Kosovo as a state with which we have spiritual relations, Shekully Agency, at: <http://shekulliagency.com/bota/zvkryeministri-kurtulmush-kosoven-e-shohim-si-shtet-me-te-cilin-kemi-lidhje-shpirterore/>

Albanian national conscience attaches paramount importance to common ancestry, language and folk traditions, which go back to the ancient Illyrian tribes. From the Prizren League in the mid-nineteenth century to the Kosovo Liberation Army, which emerged at the end of the twentieth century, Albanian Muslims and Christians have been together on all major national movements. Any disturbance of this unique harmony means striking at the heart of the Albanian national cohesion; Kosovo would feel the consequences. So would be any attempt to diminish pre-Ottoman history of Albanians. Serbian nationalist circles have tried and failed for centuries to give an irrational religious character to Kosovo problem.

When Erdogan declared in October 2013: "Kosovo is Turkey and Turkey is Kosovo," his statement ignited vehement reactions, even though it was made without malign intention.<sup>111</sup> Nobody paid attention to the rest of Erdogan's statement: "We want peace, solidarity and goodness prevail in this region. We want to have diversities and those to be considered as culture. The past will remain behind."<sup>112</sup> A similar public uproar ensued when Turkey asked Kosovo to review the school textbooks of history, so as to eliminate the interpretations and narratives that negatively depict

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<sup>111</sup> Turkey is Kosovo, and Kosovo is Turkey, at: <http://www.kosovapress.com/en/nacional/erdogan-turkey-is-kosovo-and-kosovo-is-turkey-4589>.

<sup>112</sup> Ibid.



Ottoman rule in the Balkans, including Albanian lands. This caused fierce reaction and debate, particularly among Albanian intellectuals throughout the Balkans.

Paradoxically, Turks know much less about the Balkans than they think they do and vice versa. Not surprising, therefore, that it is difficult for Ankara to grasp the symbolism of the grandiose Mother Theresa Cathedral in the city center of Prishtina.

### **The course of Turkish democracy and the implications for Kosovo**

The direction in which Erdogan will lead Turkey after 2018 will have impact on relations with Kosovo. This impact is twofold. First, Erdogan should refrain from exporting the Turkey's domestic struggles to Kosovo, and should be careful with the way Ankara presents its political demands. Incidents such as the deportation of Gulenists or the request for the revision of the history books create anti-Ankara sentiments in Kosovo. Extracting the Gulenists was seen as disrespect to Kosovo's sovereignty. The demand to rewrite text books was perceived as an attack on Albanian historic memory.

If democracy and secularism in Turkey unravel under Erdogan's political omnipotence, "the new Turkish model" might be a problem for Kosovo. The authoritarian tendencies and oligarchic cliques that control the entire public sphere and monopolize

economic activity are serious impediments for any transitional democracy. If Erdogan will consider electoral victory as license to rule Turks, not a responsibility to govern Turkey, his model would be damaging for the immature democracies of the region. This is not something that Kosovars can afford to embrace. Most likely, in such a scenario, the political elites of the Western Balkan countries, including Kosovo, will consider close relations with Erdogan as a problem to establishing closer relations with Brussels.

## **Conclusions**

Kosovo's approach towards Turkey will largely depend from the course that Ankara will take, domestically and also in international arena. Political leaders of Kosovo should make it clear that Kosovo considers Turkey as a strategic partner, but any crack in relations between Ankara and the West would inevitably be detrimental to relations between Kosovo and Turkey. Therefore, Kosovo should reaffirm, clearly and unequivocally, that for Kosovo it is unacceptable to construe its relations with Turkey through any religious parameter or historical lenses. Turkey is part of the Balkans and the traces of Ottoman past are embodied in its rich cultural landscape. However, Ottomanism is part of the cultural mosaic of the region not a contemporary governing ideology.

While the economic activities follow the logic of free trade, competition, and profit, the Kosovo government should try to induce Western companies to invest in strategic sectors. As a country which aspires to integrate within the Euro-Atlantic structures, Kosovo should lean towards integrating its economy accordingly. Furthermore, Kosovo should have a consistent foreign policy towards Turkey, which must not be affected by personal relations between particular leaders in Ankara and Prishtina. This has not been the case, as relations with Turkey are pretty much based on personal chemistry and private preferences between individual leaders in Prishtina and Ankara.

On the other side Turkey should avoid the image of rivalry and competition with the EU and US in the Balkans. Turkey can maintain its influence in the Balkans only as long if its actions do not collide with the Euro-Atlantic agendas. Moreover, Turkey should refrain from exporting its domestic problems, or imposing its views, to Kosovo, particularly if this puts a heavy burden on Kosovo.

The EU and USA should be aware that they are the most important actors in the Balkans, but not the only ones. As such, they should not leave vacuum with inconsistent policies and hesitations to provide tangible Euro-Atlantic perspective to the Western Balkans, particularly Kosovo. A potential vacuum will induce Russia to put its troublemaking fingers, and will

provoke Turkey to embark on impulsive unilateral policies. In addition, the EU and USA should discuss with Turkey and try to reinforce the partnership they have had since 1990s in the Balkans. Alternatively, Erdogan should appreciate that the Balkans are NATO's flank and Europe's backyard. The West must not accept be challenged in the Western Balkans, geopolitically or ideologically.

# **Turkey's power and influence on Kosovo**

Doğu Ergil

## **Introduction**

Turkey's relations with Kosovo go back to the 14th century when the Ottoman Empire dominated the Balkans. Its domination continued until the 20th century. The Balkans were strategic, serving the Ottoman state both as a source of revenue and a buffer zone against competing Christian European kingdoms. With the Balkan Wars (1912-1913) and ensuing First World War (1914-1918) Turkey lost control of the Balkans comprising of Wallachia (present-day Romania), Serbia, Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Albania. Defeat and retraction led to the migration of millions of Ottoman Turks and other Muslims residing in these lands for centuries, leaving behind small enduring enclaves. Many of the founders of modern Turkey were of Balkan stock including Mustafa Kemal Atatürk. But his governments and the following ones were more interested in nation building and development than regaining influence in former Ottoman territories.

Turkey's indifference to Western Balkans began to change with the persecution of the Muslim population of Bosnia-Herzegovina after the break-up of Yugoslavia in 1991. Growing Muslim awareness in Turkey was

slowly replacing introverted Turkish ethnic nationalism and helped the rediscovery of historical and cultural links with Eastern Europe. Turkey was among the most active countries during the 1999 NATO air campaign in Kosovo, and one of the biggest contributors in the peace keeping mission of KFOR in Kosovo. Turkey was among the first countries to open its coordination office in Prishtina, which was upgraded to the Embassy level in 2008.

Turkey has been an ardent supporter of Kosovo's independence and one of very few destinations where Kosovars can travel without a visa. This stance gained a favored status for Turkey in Kosovo. Since 2002, the ruling Justice and Development Party (AKP) changed the Turks' view of the past in Europe from defeat and loss to new opportunities for power and prominence. The driving force of Turkish foreign policy until lately was the formula introduced by the former PM Minister Ahmet Davutoglu: "strategic depth". It was based on a vision of Turkey as a regional power drawing strength from a commonwealth with former Ottoman nations. Muslim solidarity is the backbone of this strategy. Kosovo is an integral part of this plan with a wing in Eastern Europe and another in the Middle East. Turkish policy towards Europe, especially Eastern Europe was shaped by three factors:

1. When the AKP came to power in 2002 the Turkish political system was under military and bureaucratic

tutelage. The AKP wanted to clear itself from this bondage and approached the European Union (EU) to guarantee its civilian rule. It began to make legal and political changes to meet EU standards with the hope of becoming a member state. Building a zone of influence to expand its diplomatic clout and building a stepping-stone into EU membership seemed to be an effective strategy to show European capitals that without Turkey, reaching out to Western Balkans and generating lasting political stability in this region was unlikely. Finding common cause with Turkey was a wise move by the EU.<sup>113</sup>

2. Human and geographical affinity was a driving force. More than one million people of Turkish origin live in the Balkan states. They are residues of the Ottoman past like other Muslim communities in the region. In three Balkan countries, namely Albania, Bosnia-Herzegovina and Kosovo, Muslims represent the majority of population. The total population in these countries is about 6 million people. In addition, significant Muslim minorities live in Macedonia, Serbia and Montenegro. Fourteen percent of Bulgaria's population is Muslim. The nationalist and Islamist character of the AKP would naturally prompt it to look for political and economic opportunities in this area.

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<sup>113</sup> Rapidly Expanding Into the Balkans, at:

<https://worldview.stratfor.com/article/eu-rapidly-expanding-balkans>

3. Enlarging Turkey's economic presence in the region, and building a network of trade and economic relations within an undeclared 'Ottoman Commonwealth' not only enhanced Turkey's clout in Europe but created the basis for peace and prosperity with countries in the scheme, including Kosovo. A sundry of economic, social, cultural, educational instruments were employed in advancing this strategy.<sup>114</sup>

### **Turkish Investments in Kosovo**

Turkey has shown special interest in developing Kosovo's economy and integrating it with her own. Turkey currently is the biggest investor in Kosovo with more than 900 Turkish companies operating. They provide employment to thousands of Kosovars. The sectors in which Turkish entrepreneurs have invested most extensively are contracting (road-building, airports and telecommunications), mining, tourism, textile, industry, furniture, stationary, food processing, construction materials, and banking. Of nine commercial banks in Kosovo, two are of Turkish origin: TEB Sh.A., and Banka Kombëtare Tregtare. Additionally, two of the largest banks of Turkey, Türkiye İş Bankası and Ziraat Bankası have established branches Kosovo.

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<sup>114</sup> Erhan Turbedar, Turkey's Western Balkans Policy, at: <http://www.vpi.ba/eng/content/documents/>



Turkey is Kosovo's largest trading partner after Serbia. The total amount of projects that have been undertaken by the Turkish contractor companies up to the year 2016 has reached an approximate 1 billion Euros. Turkish companies have won tenders for some of the biggest public projects in Kosovo. The award of these may have occurred due to political influence on both ends<sup>115</sup>.

A World Bank survey on foreign investors shows that foreign investors have concerns about Kosovo's investment climate. They believe that public administration is inefficient, regulations to starting a business are not clear and there is corruption. However, the same perception is not shared by Turkish firms with operations in Kosovo according to a study by the Turkey Chamber of Commerce in 2008.<sup>116</sup>

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<sup>115</sup> Jeton Mehmeti, *The Economic and Social Investment of Turkey in Kosovo*, Adam Akademi, 2012/1, pp. 97-106, at: <http://dergipark.gov.tr/download/article-file/230539>  
<sup>116</sup> E. Hajrizi and M. Hasani, *Kosovo Investment Climate and Foreign Investors' Perception*, at: [https://ac.els-cdn.com/S1474667016342434/1-s2.0-S1474667016342434-main.pdf?\\_tid=5982fa81-93a0-46de-9bd5-602ae35b36d2&acdnat=1532038481\\_e581c10bd1989fd1dac1a9494917dcb9](https://ac.els-cdn.com/S1474667016342434/1-s2.0-S1474667016342434-main.pdf?_tid=5982fa81-93a0-46de-9bd5-602ae35b36d2&acdnat=1532038481_e581c10bd1989fd1dac1a9494917dcb9)

## Cultural Infusion

Turkey's social involvement in Kosovo is not limited to the economy. Cultural affinity born out of mutual history, religion and education is equally important in bringing the two countries together as former Prime Minister, now President, Tayyip Erdogan has emphasized<sup>117</sup>.

Relying on the historical Ottoman cultural connections, the Turkish government systematically sought to make Kosovars more familiar with contemporary Turkish culture. Several official and unofficial institutions were put to work. *Yunus Emre Cultural Centers (YECC)* were established in in Prishtina and Prizren. YECCs "provide services abroad to people who want to have education in the fields of Turkish language, culture and art, to improve the friendship between Turkey and other countries."<sup>118</sup>

Independent of institutional efforts, Kosovars have become familiar with the Turkish culture through Turkish TV serials. Television has been used similarly for outreach to the peoples of the Middle East and the Caucasus. These serials are shaping the image of Turkey as a modern and developed country to emulate.

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<sup>117</sup> At: <https://www.cnnturk.com/turkiye/erdogandan-kosovaya-destek>.

<sup>118</sup> At: <https://www.turkishnews.com/en/content/tag/yunus-emre-culture-centre/>.

## Education

Turkey is very active in the education sector in Kosovo. Both formal and informal institutions are at work. In the private sector, a high level education was carried on by followers of Fetullah Gulen now stigmatized and prosecuted after being accused of masterminding a coup against the elected government. Gulen schools had a curriculum in English, Turkish and Albanian that was praised by the local elite. Now these schools are being replaced by Maarif Foundation schools that are officially supported. This group has dormitories alongside other Islamic grass root organizations. Moreover, the AKP government hunts Gulen followers everywhere in the world where Turkish authorities have the ability to do so.<sup>119</sup> Six Turkish educators working at Gulen schools in Kosovo were extracted without due process and sent to Turkey in April 2018.

Another Turkish institutional actor active in education is the Presidency of Religious Affairs (Diyanet), which has close relations with the Islamic Community of Kosovo. Its services are influenced by AKP's Islamist view of life and society.

The Turkish Cooperation and Coordination Agency (TIKA) is the backbone of Turkey's social and cultural programs in Kosovo. It supports more than 400 projects in the fields of agriculture, health and education. Many

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<sup>119</sup> At: <http://www.habervitrini.com/gundem/iste-feto-nun-okullarini-kapatan-ulkeler-868029>

Turkish-run hospitals and clinics are sponsored by TIKA. A substantial part of TIKA funds are used to restore Ottoman monuments. Since 2011, TIKA has restored approximately 30 religious structures from the Ottoman period and built 20 new mosques across Kosovo. Pres. Erdogan personally oversees these activities.<sup>120</sup> TIKA also supports regional Islamic unions and institutions. It subsidizes community based social mobilization projects involving Muslim community leaders and imams. Their work seeks to generate Islamic solidarity and a sense of cooperation among Muslim groups with Turkey.<sup>121</sup> Additionally, TIKA sponsors schools in Prishtina, Prizren, Gjakova, and Peja which teach Turkish and provide basic religious education. Some of the schools supported by TIKA are not formal institutions. They are like traditional madrassas.

Since TIKA finances most of its activities in cash bypassing the banking sector, the monetary volume of its activities in Kosovo is hard to determine. Obfuscating TIKA's spending may occur because some countries in the region are suspicious of Turkey's "neo-imperialistic" agenda. They are wary of the "old master".

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<sup>120</sup> Government Report, at:

[http://www.tika.gov.tr/en/news/analysis\\_turkeys\\_balkan\\_policy\\_not\\_interest\\_oriented-21145](http://www.tika.gov.tr/en/news/analysis_turkeys_balkan_policy_not_interest_oriented-21145)

<sup>121</sup> Sylvie Ganglof, *The Weight of Islam in the Turkish Foreign Policy in the Balkans*, at: <https://hal.archives-ouvertes.fr/hal-00583339/document>

Some commentators claim that these institutions contribute to the radicalization of Muslim Kosovo youth.<sup>122</sup> However, the Turkish government sees them as a panacea to radicalization because they disseminate the non-radical Hanefi interpretation of Islam, shying away from Wahhabism, Salafism and Takfirism. The official representative of Kosovo Muslims, the Islamic Community of Kosovo and the Kosovo elite are of the same opinion. They call it 'European Islam' or 'our Islam', a legacy of Ottoman heritage.

This tradition keeps the road open for a number of Kosovo youth going to Turkey for studying religion each year. Some make use of the scholarships offered by Diyanet and Turkish Ministry of Education. Together these institutions offer over 2,000 scholarships annually for students from countries in the Western Balkans. One hundred students are admitted annually from Kosovo alone.<sup>123</sup>

Additionally, the Turkish Embassy in Prishtina awards 100 scholarships for Kosovars to study in Turkey each year. 1000 Kosovo students are currently enrolled in Turkish institutions of higher education.<sup>124</sup> Moreover,

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<sup>122</sup> David L. Phillips, Turkey's Islamist Agenda in Kosovo, at: [https://www.huffingtonpost.com/david-l-phillips/turkeys-islamist-agenda-i\\_b\\_8891634.html](https://www.huffingtonpost.com/david-l-phillips/turkeys-islamist-agenda-i_b_8891634.html)

<sup>123</sup> Muhamet Brajshori, Turkey and Kosovo build educational ties, at: <http://www.turkishnews.com/en/content/2011/06/30/turkey-and-kosovo-build-educational-ties/>

<sup>124</sup> Jeton Mehmeti, The Economic and Social Investment of Turkey in

the Turkish government has pledged to open a university in Lipjan, which will cost more than 100 million Euros. The venture is heralded to be “the most advanced university in the region”.<sup>125</sup>

### **Effectiveness of Turkish Policies**

Turkey is the most active nation wanting to expand its influence in Eastern Europe. However, efforts to gain traction in the region face serious constraints:

1) Turkish economic growth is based on borrowed money and already the country is experiencing capital shortages. More voluminous and continuing investments are unlikely.

2) The bulk of Turkish investments in Kosovo come from the Turkish business community. Government investments are mostly in the cultural area. While cultural investments will dwindle with increasing current financial crisis in Turkey, Kosovars will reach a point of having to choose between a semi-Islamic agenda represented by Turkey or a more EU oriented agenda emphasizing more transparency and greater distance from crony capitalism.

3) Both Turkey and Russia are active in Eastern Europe with the hope of expanding their influence. European

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Kosovo, ADAM AKADEMI, 2012/1: 97-106, p. 103.

<sup>125</sup> At: <https://www.turkishnews.com/en/content/tag/education/>

nations, especially the EU is apprehensive of conflicts that may crop up between competing poles divided into ideological camps. At the same time a growing number of EU countries are run by populist authoritarians. Together they are forging illiberal democracies in Europe. Turkey also fits into this category. To reinforce democracy on the continent, Brussels can systematically take steps to detach Balkan countries from Turkish influence. Turkey's economic affords favorable conditions for this effort.<sup>126</sup>

### **The Role of Erdoganism in Turkey's Foreign Policy**

Turkey's domestic and foreign politics are based on the emergence of the Erdoganism as a political philosophy and governing style. Erdoganism relies on a strong executive presidency built around the persona of President Recep Tayyip Erdogan who is believed to embody the Turkish nation and the state with all its economic, cultural, social and political institutions.<sup>127</sup>

Erdoganizm is an ideological mixture of Turkish nationalism, political Islam and anti-Westernism, expressed through authoritarianism and legitimized by

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<sup>126</sup> Stratfor Report, EU: Rapidly Expanding Into the Balkans, at: <https://worldview.stratfor.com/article/eu-rapidly-expanding-balkans>

<sup>127</sup> Ihsan Yilmaz & Galib Bashirov, The AKP after 15 years: emergence of Erdoganism in Turkey, *Journal of Third World Quarterly*, published online, at: <https://doi.org/10.1080/01436597.2018.1447371>

electoral endorsement.<sup>128</sup> Like all patrimonial-populist regimes, Erdoganism rests on distribution of state resources to supporters in a discriminatory fashion to create clients and cronies. This practice obfuscates the difference between the public and private sectors. Power relations are geared to generate loyalty and submission to the leadership.

As a populist, Erdogan and his followers have a different understanding of morality. They believe they represent the conscience of the people and have moral superiority. This psychology is further exacerbated with Islamism. They do not like law or a legal authority to tell them what is good, fair and just.

The 'West' gets a share of their wrath because it supported the former establishment and elite. The West is decadent and imperialistic. Being anti-western is not only political but a religious imperative. As a national leader, Erdogan is hailed as the founding father of "New Turkey". The Old Turkey of Ataturk was secular and adopted a nationalism that was inward looking. Nation-building was its primary aim. But the boundaries of Erdogan's 'New Turkey' are not restricted to the Republic of Turkey either territorially or by population. The nation includes both Turks and all Muslims

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<sup>128</sup> Soner Çağaptay and Oya Aktaş, How Erdoganism Is Killing Turkish Democracy, Foreign Affairs, July 7, 2017, at: <https://www.foreignaffairs.com/articles/turkey/2017-07-07/how-erdoganism-killing-turkish-democracy>



provided that they accept Turkey's patronage.

### **Economic Patronage and Clientelism**

Clientelism is an integral part of authoritarian politics. Transfers of public goods and services to the followers turn them into clients. That is why clientelist-populist leaders constantly reinforce the state with new powers.<sup>129</sup>

The AKP has institutionalized 'charitable patronage' by creating a wide network of formal and informal institutions. Together they make up a redistribution system of public resources. This network, comprising of religious institutions and civilian Islamic charity organizations operate within and without. It reaches out to foreign lands and peoples, mostly Muslims. Kosovo is a target of Turkey's charitable patronage. However, the sustainability of this approach depends on the availability of funds, which are growing increasingly scarce.

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<sup>129</sup> Sabri Sayarı, Clientelism and Patronage in Turkish Politics and Society, at: <https://www.semanticscholar.org/paper/Clientelism-and-Patronage-in-Turkish-Politics-and/9a8937db81ab1ec67795d72456bf689f322acf62>

## **Erdoganism and its implications for foreign policy**

President Erdogan has built his foreign policy on several premises that has also reflected on relations with Kosovo. He believes he is the heir of Turkish history. He sees it as his mission to reconstruct the Ottoman past with its grandeur and glory. Not only AKP followers but almost all conservatives in Turkey sincerely believe that peoples of former Ottoman lands, especially Muslims, yearn to be part of a revived Ottoman entity. Kosovo is within the perimeters of his imagined political geography. However, the protectionist attitude of the Turkish government is premised requires that allies and 'protected nations' guarantee the security and aggrandize the interests of Turkey in return and follow the policy guidelines set by Ankara. This requirement manifest when the Turkish Intelligence Service (MIT) cooperated with Kosovo's counterparts in the abduction of Turkish teachers working in a F. Gulen (Mehmet Akif High) school in Prishtina on 29 March 2018. The Prishtina event and a similar trial in Mongolia in July 2018 exposed a new aspect of Turkish foreign policy. Dissidents, particularly Gulen followers, are chased all over the world and brought home. Operations against them are called "anti-terrorism" activities.<sup>130</sup>

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<sup>130</sup> At: [https://www.washingtonpost.com/news/democracy-post/wp/2018/04/01/turkey-just-snatched-six-of-its-citizens-from-another-country/?noredirect=on&utm\\_term=.6e20bb5544e7](https://www.washingtonpost.com/news/democracy-post/wp/2018/04/01/turkey-just-snatched-six-of-its-citizens-from-another-country/?noredirect=on&utm_term=.6e20bb5544e7) and <http://www.hurriyetdailynews.com/turkey-may-hit-targets-outside-its-borders-at-any-time-erdogan-129687>

### **Personalized and ideologically driven foreign policy**

Personalization of foreign policy led to the trivialization of foreign policy institutions, especially the Ministry of Foreign Affairs. Once responsible for designing and executing foreign policy based on the political prerogatives of the government, the Ministry with its vast experience and expertise has been dwarfed in significance. The President's office took on its functions.

A handful of people around Erdogan came to develop policy options according to his directives. Diplomats are belittled. The combination of personalized policy guidelines shaped by ideological preferences such as Islamism (with a Sunni accent), anti-westernism, anti-Kurdism and efforts to revive Ottoman influence in former territories has reversed AKP's initial foreign policy motto "zero problems with neighbors". The President's office calls the outcome, "honorable isolation".

The 'existential insecurity' of the government was originally born out of the possibility of military coups. This feeling was reinforced by the Gulenist putsch attempt (July 2016) that has spawned a conspiracy psychology involving foreigners who foment subversive activities against the national will and government<sup>131</sup>.

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<sup>131</sup> Karabekir Akkoyunlu and Kerem Öktem, Existential insecurity and the making of a weak authoritarian regime in Turkey, *Journal of*

Firm belief in Western conspiracy has pitted Turkey against many of its allies and some NATO partners as well. Diplomatic disputes with the Netherlands and Germany narrowed Turkey's circle of friends. These 'managed international crises' are not foreign policy failures but rather mechanisms to keep the support base of the ruling party behind the national leadership (i.e. Erdogan).

Islamism is evident both in domestic and foreign policy. Islam is not only a group identity but also a rallying ideology for incorporating new Muslim groups. It distinguishes the politically mobilized Muslims from others and promises a wide solidarity zone for "believers" who want a greater role in the world. Islamism is both a political response to being powerless and a political claim to carve out a world from the existing global order. It not only imagines a glorious past (before colonization or western 'contamination') "which rest on re-appropriated, reinvented concepts borrowed from the Islamic tradition", but a future where Muslims would be a dominant global actor.<sup>132</sup> Yet Islamists, particularly Erdogan, are pragmatists.

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Southeast European and Black Sea Studies 16(4);, October 2016, pp. 505-527.

<sup>132</sup> Mohammed Ayoob, *The Many Faces of Political Islam*, The University of Michigan Press, 2017, p. 2.at:  
[https://www.researchgate.net/publication/30066692\\_The\\_Many\\_Faces\\_of\\_Political\\_Islam](https://www.researchgate.net/publication/30066692_The_Many_Faces_of_Political_Islam)

They can forgo ideological excesses for political gains. Their politics may be seen as religiously oriented but in fact they are usually shaped by nationalism and local values with religion at the center and a reconstructed history that is resplendent with glories.

Turkey's drive for influence in the Balkans and Eastern Europe is dependent on how much power it can project. It is, however, handicapped by political polarization at home, an ailing economy, worsening relations with European nations, as well as military confrontation with the Kurds, which drains Turkey's wealth. Under these circumstances, Ankara may not have the resources, which are necessary to effectively project power in the Western Balkans and Eastern Europe.

# Turkey and Kosovo: A Lord-Vassal Relationship?

Erdoan A. Shipoli

## Introduction

Turkey has played an important role in the state formation of Kosovo. From investing in Kosovo's nascent economy to diplomatic help in Kosovo's international outreach, Turkey has been an asset for Kosovo to overcome early state-formation challenges.

As Turkey's relations worsened with Europe and the United States, the asset has increasingly become a liability. Turkey poses three main challenges to Kosovo's sovereignty: 1) Turkey's relations with the EU, the US, and NATO have been deteriorating, while its relations with Russia and Serbia have been improving. This undermines Kosovo's security, as Turkey's new friends are a direct threat to Kosovo's sovereignty. 2) Ankara wants to use its influence in the Balkans to leverage European positions and policies towards Turkey. Using Kosovo as a bargaining chip will have negative effects on Kosovo's relations with the EU. 3) The current government in Turkey has entrenched its power through an imperial approach. This neo-Ottoman and Islamist discourse negatively affects Kosovo's sovereignty, society, economy, and security. Acts of the Turkish government in these three areas undermine

Kosovo's sovereignty and security both directly and indirectly.

Turkey's relations with Kosovo are long-standing. Many Kosovars that were deported from different places in ex-Yugoslavia migrated to Turkey for safe haven. When Kosovo decided to fight for its independence from the Milosevic apartheid regime, Turkish President Turgut Ozal was the first state leader to receive Dr. Ibrahim Rugova, the Kosovar-Albanian political leader, as a state-leader in February 11, 1991.<sup>133</sup> Turkey always supported Kosovo's quest for independence regardless of who was in power. Turkey is one of the most important trade destinations for Kosovars, and it also became an important educational destination for young Kosovars who wanted to pursue their college degrees. This has had a great impact on the relations between these two countries, politically, economically, and socially.

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<sup>133</sup> Uzgel Ilhan, *Balkanlarla Iliskiler*, in Baskin Oran (edt.), *Turk Dis Politikasi: Kurtulus Savasindan Bugune Olgular, Belgeler, Yorumlar*. Iletisim yayincilik, 2001, p. 509.

### **Turkey's relations with the Euro-Atlantic powers**

Kosovo aspires to ultimately be an EU and NATO member. These aspirations are not only political or ideological. Euro-Atlantic integration enhances Kosovo's sovereignty, security, and economic development. While Turkey gained NATO membership as early as 1952, its EU relations have been problematic. Governments led by the Justice and Development Party (AKP) promised and worked toward the implementation of EU criteria for membership and a closer relation with the Union. President Tayyip Erdogan was one of the biggest promoters of ties to the EU, and accused opposition parties of not doing enough in this respect. While Erdogan always endorsed Turkey's membership to the EU, his anti-democratic tendencies were out of step with European values. In 2002, he stated: "Democracy is like a train, you get off once you have reached your destination".<sup>134</sup> In subsequent years, Erdogan was increasingly hostile to the EU. Turkey's constitutional reform changed its government from a parliamentarian to a presidential system. One of the first things that Erdogan did was to abolish the Ministry for European Union Affairs.

Turkey and Kosovo initially shared EU membership as a common goal during the period when Turkey officially

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<sup>134</sup> The Economist, Special Report: Getting off the train, at: <https://www.economist.com/special-report/2016/02/04/getting-off-the-train>



endorsed EU criteria and was making remarkable progress bringing security structures under civilian control. A 2011 press release of Turkey's Ministry of Foreign Affairs stated: "The aspiration of the countries in the region to integrate with Euro-Atlantic institutions is the main tool regulating multilateral relations in the region. Turkey encourages and supports this desire of Balkan states."<sup>135</sup> It was rational that Kosovo strengthened its relations with Turkey, to share resources, know-how, and advance towards this shared goal. During this time Kosovo benefited from Turkey's economic power, political resources, and its experience with EU negotiations.

Since the beginning of 2011, however, Turkey has abandoned its hopes for EU integration. The rise of authoritarianism negatively affected its relations with the EU, the US, and NATO. Moreover, Erdogan allied himself with regional autocratic leaders and Europe's antagonist, Vladimir Putin. While ameliorating ties with Russia, Erdogan also improved relations with Serbia. Turkey and Kosovo no longer share the goal of EU integration.

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<sup>135</sup> At: <http://www.mfa.gov.tr/relations-with-the-balkan-region.en.mfa>

## **Turkey uses Balkans to blackmail Europe**

Turkey wants to gain more influence in the Balkans. Today, Erdogan sees the Balkans as a “stick” to blackmail Europe and advance Turkey’s interests. His increasing economic, social, intellectual, and political investments in the Balkans serve his interest, while increasing Turkey’s ability to stabilize or destabilize the region. The EU’s unclear intentions make it easier for Erdogan to increase his ability to shape events and control political leaders from countries in the Western Balkans.

The Turkish influence in Kosovo is a mirror of its influence in the wider Balkans region. Turkish media portray “how non-Turkish nations celebrate the election of Erdogan” boosting Erdogan’s credentials as an accepted leader of the region. Similarly, the Turkish Embassy in Kosovo and Turkish Cooperation and Coordination Agency (TIKA) organize events to highlight the support of Kosovars for Erdogan. The Kosovo government has allowed Maarif schools, madrasa-like schools funded by Erdogan’s son Bilal Erdogan, to operate in Kosovo. More and more quasi-cultural and educational organizations are emerging to blackmail Kosovo and Europe.

A more worrisome scenario is that Turkey can destabilize the region, using Islamist parties and groups that it controls, and claim the role of a “stabilizer” afterward. Erdogan does this in Turkey before every

election, claiming that instability will worsen if people don't vote for him. Turkey also influences politics in Kosovo after every election when Turkish parties of Kosovo consult with Ankara about their stance toward coalition governments. There are frequent visits to Turkey by Kosovar politicians and civil society leaders. Very close ties exist between the Islamic Community of Kosovo (BIK) and the Turkish Directorate of Religious Affairs (Diyanet).

An even more direct danger comes from Turkish clandestine operations like the one that was conducted in April 1, 2018 in which six Turkish teachers that worked for the Gulen-affiliated, Kosovo-government accredited, Mehmet Akif high school, were abducted. It doesn't matter if Erdogan has the power to "make Haradinaj pay." Erdogan shows his power by simply bullying Prime Ministers Ramush Haradinaj, just as he bullied Germany Chancellor Angela Merkel over migrant issues.

These abductions did not happen suddenly. Many Turkey analysts, including myself, warned about clandestine operations. However, the Kosovo authorities chose not to pay attention. Similar abductions were done in Pakistan and Malaysia beforehand. There was no better country to show this strength than Kosovo, where the rule of law and law enforcement is supported by the European Union Rule of Law Mission in Kosovo (EULEX). The abduction in

the EU's backyard undermined both European and institutions.

Erdogan's media "hitmen" like Cem Kucuk targeted Kosovo for being "a fertile land for Turkey's opponents" and had called for the assassination of Turkish opposition abroad. As expected, the teachers' abduction was celebrated with parades in Turkey. Erdogan proudly acknowledged that Turkish intelligence had made the abductions. He thanked President Hashim Thaci for working with him, and slammed Haradinaj for sacking the head of Kosovo's intelligence and Minister of Interior Affairs stating, "The Prime Minister of Kosovo fired the Director of Intelligence and the Interior Minister. My question to the Prime Minister of Kosovo is: under whose instructions did you undertake such actions? ... You will answer for this."<sup>136</sup> Destabilization that might look small for Turkey can have a huge impact for Kosovo and the region. A small blaze can spark uncontrollable wildfires.

Despite Erdogan's admonitions, Kosovo's parliament formed a commission to investigate the abduction. A special prosecutor was appointed. However, in four months we haven't seen any result. No one knows if the commission or the prosecutor is still investigating the incident. The imminent danger here is that the most vital institutions of Kosovo's security, the intelligence

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<sup>136</sup> Erdogan to Haradinaj: "You will answer for this", at: <http://top-channel.tv/english/erdogan-to-haradinaj-you-will-answer-for-this/>

and the Ministry of Interior Affairs, have been compromised and are under the direct influence of the Turkish government. This too should be investigated.

### **Turkey's imperial ambitions**

Erdogan and the AKP have diverted from the foreign policy of former Foreign Minister-turned Prime Minister Ahmed Davutoglu "zero problems with neighbors." In theory this sounded like a positive doctrine. In practice it empowered a "wannabe" global power that seeks to control neighbors rather than solve problems with them. These ambitions of building a sphere of interest in the wider neighborhood resulted in "zero relations with neighbors." Failure followed failure: Turkish involvement in Egypt with the Muslim Brotherhood resulted in a military coup. Turkey's support for the Free Syrian Army is tantamount to supporting a jihadi group. Turkey's enmity with the Kurds makes Turkey a destabilizing actor in Syria, Iraq and the region. Moreover, Turkey's involvement with proxy-groups in the Middle East raises suspicions about Turkey's imperial ambitions and anti-democratic methods.

Turkey's eyes are always on the Balkans. Turkey saw the Balkans as a path to Europe. Unfortunately, Turkey has chosen to be a blackmailing actor. The electoral discourse that Erdogan used was dangerous and derogatory towards many European countries. Erdogan called Germans Nazis, slammed Israel and America,

and further divided the Turkish public into polarized camps. Kosovo could choose between the two, but Kosovo has only one option. The EU path cannot be jeopardized by the personal interest of some Kosovar politicians, or for the interest of another country.

### **Criminality**

After Turkey's June 24 elections, Erdogan entered into a coalition with the National Movement Party (MHP), the Turkish ultranationalist party. The AKP and MHP represent an ultranationalist-Islamist-Mafia mix. MHP today controls the Turkish police and the intelligence community. The Turkish mafia also works with the MHP. This was shown during the elections when the long-time head of MHP, Devlet Bahçeli, visited Alaatin Çakıcı, who is known as the Godfather of Turkish mafia.<sup>137</sup> Bahçeli called for amnesty for Çakıcı and another gang leader, Kursat Yılmaz, and he said that he is preparing a draft bill to bring to a vote in parliament. Çakıcı threatened Erdogan in a written letter right after the elections<sup>138</sup>, a few days after he had threatened

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<sup>137</sup> Çakıcı is a gang leader convicted of a number of crimes, including killing his own wife. He is doing prison time in Kirikkale prison, and was hospitalized when Devlet Bahçeli decided to visit him in the hospital. See: Bahçeli visits jailed crime gang leader Çakıcı in hospital, at: <https://www.turkishminute.com/2018/05/23/bahceli-visits-jailed-crime-gang-leader-cakici-in-hospital/>

<sup>138</sup> Right after the June 24 elections, Çakıcı penned a letter to Erdogan, threatening him that he is not the owner of the state, that

journalists in another letter.<sup>139</sup>

Now Erdogan's Islamism combined with the MHP's nationalism will affect the Turkish minority living in Kosovo. Moreover, crime is transnational. Turkish crime bosses are present in many Balkan countries, including Kosovo. Alaatin Cakici is not the only crime boss who pledged support for Erdogan's coalition. Another famous gang leader, Sedat Peker, pledged his support and also organized rallies in support of Erdogan.<sup>140</sup>

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he should "get it through the depths of your mind that I'm not a street kid, a street gang", and that he should be thankful for the MHP voters who don't like AKP but voted for the coalition to save the state. See: Mob boss pens scathing letter to Erdoğan, at: <https://ahvalnews.com/alaaddin-cakici/mob-boss-pens-scathing-letter-erdogan>

<sup>139</sup> In a written statement Alaatin Cakici threatened journalists and newspaper editors: "I always give a heads up to those whom I am going to cause harm ... They will be punished in Turkey or abroad by those who support me. I call on those who always say to me, "tell us to shoot and we shoot, tell us to die and we die" to now act". See: Turkey blurs the lines between laws and Mafia rules, at: <https://ahvalnews.com/turkey-mafia/turkey-blurs-lines-between-laws-and-mafia-rules>

<sup>140</sup> He threatened academics who have signed a "declaration of peace" against Turkish operations in Kurdish south-east Turkey, stating "We will spill your blood in streams and we will shower in your blood." He also supported Erdogan's statement that the Gulenists are traitors and that "First we will cut off traitors' heads" when he was talking on the first anniversary of the alleged coup. Peker warned the Gulenists that "They should pray for our president [Erdoğan], who they call a dictator. God forbid, if his visit to this world ends even in natural ways, they will see what a dictator is.

Unfortunately, Sedat Peker operates many businesses in Kosovo. Looking at his social media feed we see that in 2016 he visited Kosovo and received a recognition by a Kosovo Liberation Army veterans' group for his "support for the KLA."<sup>141</sup>

## Conclusion

Turkey sees Kosovo as a vassal state, which it can control and manipulate. Kidnapping the teachers undermined Kosovo's rule of law, law enforcement, and government authorities; It was also a shot at European and international authorities that are present in Kosovo. The reactions of the people, the Kosovar government, and international organizations and foreign diplomats were intense. This suggests they will resist Turkish intentions in Kosovo.

As expected, Erdogan used the operation to sway his domestic constituents. Through Erdogan-controlled media, Turks were told that Turkey is now a global

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God willing, we will hang all those who are sympathetic to them [Gülen movement], walked with them, or not left them, on the nearest flagpole. We will hang them on the nearest tree." See: Gang leader says will hang all people linked with Gülen movement, at: <https://www.turkishminute.com/2017/07/16/gang-leader-says-will-hang-all-people-linked-with-gulen-movement/>

<sup>141</sup> Sedat Peker'e Kosova Kurtuluş Ordusu Teşekkür Plaketi Verdi, at: <https://www.balkangunlugu.com/sedat-pekere-kosova-kurtulus-ordusu-tesekkur-plaketi-verdi/> Sedat Peker's Instagram post, at: [https://www.instagram.com/p/\\_8dMlcpl0e/](https://www.instagram.com/p/_8dMlcpl0e/)



power that can conduct operations abroad and snatch opponents anywhere. Erdogan also wanted to send a message to other Turks. Oppose me and you will be punished. Government controlled media extoll these operations, warning that Erdogan opponents will be brought to Turkey dead or alive.<sup>142</sup>

Also worrisome is the fact that Turkish diplomats ask Kosovo authorities to punish Kosovo journalists for their comments about the coup in Turkey<sup>143</sup> or the comment of the Turkish Ambassador to Macedonia that the Macedonian citizens who have studied in Gulen-affiliated schools are “potential terrorists.”<sup>144</sup> Turkish organizations have become tools of Erdogan rather than independent organizations that work to advance relations between the two countries. For example, TIKA has become a vehicle to advance Erdogan’s Islamist agenda, by establishing Islamist organizations and financing political parties that uphold Erdoganism. The

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<sup>142</sup> Canlı yayında Hizmet Hareketi gönüllülerine suikast çağrısı, at: <http://www.shaber3.com/canli-yayinda-hizmet-hareketi-gonullulerine-suikast-cagrisi-haberi/1286957/> and Cem Küçük ve Fuat Uğur SuperHaber'in sahibi Cengiz Er'i ölümle tehdit etti!, at: <https://www.superhaber.tv/cem-kucuk-ve-fuat-ugur-superhaber-in-sahibi-cengiz-eri-olumle-tehdit-etti-video-haber-75286>

<sup>143</sup> Turkey asks Kosovo to punish journalist over coup comments, at: <https://www.reuters.com/article/us-kosovo-turkey-journalist-idUSKCN1061A1>

<sup>144</sup> Turkish ambassador implies Gulen schools in Macedonia raise terrorists, at: <https://www.turkishminute.com/2018/05/09/turkish-ambassador-implies-gulen-schools-in-macedonia-raise-terrorists/>

Islamic Community of Kosovo (BIK) is influenced and supported by Erdogan and his satellite organizations.

Turkey is neither a democracy with a Muslim majority or a country that shares common Euro-Atlantic aspirations with Kosovo. Kosovo must be wary of ties to an Islamist-Nationalist Turkey, where mafia leaders share the power with the government. Moreover, any politician that will ally themselves with Turkey will be allying themselves with ultranationalist-mafia establishment. This establishment does not have any principles. It makes deals with anyone including Vladimir Putin with whom it has found common cause. Kosovo must not divert from its EU path. Despite EU shortcoming, Kosovo must stay on the path to EU membership. The EU is the main guarantor of Kosovo's stability and security. Now more than ever, Kosovo needs the EU and the US to be more present. The West must not abandon Kosovo to Turkey and Russia. The incumbent Kosovo's patrimonial leadership may be momentarily enamored with alternatives. But, Kosovo should maintain and strengthen its commitment to Euro-Atlantic integration.



# EUROPEAN UNION



# Kosovo's Status Consolidation: Lessons from the Berlin Process<sup>145</sup>

Ioannis Armakolas

## **Introduction: Kosovo's Participation in Western Balkan Fora**

The Berlin Process seeks to aid efforts of the Western Balkan states to join the European Union by facilitating and intensifying their regional cooperation and economic development.<sup>146</sup> It emphasizes infrastructure and connectivity, while paying also significant attention to resolving political disputes and achieving regional reconciliation working with youth at the grass-roots. The first Summit was held in Berlin in 2014, followed by yearly summits<sup>147</sup> with work in between. The Berlin Process is heavily supported by the European Commission. Only Germany, France, Austria, Italy, the United Kingdom, Slovenia and Croatia were participants until recently. Greece was invited to

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<sup>145</sup> The author would like to thank Bledar Feta for his research assistantship and editors of the volume for useful comments to earlier drafts of this paper.

<sup>146</sup> There are a number of good reports on the Berlin Process. See, among others, Ardian Hackaj and Krisela Hackaj, *The Berlin Process 2014-2018, Research Report, Cooperation and Development Institute, Tirana, 2018*, at <http://cdinstitute.eu/web/wp-content/uploads/2018/03/The-Berlin-Process-2014-2018.pdf>

<sup>147</sup> Summits in Vienna in 2015, Paris in 2016, Trieste in 2017 and London in 2018.

participate at the 2018 London Summit; Poland, a country with little interest in the region and currently at odds with the European Commission, was invited to host the 2019 Summit.

Bilateral disputes and open cross-border hostility affected work of the Berlin Process, harming the spirit necessary for reaching agreements and delivering fast results.<sup>148</sup> Some analysts even suggest that the Berlin Process should now end.<sup>149</sup> Overall, the Berlin Process assembled five high profile summits and dozens of in-between meetings with ministers, second tier officials and experts. With varying degrees of success, the Process launched a number of initiatives advancing regional economic, political and societal cooperation.<sup>150</sup>

Prishtina fully participates in the Berlin Process, which offers strong political commitment and support to civil society in Kosovo. Kosovo's ambiguous status puts it in a difficult position. In line with its non-recognition policy, Belgrade is obstructing initiatives by Kosovo government to join regional organizations or attend

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<sup>148</sup> See more, The Berlin Process for the Western Balkans: Gains and Challenges for Kosovo, Policy Report, Balkans Policy Research Group, January 2018, p.24, at: [goo.gl/XB5zJk](http://goo.gl/XB5zJk)

<sup>149</sup> Florian Bieber, It is time to ditch the Berlin Process, Interview, 10 July 2018, at: [goo.gl/N1FGp8](http://goo.gl/N1FGp8)

<sup>150</sup> Ardian Hackaj and Krisela Hackaj, The Berlin Process 2014-2018, Research Report, Cooperation and Development Institute, Tirana, 2018, <http://cdinstitute.eu/web/wp-content/uploads/2018/03/The-Berlin-Process-2014-2018.pdf>

regional forums. In fact, Prishtina's presence in the Western Balkan fora organized under the umbrella of the Berlin Process is secured on the basis of the so-called 'footnote' agreement, referring to status-neutrality established under the 2013 Brussels agreement between Kosovo and Serbia. In all official documents that are signed by members of the Berlin Process, next to Kosovo's name there is an asterisk pointing to a footnoted disclaimer that refers to status neutrality.

### **Examples of agreements signed by Kosovo in the framework of the Berlin Process: Declaration on the Regional Cooperation and the Solution of Bilateral Disputes**

The resolution of bilateral disputes is a condition for integration of Western Balkan countries with the EU. Resolution of bilateral disputes and the avoidance of a "Cyprus scenario" is central to the EU's approach.<sup>151</sup> Western Balkan leaders adopted the Declaration on the Regional Cooperation and the Solution of Bilateral Disputes (Addendum, Annex 3) in the 2015 Vienna Summit agreeing to find solutions and "not to block, or encourage others to block, the progress of neighbors on their respective EU paths". The Declaration further states, "... governments of the Western Balkans commit

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<sup>151</sup> See for example: A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, at: <http://goo.gl/XJ9Fwc>



themselves to resolve any open questions through bilateral negotiations or other means of peaceful settlement of disputes, including international arbitration, in accordance with international law".<sup>152</sup>

Kosovo was prevented from taking full advantage of the policy for regional cooperation and the resolution of bilateral disputes due to its domestic politics and for reasons pertaining to its international affairs. Kosovo experienced political standoffs, early elections, governmental changes, street politics and violent disruption of parliamentary sessions. At the heart of this political turmoil were three issues: (i) demarcation of Kosovo-Montenegro border, (ii) establishment of an association of majority-Serb municipalities, and (iii) creation of a special court for the international prosecution of war crimes in Kosovo. Politicization of the border demarcation not only strained relations with Podgorica, but also delayed the fulfillment of a key condition for granting visa-free travel to Kosovo passport holders. Moreover, Kosovo's journey to full regional integration is challenged by Serbia's obstructionism, Kosovo's complex relationship with Bosnia-Herzegovina, and by contested borders.

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<sup>152</sup> See the Final Declaration by the Chair of the Vienna Western Balkan Summit, 27 August 2015, at: [goo.gl/J616KJ](http://goo.gl/J616KJ)

## **Establishment of the Regional Youth Cooperation Office – RYCO**

One of the most significant achievements of the Berlin Process is the establishment of the Regional Youth Cooperation Office (RYCO), which aims to strengthen the region's stability through the cross-border cooperation of young people.<sup>153</sup> Inspiration was the institutionalized cooperation between youth of France and Germany after the Second World War and its role in reconciliation of these two nations. The initiative is of exceptional importance for Kosovo. Through the creation of an institutionalized system of youth exchange programs, RYCO gives young Kosovars the opportunity to connect with youth in the region, ending their isolation due to non-recognitions and the failure to secure the EU visa-free travel. RYCO also empowers young people as agents of inter-ethnic cooperation and trust building.

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<sup>153</sup> See the Agreement on the Establishment of the Regional Youth Cooperation Office available, at: [goo.gl/wXMeVx](http://goo.gl/wXMeVx)

## **Connectivity Agenda and the Transport Community Treaty (TCT)**

A major breakthrough of the Trieste Summit of 2017 was the signing of the Transport Community Treaty (TCT) as a follow on to the South-East European Transport Observatory (SEETO).<sup>154</sup> The aim of the Treaty is to bring the Western Balkans closer to the EU by creating a fully integrated transport network within the region, as well as between the region and the EU, and to reach convergence with the transport standards and policies of the EU.

On TCT official documents, Kosovo has the asterisk denoting status neutrality. The TCT is an agreement with important consequences for Kosovo. After the end of the 1999 conflict, Kosovo was one of the countries in Europe with the least developed and most underinvested transport infrastructure. Poor transport infrastructure has severe consequences for Kosovo's economy. Under the connectivity agenda of the Berlin Process, Kosovo's transport network has good potential for development, integrated into the Network Corridors of the Trans-European Transport Network (TEN-T). But if Prishtina and Belgrade aim to benefit from this project, they must remove barriers to the free flow of people and goods.

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<sup>154</sup> The text of the Transport Community Treaty can be accessed at: [goo.gl/q8uvs1](https://goo.gl/q8uvs1)

## **Overall assessment**

Does Kosovo's inclusion and policy conduct within the Berlin Process contribute to its status consolidation? A number of features are positive for Kosovo's sovereignty,<sup>155</sup> while others represent missed opportunities and unrealized potential. Kosovo did achieve some symbolic victories, though not the ones over status that many hoped for. There are advantages from equal representation in international fora via the Berlin Process, which makes Kosovo equal with other states in the Western Balkans. Moreover, Kosovo's presence in the Berlin Process enabled it to appear as a stand-alone and consolidated state despite the faltering domestic situation in the country itself. Also, on the plus side, in the context of the Berlin Process the issue of Kosovo's status, while not absent, it was de-emphasized and de-emotionalized. Concerns over how Serbia could obstruct Kosovo's international participation remained and the possible negative reaction of Serbia was omnipresent in the Berlin Process meetings. But still, Kosovo and Serbia remained partners in the Berlin Process despite all other concerns. And Kosovo's participation functioned more smoothly in the fairly informal setting of the Berlin Process and outside the bounds of the formal EU institutional formats. Kosovo has also become a member of all the regional initiatives

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<sup>155</sup> See esp., The Berlin Process for the Western Balkans: Gains and Challenges for Kosovo, Policy Report, Balkans Policy Research Group, January 2018, at: [goo.gl/XB5zJk](https://goo.gl/XB5zJk), p.13 .

agreed upon under the Berlin Process. What is important to emphasize, however, is that Kosovo was not excluded from regional fora even before its formal declaration of independence in 2008 when Kosovo was included as a UN-run entity. This is significant progress for Kosovo's sovereignty, but is not complete status consolidation.

Kosovar politicians have presented Kosovo's participation in the Berlin Process as evidence of the country's consolidation of sovereignty. Indeed, given the fact that symbols play a crucial, though sometimes overestimated, role in sovereignty, the fact that Kosovar officials stand as equals next to their EU and Western Balkan counterparts or that the country's flag flies in every forum next to the flags of the other countries are no mean feat.<sup>156</sup> Analysts have even argued that the asterisk of status neutrality, a reference disliked by Kosovars since it signals a still uncertain status, became overtime a non-issue in the Berlin Process documents. According to this opinion, at summits in Berlin, Vienna and Paris, Kosovo was presented with the neutral status asterisk, while there was no asterisk next to Kosovo's name in Trieste.<sup>157</sup> However, a closer examination shows

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<sup>156</sup> Ibid.

<sup>157</sup> Ibid. On various controversies surrounding the asterisk policy, especially from the perspective of Kosovo, see Faith Bailey, Kosovo still dogged by status-neutral asterisk, Prishtina Insight, July 2016, at: <https://prishtinainsight.com/kosovo-still-dogged-status-neutral-asterisk-mag/>

there was not much qualitative difference in Kosovo's representation at the various Summits.<sup>158</sup> Even before the Trieste Summit, Kosovo would often appear without the asterisk when the country was mentioned in the yearly Declarations of the relevant Chairs of the Process and in other documents that did not have members' co-signature. Instead, wherever representatives of the parties would sign official documents, such as treaties, or where EU documents were involved Kosovo would typically retain the asterisk. Thus, even at that symbolic level the picture is mixed. The presence on equal standing in the Berlin Process did communicate Kosovo's equal status to other countries in the Western Balkans. But, when it came to Kosovo's official designation and reference controversy continued.

In that context, it is worth considering the difficulties that Kosovo is still encountering in official EU fora. Partly due to the legal difficulty of the non-recognition by five EU member states, but mainly due to the political obstacle presented by non-recognizers (typically Spain) that opt to insist on status neutrality or

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<sup>158</sup> All Berlin Process Summits have so far taken place in countries that have recognized the independence of Kosovo. Poland, which is expected to host the 2019 Summit, has recognized Kosovo, but maintains an ambivalent stance towards its statehood. See more in Jarosław Wiśniewski "Poland", op.cit in Ker-Lindsay and Armakolas, eds. "Lack of engagement? Surveying the spectrum of EU member states policies towards Kosovo", Research Report, Kosovo Foundation for Open Society, December 2017.

even non-inclusion, Kosovo often finds itself in limbo. The May 2018 EU-Western Balkan Summit during Bulgarian EU Council Presidency is a case in point. Bulgaria, a country that has recognized Kosovo, worked to elevate the Western Balkan enlargement agenda during its Presidency with its efforts culminating at the EU-Western Balkan Summit in Sofia. But Spain insisted that Kosovo should not be treated as a state at the Summit, resisted even the reference to the term Western Balkan 6 (which might be interpreted as Kosovo being equal in status to the other five Western Balkan countries) or the use of the term 'states' for the region's EU partners. Spain also threatened to boycott the Summit. Serbia on its part, taking the lead from Spain, also threatened withdrawal from the Summit. After an acrimony that lasted for weeks, Spain not only managed to ensure that only EU member states would sign the joint declaration (thus avoiding the uncomfortable situation for Madrid that the Spanish Prime Minister's signature would be on the document with the Kosovar one's), but also reduced its own representation to part of the scheduled programme.<sup>159</sup>

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<sup>159</sup> See more: Kosovo conundrum looms large over Sofia Western Balkans summit, Post of the Bulgarian Presidency.eu, 5 April 2018; Balkans Labeled 'Partners' Instead of 'States' for Sofia Summit, 23 April 2018, at: [goo.gl/LuUmex](https://goo.gl/LuUmex) ; EU-Balkans declaration to be signed only by EU states, 24 April 2018, at: [goo.gl/5Z6Nt6](https://goo.gl/5Z6Nt6) ; Spanish PM decides to snub EU-Balkans summit over Kosovo, 15 May 2018; at: [goo.gl/8HfC1h](https://goo.gl/8HfC1h)

Despite best intentions on the part of the Bulgarian Presidency it became once clearer that Kosovo's place, at least for the official EU, remains somewhere 'in between' and that non-recognizing member states have the capacity to challenge Kosovo's statehood, should they wish to. Both due to the formal nature of its processes and the presence of non-recognizing member states, which have the capacity to insist on status neutrality, EU poses problems to Kosovo's efforts to gain status consolidation.

Its importance notwithstanding, the excessive focus on whether the Berlin Process (and other international fora and processes) contribute to Kosovo's sovereignty tends to cloud other important issues, such as whether Kosovo itself adequately functions as a proper state internationally. This is linked to the broader issue of how Kosovar officials and public opinion often appear 'fixated' on finalizing Kosovo's international status and 'gaining' recognitions than the actual and often more difficult task of properly acting as a state in domestic affairs and international relations. Studies show that Kosovo's diplomacy falls short in both developing adequate relations with many recognizing countries and making the most of opportunities to build relations with non-recognizing countries.<sup>160</sup>

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<sup>160</sup> James Ker-Lindsay and Ioannis Armakolas, eds., *Lack of engagement? Surveying the spectrum of EU member states policies*



Thus, a different perspective can be to assess whether Kosovo functioned adequately in the Berlin Process and whether it fully acted upon its opportunities and obligations. In that context, the Berlin Process can be seen as a missed opportunity for Kosovo to demonstrate that it deserves its independent statehood based on its state capacity to achieve tangible benefits and ability to function internationally. Despite some undisputable achievements Kosovo's political actors did not take full advantage of opportunities afforded.

In the context of the Berlin Process, Serbia and Albania emerged as regional leaders with noteworthy rapprochement and cooperation between them. The elevation of Serbia and Albania within the Berlin Process was supported and promoted, if not always explicitly, by the main initiators of the process, including Germany. The years of the Berlin Process coincided and the Process itself contributed to the increasing regional significance of Serbia and Albania who were previously not favorites of Brussels and Western diplomacy. In recent years, however, they both seem to be run by young and capable leaders who dominate their domestic politics and who have shown capacity to push their country's EU accession. Both Vucic of Serbia and Rama of Albania also seem to communicate a comfortable and confident style of

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towards Kosovo, Research Report, Kosovo Foundation for Open Society, December 2017.

leadership and have excellent relations with German leaders. Their good rapport with governments in Berlin, Brussels and other Western capitals have continued despite the caution of civil society in the region of increasing signs of authoritarianism (especially in Serbia) and corruption (in both countries).

To a certain extent, the image of both Serbia and Albania was elevated in comparison to what was seen at the time as a particularly problematic situation in the rest of the region. North Macedonia, Kosovo and Bosnia-Herzegovina were in serious domestic crisis; Montenegro was stable and progressing in its EU accession path, but too small to become a driver for a regional positive momentum. Moreover, the new image of Albania and Serbia was heralded also on the promise that they can play the role of regional leaders of their co-ethnics living outside their borders. In addition, Rama and Vucic were perceived as leaders able to deliver difficult regional deals. Vucic, especially, is seen as having the capacity to make the historical move of accepting Kosovo's statehood. Part and parcel of this elevated role of Serbia and Albania was, especially in the initial years of the Berlin Process, a good rapport between the leaders of the two countries themselves and what manifested for a while as a strengthening of relations and coordination between the two countries by circumventing the rest of the Western Balkan states. The issue of Kosovo has reportedly been discussed in that context. This was indeed "convenient for the EU as it

offered a new front for tackling the Kosovo-Serbia dispute. While for Serbia, talking to Albania —a country that already has established diplomatic ties [with]— is indeed easier than the dialogue with Kosovo.”<sup>161</sup> But what was seen in some capitals as a hopeful sign of Serbian-Albanian historical rapprochement has unsurprisingly produced anxiety among Kosovars: “The growing partnership between Albania and Serbia provides an escape for Serb leaders from the Kosovo-Serbia dispute. Kosovo’s government is sensitive to the substitution of the Kosovo-Serbia relations to Serbian-Albanian relations. It is evident that Serbia takes advantage of regional initiatives by downplaying the importance of improved relations with Kosovo.”<sup>162</sup> In other words, “... [b]reaking the ice on the Kosovo issue—as the main challenge between Albania and Serbia—might slightly improve the relations between both countries, but it will not certainly bring new improvements in resolving the Kosovo-Serbia dispute.”<sup>163</sup> From the point of view of many Kosovars, and rightly so, Kosovo’s statehood was seen to be discussed between the leaders of the country Kosovo broke away from (Serbia) and the country Kosovars feel national affinity with (Albania) with the absence of

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<sup>161</sup> Donika Emini, *Berlin Process: Path to Europe or to nowhere?*, Policy Brief, Kosovar Centre for Security Studies & Friedrich Ebert Stiftung, July 2016, p. 10.

<sup>162</sup> *Ibid.* p. 14.

<sup>163</sup> *Ibid.* p. 10.

Kosovars themselves. If anything, this signaled self-doubt among Kosovars of their statehood and sovereignty. Such self-doubt arose at the same time that Kosovo faced its deepest crisis since independence, delivering almost at daily basis news and images that questioned the very capacity of the country to function as an independent state. Kosovar politicians failed to rally behind national ideals and demonstrate capacity for independent policy making at the time when it was dearly needed.

At another level, the Berlin Process was also a missed opportunity for Kosovo to demonstrate its effectiveness in policy making. This relates to benefits from the Berlin Process that are tangible and oriented around specific policies. For example, the Balkan Policy Research Group points out that the inclusion in the TEN-T will have a positive impact on Kosovo's transport landscape and will place Kosovo in the map of the European transport network.<sup>164</sup> Similarly, the provisions for a Regional Economic Area would have benefits to "visa requirements, recognition of Kosovo authorities, birth certificates, licenses, diplomas and exchange of professionals".<sup>165</sup>

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<sup>164</sup> The Berlin Process for the Western Balkans: Gains and Challenges for Kosovo, Policy Report, Balkans Policy Research Group, January 2018, at: [goo.gl/XB5zJk](https://goo.gl/XB5zJk).

<sup>165</sup> Ibid. p. 13.

It became clear over the years that the Berlin Process should not be seen only as a chance for Kosovo to demonstrate its statehood, but also as an opportunity to undertake serious strategic vision and policy planning in response to real policy challenges. Kosovar personnel and institutions did not respond adequately to seize this opportunity. A deficit of strategic vision and planning became apparent.<sup>166</sup> As evidence of lack of preparation, in the 2017 Trieste Summit Kosovo did not even present any project for approval in any of the key Connectivity areas of the Berlin Process.<sup>167</sup> Moreover, the Kosovar officials did not demonstrate adequate commitment, thus minimizing the benefits from Kosovo's inclusion to the Berlin Process. "Lack of commitment, consistency and engagement is evident in the process. Also, lack of inclusion and transparency leaves institutions uninformed and reluctant to engage".<sup>168</sup>

Both the inability of Kosovo to fully benefit from the Berlin Process by demonstrating policy-making capacity and the lack of commitment and engagement in the Process have been assigned to the protracted nature of Kosovo's domestic political crisis and its vicissitudes

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<sup>166</sup> Donika Emini, *Berlin Process: Path to Europe or to nowhere?*, Policy Brief, Kosovar Centre for Security Studies & Friedrich Ebert Stiftung, July 2016.

<sup>167</sup> *The Berlin Process for the Western Balkans: Gains and Challenges for Kosovo*, Policy Report, Balkans Policy Research Group, January 2018, at: [goo.gl/XB5zJk](https://goo.gl/XB5zJk), op.cit.

<sup>168</sup> *Ibid.* p. 14.

(e.g. elections, governmental changes, standoffs with opposition and the like). In the words of a Kosovo analyst, "Kosovo's internal instability has diverted focus away from policies, projects and agendas ... [while] weak institutions and poor policy planning and coordination reflect badly on Kosovo's performance, i.e. preparation of the projects, secure funding and advancing good neighborly relations, forming partnerships and gaining more support."<sup>169</sup>

## **Conclusion**

The Berlin Process, by far the most high-profile new initiative for the Western Balkans in recent years, has had a mixed legacy for Kosovo. The Berlin Process did to some extent help in consolidating the symbolic image of Kosovo as a separate and equal to the rest of the Western Balkan states. But full international status consolidation did not (and could not) be achieved in the context of the Berlin Process. Still, the positive impact for Kosovo is not negligible, given the obstacles and difficulties posed by challenges to its international sovereignty and status. At the same time, the Berlin Process offered many opportunities to Kosovo to demonstrate its enhanced statehood and policy-making capacity. Kosovo did take advantage of some of the chances afforded to it, but it fell short of maximizing potential benefits of the Berlin Process. The Kosovar

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<sup>169</sup> Ibid. p. 14.

political personnel, which were recently distracted by in-fighting, should take stock of the situation and maximize future opportunities for capacity building and enhancing its status either in the Berlin Process itself or other international initiatives. This approach will optimize advantages for Kosovo's citizens and enhance the consolidation of Kosovo's international status.

# **The EU's Ambiguous Integration Process for Kosovo**

Arben Hajrullahu

## **Introduction: Statehood in a perpetual dispute environment**

Kosovo is one of the most pro-Western, pro-EU and in particular pro-American countries in the world. Its western affinities should be seen within a historical and political context of the 1999 NATO intervention. The key question is whether the Kosovo people and institutions will be able to move forward successfully from the formal declaration as a pro-Western society into a functional state which adheres to the rule of law and other liberal democratic values when Serbia deliberately creates an adversarial environment.

In order to understand recent developments in regard to Kosovo's statehood, one needs to analyse the interactions between Kosovo and the international community, including the EU, as well as Kosovo – Serbia relations. Developments in the country depend on the trilateral interactions between Kosovo, the EU, and Serbia. The EU's Western Balkan strategy, published in February 2018, identifies challenges such as the rule of law, security and migration, socio-economic development, transport and energy connectivity, digital agenda, and reconciliation and good neighbourly



relations. The report indicates that Western Balkan “countries show clear elements of state capture, including links with organized crime and corruption at all levels of government and administration, as well as a strong entanglement of public and private interests”.<sup>170</sup>

Kosovo’s conflicted relations with Serbia obstruct internally and externally key state functions, which include democratic governance, societal cohesion, and integration into the international system. Strained relations have prevented a meaningful democratization processes. More than ten years after Kosovo’s 2008 declaration of independence, international recognition from other states and membership in international organisations have stalled.

Kosovo’s political leaders frequently repeat the country’s aspiration for NATO and the EU membership. But not all NATO and EU member states have recognized Kosovo’s statehood while Kosovo is still not a member of the key regional and international organisations such as the OSCE, the Council of Europe, and the UN. As a result, Kosovo continues to have

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<sup>170</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM (2018) 65 final, at: [https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf)

limited and internationally disputed sovereignty. The United Nations Interim Mission in Kosovo (UNMIK) is still active, although significantly reduced and redundant. The EU has taken a self-imposed neutral position regarding Kosovo's statehood caused by the obstructionist-motivated non-recognition of Kosovo by Cyprus, Greece, Spain, Slovakia and Romania. Serbia – Kosovo disputes, as well as the absence of a common EU position on Kosovo's statehood, makes it complicated to use the EU integration process as a tool to achieve a lasting solution between the two countries.

The EU, however, is pushing Serbia and Kosovo to reach a legally binding agreement. For instance, the 2018 European Commission Strategy on the EU enlargement of the Western Balkans states explicitly the need for a “legally-binding normalisation agreement between Serbia and Kosovo so that they can advance on their respective European paths.”<sup>171</sup> Similarly, the EU High Representative/Vice-President, Federica Mogherini declares that, “A comprehensive, legally-binding normalisation agreement between Serbia and Kosovo will be essential for progress on their respective European paths”.<sup>172</sup> A lasting solution between Serbia

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<sup>171</sup> Ibid, p. 17.

<sup>172</sup> European Union External Action, Western Balkans Strategy: EU sets out clear path for accession, 2018, at: [https://eeas.europa.eu/headquarters/headquarters-homepage/39450/western-balkans-strategy-eu-sets-out-clear-path-accession\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/39450/western-balkans-strategy-eu-sets-out-clear-path-accession_en)

and Kosovo should have the added benefit of enhancing economic development, democratisation and rule of law. As long as Serbia works against Kosovo's statehood, stakeholders will have to recognise that they have limited chances to accomplish Europeanization and EU integration. How can the normalization of relations —or even the 'positive peace'— between Kosovo and Serbia, as well as the EU membership of both countries occur if Serbia will continue to discourage EU states from recognizing Kosovo?

Serbia and Kosovo need to meet similar criteria in order to gain EU membership. Serbia needs to solve the disagreement with Kosovo, since by maintaining an open dispute over Kosovo's statehood makes it impossible to establish a functioning democratic state with a defined territory, which is a precondition for EU membership. Kosovo needs the recognition by Serbia. For Kosovo, EU membership will continue to remain imaginary without Serbia's recognition. Russia and China may never accept Kosovo's UN membership even if Serbia and Kosovo settle their differences. In order to break the cycle of perpetual disputes, EU countries that have already recognized Kosovo should undertake the following four key actions in close cooperation with the United States:

- 1) Identify and call out kleptocratic politicians undermining the rule of law, which makes sustainable development impossible;
- 2) Help Kosovo and Serbia to establish a meaningful relationship based on principles of equality and reciprocity;
- 3) Disseminate globally and locally background of the 1999 NATO intervention and Kosovo's recognition, highlighting the "Comprehensive Proposal for the Kosovo Status Settlement."
- 4) Maintain linkage between Serbia's EU-integration and its recognition of Kosovo's statehood.

The EU and all members of the free and democratic world should be clear and straightforward to both Serbia and Kosovo. Ambiguity would prevent the Europeanization and EU integration for both with implications for regional peace and stability. To negotiate Serbia's EU membership without implementing reached agreements and without recognising Kosovo's statehood is a process that is doomed to failure.

Serbia has been trying to squeeze concessions for its own geo-strategic interests from the Russian Federation, the EU, and the US, playing one off against the other. Thus, as tensions between the West and Russia increases, the Western Balkans intensifies as a proving ground to the advantage of Russia as a troublemaker aiming to maximise its influence in the region. Erlanger

argues the region is presented as a new Cold War battleground.<sup>173</sup> According Augstein, the EU has deceived democracy in the country.<sup>174</sup> In addition to the “elements of state capture”, the semi-functional states with weak administrative capacities and a lack of good governance structures in the Western Balkans are already seen as result of a failed experiments in multi-ethnicity and broken promises of EU membership.<sup>175</sup> For instance, based on “The First Agreement on Principles Governing the Normalization of Relations” (19 April 2013), ethnic-based segregation in Kosovo is waiting for final legalisation. The Constitutional Court of Kosovo, however, ruled regarding the compatibility of the Association/Community of Serb majority municipalities in Kosovo “that these Principles are not entirely in compliance with the respective constitutional standards”, in regard to fundamental rights and freedoms as well as rights of communities and their

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<sup>173</sup> Steven Erlanger, In a New Cold War With Russia, Balkans Become a Testing Ground, The New York Times, 2018, April 10, at:

<https://www.nytimes.com/2018/04/10/world/europe/european-union-balkans.html?register=google>

<sup>174</sup> Franziska Augstein, Geschmiertes Kosovo, Süddeutsche Zeitung, 2016, August 11, at:

<http://www.sueddeutsche.de/wirtschaft/augsteins-welt-geschmiertes-kosovo-1.3117301>

<sup>175</sup> Timothy Less, Dysfunction in the Balkans: Can the Post-Yugoslav Settlement Survive? Foreign Affairs, 20 December, 2016, at: <https://www.foreignaffairs.com/articles/bosnia-herzegovina/2016-12-20/dysfunction-balkans>

members.<sup>176</sup> The main opponent of Kosovo's statehood

"Serbia, by using many Kosovo-Albanian eagerness to power, achieved two strategic goals: widespread the narrative in the Western world that the Kosovo-Albanians were as criminals as the Serbian forces who had conducted a havoc against the Kosovo-Albanian civilian population in 1998-99; and succeeded in convincing the international community that any settlement of Kosovo's status should take into account Serbia's active role in Kosovo's domestic affairs in order to protect the Serbian minority and its cultural and religious heritage."<sup>177</sup>

Negotiations on "normalization" of relations between Serbia and Kosovo affirm the fragility of the whole Kosovo state architecture, which has been called "an independence of the second-class quality".<sup>178</sup>

The dispute with Serbia leads to high-level organized crime and corruption, which threaten Kosovo's statehood. Kosovo authorities show a lack of

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<sup>176</sup> Constitutional Court of the Republic of Kosovo Judgment in Case No. K0130/15, 2015, at: [http://www.gjk-ks.org/wp-content/uploads/vendimet/gjk\\_ko\\_130\\_15\\_ang.pdf](http://www.gjk-ks.org/wp-content/uploads/vendimet/gjk_ko_130_15_ang.pdf)

<sup>177</sup> Enver Robelli, Ndarja e Kosovës: Qosiqi e mendoj, Gjingjiqi e propozoi dhe Thaci e negocioi – tinëz!, *Koha Ditore*, 25 April, 2014, p. 11.

<sup>178</sup> Michael Martens, Asterisk bei den Albanern: Das Kosovo erhält eine eigene Telefonvorwahl – und Serbien Macht. 10 February, 2017, *Frankfurter Allgemeine Zeitung*.

commitment to tackle high profile officials, preferring instead to focus on petty corruption, and thus avoiding complicated processes and fighting against political connections.<sup>179</sup>

Moreover, both local and international institutions have failed to build a locally driven impartial system of justice. Kosovo has been facing a gap between the law on paper and the law in practice. Successively, the UNMIK administration, EULEX together with the domestic institutions failed to guarantee effective rule of law and an effective judiciary as the basis for legal security.

In Kosovo, the “the process of transitional justice is incomplete”.<sup>180</sup> In August 2015 the Kosovo parliament, under strong pressure from the US and EU, voted to create the Kosovo Specialist Chambers based in The Hague. These Chambers were created under the legal umbrella of Kosovar legislation for the purpose of judging alleged crimes committed between 1 January

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<sup>179</sup> Freedom House, Nations in Transit 2018, Kosovo, 2018, p. 3, at: [https://freedomhouse.org/sites/default/files/NiT2018\\_Kosovo.pdf](https://freedomhouse.org/sites/default/files/NiT2018_Kosovo.pdf)

<sup>180</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM (2018) 65 final, p. 7, at: [https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf)

1998 and 31 December 2000. In December 2017, these Specialist Chambers were attacked by a number of Kosovo members of parliament, supported by the Speaker of the Parliament, the President and the Prime Minister of Kosovo who wanted to abrogate the law on the Kosovo Specialist Chambers. This has raised doubts about Kosovo's commitment to justice and the rule of law.<sup>181</sup> Furthermore, the deportation of six Turkish nationals in March 2018 who were legally residing in Kosovo was another example of Kosovo's captured political leadership.

### **From dependence to independence on the way to interdependence?**

Regarding the possible outcome of the EU facilitated dialog between Serbia and Kosovo, two local think-tanks in Kosovo identified in 2018 the following three scenarios:

- 1) Continuation of the status quo with local people becoming increasingly frustrated and political and religious radicalization gaining momentum. This risks making Kosovo a 'frozen conflict', similar to Russia-supported territories in the Caucasus;
- 2) Full normalization of relations through a bilateral

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<sup>181</sup> Freedom House, Nations in Transit 2018, Kosovo, 2018, p. 2, at: [https://freedomhouse.org/sites/default/files/NiT2018\\_Kosovo.pdf](https://freedomhouse.org/sites/default/files/NiT2018_Kosovo.pdf)



treaty is the most desirable. However, this appears unlikely due to Serbia's declared position not being ready to formally recognize Kosovo;

- 3) New territorial arrangements, which are complex and risky.<sup>182</sup>

Using the EU integration process as a tool for more inclusive societies and overcoming the conflict between Serbia and Kosovo appears more aspirational than realistic. Every government in Belgrade, before and after 1999, has rejected the recognition of an independent and sovereign state of Kosovo. This exacerbates ethnic-Serbian nationalism, which suits a domestic political purpose in Serbia. Contrarily, this policy of non-recognition of Kosovo is (mis-) used in Serbia as a blackmail against the Western world and efforts to build a functioning state based on inclusion and rule of law in Kosovo, through alleged attempt to isolate local Serbs from Kosovo institutions.<sup>183</sup> In this struggle, the question of how to reach long-term and stable relations between

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<sup>182</sup> Cf. RIDEA, Research Institute of Development and European Affairs, & BPRG, Balkans Policy Research Group, *Scenarios For The 'Grand Finale' Between Kosovo And Serbia*, pp. 27-37, at: [https://docs.google.com/viewerng/viewer?url=http://balkansgroup.org/wp-content/uploads/2018/04/SCENARIOS-FOR-THE-GRAND-FINALE-BETWEEN-KOSOVO-AND-SERBIA.pdf&hl=en\\_US](https://docs.google.com/viewerng/viewer?url=http://balkansgroup.org/wp-content/uploads/2018/04/SCENARIOS-FOR-THE-GRAND-FINALE-BETWEEN-KOSOVO-AND-SERBIA.pdf&hl=en_US)

<sup>183</sup> Cf. International Crisis Group, *Serb integration in Kosovo: Taking the Plunge*. Europe Report N°200, 2009, at: <https://d2071andvip0wj.cloudfront.net/200-serb-integration-in-kosovo-taking-the-plunge.pdf>

Kosovo and Serbia in the absence of a Kosovo's statehood recognized by Serbia remains a mystery. A toxic environment is one of the key consequences of the unfinished Serbia – Kosovo relations.

Despite the fact that the disturbed relationship between Serbia is not the sole problem when it comes to the democratization of Kosovo, unfinished business between Serbia and Kosovo remain the key and crucial piece. Kosovo is considered as a Hybrid Regime.<sup>184</sup> After 1999 Kosovo has often been characterised as a joint international and local 'enterprise.' Both local and international leaders are responsible for the gloomy reality, including the apathy plaguing an increasingly unemployed, disenchanted and opportunity void society. A change of the general perception and expectations about the role of the state will be crucial for an integrated society within a functional state based on the rule of law.

The Kosovo case demonstrates that reforms occur when the US and EU coordinate policies, using both the carrots and the sticks to cure the Western Balkan countries of "state capture, including links with organized crime and corruption at all levels of

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<sup>184</sup> Freedom House, Nations in Transit 2018, Confronting Illiberalism, at:  
[https://freedomhouse.org/sites/default/files/FH\\_NationsInTransit\\_Web\\_PDF\\_FINAL\\_2018\\_03\\_16.pdf](https://freedomhouse.org/sites/default/files/FH_NationsInTransit_Web_PDF_FINAL_2018_03_16.pdf)

government and administration".<sup>185</sup> More decisive joint European and American actions are needed to protect and advance Kosovo's statehood that will be possible once both, Prishtina and Belgrade are equally treated by Brussels as equal partners with clear prospects for EU membership. Domestic phenomena such as corruption, state capture, a politicized judiciary cannot be remedied as long as kleptocratic politicians who undermine rule of law are in positions of power. The rule of law and sustainable economic development are critical to Kosovo's statehood. They can transform Kosovo into a prosperous and developed country, where the polities are empowered as agents of change.

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<sup>185</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for and enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM (2018) 65 final, at: [https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf)

# **Kosovo's place in Europe: Integration as a means in mitigating security threats**

Venera Kusari

## **Introduction**

Kosovo's main foreign policy priority since 2008 has been European integration. This objective has been widely supported by Kosovo citizens, with 93% in favor of Kosovo becoming an EU member.<sup>186</sup> Over the past years, Kosovo has made headways in its efforts to advance the EU integration process. The European Commission's 2012 Feasibility study commends Kosovo's considerable progress. It affirms that Kosovo has established constitutional measures to protect human rights, especially minority and group rights. It commends Kosovo for establishing the rule of law, creating a stable and professional public administration, and reforms towards establishing a functioning market economy. Kosovo has also demonstrated its commitment towards stability and cooperation through the EU-facilitated dialogue with Serbia.<sup>187</sup> As a measure of its progress, Kosovo signed a Stabilization and

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<sup>186</sup> Prishtina Institute of Political Studies, Citizens' general knowledge and perception on SAA, Policy Report, 2016.

<sup>187</sup> European Commission, Communication from the Commission to the European Parliament and the Council on Feasibility Study for a Stabilization and Association Agreement between the European Union and Kosovo, Brussels, 2012.

Association Agreement (SAA) with the EU in 2015. Kosovo has gained membership in several regional and international organizations, such as The World Bank, International Monetary Fund (IMF), Venice Commission, European Bank for Reconstruction and Development (EBRD), Council of Europe Development Bank (CEB), and Regional Cooperation Council (RCC) in recent years.<sup>188</sup> These achievements show that Kosovo is gaining international personality on the path towards the EU integration process. Moving forward, Kosovo's objectives are visa liberalization for the citizens of Kosovo, full membership in the EU and the United Nations (UN), and integration into NATO's Partnership for Peace (PfP), subsequently attaining full NATO membership. To these ends, Kosovo faces many pitfalls and challenges.

### **EU's Expansion Fatigue**

The timing in which Kosovo (and other Western Balkan countries) is seeking European integration is unfavorable. In the last decade, since Kosovo's independence, Europe has been displaying signs of so-called enlargement fatigue. Many factors have caused the fatigue. In 2007 the EU welcomed Bulgaria and Romania, two countries with weak political and administrative capacity and high corruption levels. The

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<sup>188</sup> Prishtina Institute of Political Studies, Kosovo's Multilateral Integration, Policy Report, 2018.

EU's recent experience with new members has constrained opportunities for accession to their states. The EU is wary of financial obligations with Greece's economic problems sparking EU's first major financial crisis. The Syrian civil war, which started in 2011, has caused hundreds and thousands of people to seek refugee status in Europe. According to the International Rescue Committee, "more people have been forced to flee their homes by conflict and crisis than at any time since WWII".<sup>189</sup> Poland, Hungary, and other newer EU members have turned their backs on the core European principles of democracy and regard for human rights. Increasingly they are trending towards authoritarianism. Brexit dramatized disunity within the EU. These dynamics coupled with historic nationalist sentiments have triggered far-right nationalist movements within the EU, redefining European values.

Recent surveys indicate a rise in Islamophobia, which may reshape EU policies towards immigration as well as enlargement. A 2016 report on the State of Islamophobia in Europe reveals that "Islamophobia has become the main challenge to the social peace and coexistence of different cultures, religions, and ethnicities in Europe."<sup>190</sup> Chatham House's Europe Programme surveyed

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<sup>189</sup> At: <https://www.rescue.org/topic/refugee-crisis>

<sup>190</sup> Center for Gender and Race, California University, 2016

Islamophobia Report, March 2017, at:

<https://www.crg.berkeley.edu/news/2016-european-islamophobia-report/>

respondents in Austria, Belgium, France, Germany, Greece, Hungary, Italy, Poland, Spain, and [the UK]. The report shows that the majorities in all but two of the ten states agreed that all further migration from mainly Muslim countries should be stopped- ranging from 71 percent in Poland, 65 percent in Austria, 53 percent in Germany and 51 percent in Italy to 41 percent in Spain, and 47 percent in the United Kingdom<sup>191</sup>. In no country did the percentage of those surveyed who disagreed surpass 32%.<sup>192</sup> What does this mean for Kosovo? Kosovo is not a Middle Eastern country, and as such, it is not explicitly viewed as a Muslim country. However, its population is predominantly Muslim. The report suggests that Muslim people are generally not welcome in the EU. This view also affects Turkey, Albania, Bosnia-Herzegovina, and Macedonia. While Serbia and Montenegro (arguably with a minority Muslim population) have become front-runner candidates for the membership, Muslim-majority countries including Kosovo have been relegated to a slower integration processes. While other factors affect their integration, Islamophobia is an important factor.

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<sup>191</sup> Chatham House: The Royal Institute of International Affairs, What do Europeans Think of Muslim Immigration, 2016

<sup>192</sup> Ibid.

## **Turkey and Radical Islam**

The rise of Islamism through radical groups such as the Islamic State (ISIS) and Turkey's neo-Ottoman agenda only have exacerbated challenges for Kosovo to realize its European objective. Islamism in Kosovo peaked in 2015 and 2016, with 314 Kosovar men and women joining jihadist groups in Iraq and Syria.<sup>193</sup> This number is conspicuously high for a country of only 1.8 million people. Encouraged by NGOs, media reporting, and pressure from the West, Kosovo responded with new laws in 2015. Those who return from ISIS membership now face up to 15 years in prison, and recruiting jihadists is punishable with up to five years in prison. Moreover, Kosovo has adopted the Countering Violent Extremism (CVE) National Strategy and established de-radicalization and reintegration programs. In the following years the problem of Kosovars going to fight in Syria and Iraq has dramatically diminished. This gives the impression that capturing, arresting, and rehabilitating the jihadist fighters is better managed. Less controllable is the extremist Islamist ideology, which has spread through Salafi groups operating in Kosovo and through Turkey's activities in Kosovo. Although the police have closed 19 Muslim organizations, Salafi, and Wahhabi organizations are still sending preachers and under the guise of charitable

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<sup>193</sup> Adrian Shtuni, *Dynamics of Radicalization and Violent Extremism in Kosovo*. United States Institute of Peace, 2016.



activities.<sup>194</sup> Even more troublesome are political and economic manifestations of Turkey's neo-Ottoman and Islamist agenda.

President of Turkey Tayyip Erdogan enjoys broad support from various Islamic communities and Kosovo politicians. Turkey has gained a cultural and economic foothold by investing in infrastructure and development projects, by opening universities and by restoring mosques.<sup>195</sup> Kosovo president Hashim Thaci has visited Erdogan in Ankara numerous times. Erdogan sent a private plane to pick up Thaci and take him to Erdogan's presidential inauguration ceremony on July 8, 2018. Turkey's Directorate of Religious Affairs (Diyanet) operates in Kosovo by collaborating with the Islamic communities mainly in Prizren, but also in other cities. It promotes Turkish Islam by assigning religious officials, sending books, and by delivering regular religious services.<sup>196</sup> Through Diyanet, Turkey also hunts down Fetullah Gulen supporters who reside in Kosovo. Six educators believed to have had links with Fetullah Gulen movement were extracted from Kosovo through a joint operation between Turkey's National Intelligence Organization and Kosovo counterparts then

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<sup>194</sup> Bertelsman Stiftung, Transformation Index BTI, Kosovo Country Report, 2017.

<sup>195</sup> At: <http://www.balkaninsight.com/en/article/turkey-continues-supporting-projects-in-kosovo-through-tika-07-03-2018>

<sup>196</sup> The Kosovar Turks and Post-Kemalist Turkey, Foreign Policy, Socialization and Resistance, 2016.

deported to Turkey. For Erdogan's re-election, Albanians and Turks in Prizren celebrated, waving Turkish flags and chanting pro-Erdogan slogans. When the Turkish troops launched an attack against Kurds in Syria on January 20, 2018, Islamic communities joined by the Turkish Ambassador in Kosovo and by Turkish KFOR troops organized prayer gatherings in mosques in Prizren. There are numerous social media groups with tens of thousands of followers from Kosovo declaring support for Erdogan's authoritarianism and his Islamist ideology. Any seasoned observer of Kosovo's culture recognizes that there has been a startling increase in Islamic practices in recent years. An unprecedented number of Albanian women covered in Islamic veils are seen walking in Prishtina. A growing number of young men attend services in mosques. Turkey's neo-Ottoman agenda and the Islamist indoctrination will continue to take hold as long as there is a vacuum created by disengagement of Europe and the United States.

## **Russia and Serbia**

In addition to Turkey and other Islamist groups' interests in expanding their foothold, Russia represents a real threat to Kosovo's sovereignty. Russia and Serbia share economic interests, security cooperation, and an Eastern Orthodox religious identity. By backing Serbia and using its veto power as a permanent member of the United Nations Security Council, Russia continuously rejects Kosovo as a sovereign country eligible for the UN membership. Russia continues to support Serbia in its lobbying efforts, urging countries to revoke Kosovo's recognition, as is the case with Suriname.<sup>197</sup> Russia's efforts in undermining Kosovo's sovereignty have larger regional implications. By using Serbia as a foothold for military and intelligence operations, Russia seeks to expand its influence in the Balkans, undermining US influence, and deterring Kosovo's Euro-Atlantic aspirations. Its opposition to countries in the Western Balkans joining the North Atlantic Treaty Organization (NATO) which included a Russian-backed coup attempt in Montenegro demonstrates Russia's maleficent aspirations in the Balkans. Russia's resistance works against Kosovo's aspirations to eventually join NATO. Its anti-Western propaganda in Serbia through media outlets such as Sputnik and Russia Today reinforces nationalistic anti-democratic regimes, while undermining the EU-facilitated Kosovo-Serbia dialogue.

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<sup>197</sup> At: <http://seas.foundation/en/2017/11/03/127>

These attempts exacerbate Kosovo's problems and threaten stability.

### **Five Non-recognizers**

Kosovo's independence has been recognized by the majority of EU countries. However, five EU countries still do not recognize Kosovo as a sovereign country — Cyprus, Greece, Romania, Slovakia, and Spain. Their non-recognition adds another hurdle to Kosovo's integration in the EU. On July 19, 2018, the European Commission declared that Kosovo had met the requirements for its citizens to qualify for visa-free travel within the Schengen zone. For this decision to come into effect, it has to be approved by the European Parliament and then the European Council, leaving room for the five non-recognizers to obstruct this process. Failure to realize visa liberalization would deepen Kosovo's isolation, making it the only Western Balkan country left out of the integration process, thus, creating a "ghetto" vulnerable to extremist ideologies and irredentism.

### **Irredentist Activities**

Efforts for redrawing of borders are ongoing. The current constitution of Serbia still defines Kosovo as an autonomous province of Serbia. In all negotiations between Serbia and Kosovo, Serbia maintains that "it will never recognize Kosovo's independence." By seeking to bestow executive powers on the Association of Serbian communities in Kosovo and by supporting parallel structures in northern Kosovo, Serbia seeks to regain its control.

### **Influence and ownership of territories in Kosovo**

The highly contested demarcation of Mitrovica is a topic of discussion of the Dialogue between the two parties. Lack of progress is fueling support for Greater Albania by Kosovo Albanians. The opposition party Self-determination Movement (Lëvizja Vetëvendosje) which enjoys strong popular support openly backs unification of Kosovo and Albania. In April 2017, Albania's Prime Minister Edi Rama commented that EU policies were potentially leading to the unification of Kosovo and Albania<sup>198</sup>. Irredentist trends are a threat to stability and progress in the region. Furthermore, these claims are always associated with military involvement, and this has adverse effects as it creates a sort of psychological warfare whereby threats become a norm.

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<sup>198</sup> At: <https://www.euractiv.com/section/enlargement/news/greater-albania-statement-awakens-old-ghosts-in-balkans>

## **Conclusions**

Kosovo risks becoming a hotbed for instability in the Western Balkans and Europe. Historically, Kosovo has been a focal point and a battleground for the world powers, and this continues to this day. While Kosovo has always considered itself part of Europe and has aspired for European values, Europe has historically missed the chance to fully integrate Kosovo. Its anti-Albanian views have created space for nefarious forces to fill the gap. At this critical time of political uncertainty, it is incumbent upon the EU to make meaningful and just decisions about Kosovo. Kosovo has a predominantly secular culture. It is the most pro-European country in the Western Balkans, with 93% of citizens favoring EU membership. How ironic that the EU treats Kosovo differently from other countries in the region. Further delay in visa liberalization will isolate Kosovo, negatively affecting all sectors of the society. If Kosovo citizens are not offered the chance to be part of Europe, they will turn to other powerful nations and groups to fill the gap. Turkey's Islamism and other Islamist ideologies will gain greater influence. Russia will be emboldened to oppose NATO's enlargement, threatening stability in the Western Balkans. Without NATO's presence, Kosovo will face growing threats from Serbia.

The EU must recognize Kosovo's success, while at the same time continuing to demand reforms. Since its creation, Kosovo has made gradual but significant

progress. Although much remains to be done to establish a fully democratic, just, and progressive country, Kosovo has met benchmark requirements set by the EU. It provides more minority rights than to any other country in the region. Serbian communities are protected. There is little risk of renewed ethnic conflict. Kosovo concluded the border demarcation agreement with Montenegro. It collaborates with the international community in fighting against organized crime and corruption, working closely with INTERPOL. What propels people to emigrate is mainly their isolation. More fully integrated into Euro-Atlantic institutions, Kosovo will become furthermore a reliable ally of the West. At the Balkans Summit in London on July 10, 2018, the primary focus was security in the region. German Chancellor Angela Merkel and the UK Prime Minister Theresa May pledged to double the funding for the Western Balkans countries, around \$90 million, to increase security measures and tackle organized crime<sup>199</sup>. This message implies that the EU is starting to acknowledge the real threats it faces by the instability in the Western Balkans. The EU's role in Kosovo's progress is paramount.

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<sup>199</sup> At: <http://www.balkaninsight.com/en/article/uk-eu-to-increase-financial-aid-to-western-balkans-07-10-2018>

# **Circumventing Political Barriers to EU Membership: Are There Viable Alternatives for Kosovo?**

Gent Salihu

## **Introduction**

Kosovo's path to joining the European Union is unpredictable because five EU members —Cyprus, Greece, Romania, Slovakia, and Spain— do not recognize Kosovo as an independent state. EU membership for Kosovo requires recognition by the five non-recognizers. However, all five non-recognizers are unlikely to move from their current policy of non-recognition soon unless Kosovo and Serbia reach a deal whereby Serbia recognizes Kosovo as a sovereign and independent state, relinquishing its claim to Kosovo. Kosovo already signed a Stabilization and Association Agreement (SAA) with the EU, which is the first formal step to gaining EU membership. Kosovo was fortunate to enter into this contractual agreement with the EU. The Lisbon Treaty granted legal personality to the EU, bestowing the EU institutions with powers to act on behalf of all EU members. Before the Lisbon Treaty, previous SAAs had to be ratified by each individual member state. For Kosovo, the EU as a single party both negotiated and adopted the deal.



## **Non-recognizers and European Commission**

The five non-recognizers generally show no resistance to cooperating with Kosovo on economic grounds. All five non-recognizers were behind the EU's consensus policy in offering an SAA to Kosovo. The agreement is also in principle a free trade deal between the EU and Kosovo. Spain's Foreign Minister José Manuel García-Margallo stated in 2009 that Spain would support Kosovo's development even if it did not recognize it. Following the separatist intentions of Catalonia, however, Spain did not participate in the Sofia EU-Western Balkans summit because of Kosovo's presence, thereby showing reluctance to build a political relationship between the EU and Kosovo. Cyprus holds a similar stance regarding engaging economically with Kosovo. While Cyprus is reluctant to support Kosovo's political engagement abroad, it helped Kosovo join the IMF by casting its vote, unlike Serbia and Russia that did not participate in the vote. The Cyprus vote contributed to meeting quorum requirements.

Romania, Slovakia and, especially, Greece follow even a more pragmatic and flexible approach when engaging with Kosovo. When it comes to economic engagement, Romania is committed to bilateral trade with Kosovo.<sup>200</sup> Similar to Romania, Slovakia and Greece also

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<sup>200</sup> Romania also hosts diverse views among its political spectrum regarding Kosovo; recall the debate between President Basescu and Prime Minister Ponta and their polar opposite views on the Kosovo recognition question.

demonstrate pragmatism on economic grounds. Kosovo has had discussions with officials of both countries on the prospects of opening a Kosovo representation office for trade and economic affairs in Bratislava and Athens. While the level of engagement with Kosovo among non-recognizers differs, none of the countries is likely to recognize Kosovo soon. All non-recognizers have shown interest in the potential outcomes of the Prishtina-Belgrade dialogue and have stated that their future relations with Kosovo will depend on the results of the dialogue.

Non-recognizers' reluctance for political engagement hinders Kosovo's EU membership path. The content of the SAA signed for Kosovo is of economic nature and its adoption was left to the EU. The next membership steps, however, require individual member state engagement, expected to take political decisions. Following the adoption of the SAA, the next step for Kosovo is to submit an official application to receive EU candidacy. The non-recognizers would reject such a move, because for them only states are eligible to become candidates and Kosovo is not one of them.

The non-recognizers are supportive of Kosovo's approximation with the EU as long as the EU is able to engage with Kosovo along economic lines and provided that the EU as a whole, rather than the individual non-recognizers, serve as an engine for such engagement. In practice, both conditions prevent Kosovo from moving

forward with its EU membership.

Both the SAA and the European Commission Strategy for the Western Balkans confirm that Kosovo is unlikely to smoothly move ahead on its European path, unless the issue of recognition by the five EU member states gets resolved. The SAA language on Kosovo's next EU integration steps—as well as on matters of cooperation with EU member states or on Kosovo's involvement in international initiatives—is followed by a disclaimer: “should objective circumstances so permit.” Similarly, the European Commission strategy calls for Kosovo to implement the SAA, however, it also states that Kosovo will advance on its European path only “once objective circumstances allow.”

As a result, Kosovo is likely to fall behind the progress of other Western Balkans countries with EU integration unless it can circumvent political barriers to its EU membership path. To date, owing to barriers posed by non-recognizers in the international sphere, two elements have characterized Kosovo's engagement with international bodies. First, Kosovo has utilized a policy of circumvention by seeking membership in international organizations. For example, Kosovo has joined the Venice Commission and the Council of Europe Development Bank, extensions of the Council of Europe, without seeking prior membership to the Council of Europe. Similarly, Kosovo attempted to join UNESCO without prior UN membership. Second, to

enhance its international presence, Kosovo chose substance over symbols. For example, to push the country's agenda forward, Kosovo representatives meet EU officials in Brussels without state symbols.

Kosovo signed an SAA that differs from the SAAs of other Western Balkan countries. While the Government of Kosovo has previously utilized half-measures with a wide array of international bodies, it has not done so with Brussels. Kosovo should also consider utilizing a policy of circumvention and prioritize substance over symbols as it seeks to engage with and join the EU.

What does Kosovo achieve by joining the EU and could Kosovo achieve similar goals by finding an alternative to the EU? The EU is attractive because it provides a single market to its members for the free movement of persons, capital, goods, and services. What tends to be overlooked is that the EU gives access to the single market, but it is not the European single market itself. The European single market, instead, is regulated by the rules of the European Economic Area (EEA) and the EU is one of two entities that is eligible to join the EEA.

## **Joining EFTA?**

Membership to the EEA is also open to members of the Economic Free Trade Association (EFTA). EFTA is an association of four countries that recognize Kosovo: Iceland, Lichtenstein, Norway, and Switzerland.

As an intergovernmental organization, EFTA promotes economic integration between its member states, but does not offer political integration. It does not produce legislation or have its own customs union. EFTA and EU together comprise the EU single market as members of the European Economic Area (EEA). Kosovo's immediate goal should be joining the EEA, regardless of whether it does so through the EU or EFTA.

Joining the EFTA should be seen as an interim measure, which builds momentum towards Kosovo's eventual membership in the EU. This interim measure would prevent Kosovo from becoming isolated as other Western Balkans countries join the EU. While EFTA members are not part of EU's political institutions, EFTA members are flexible when it comes to the application of EU Law. It remains at the discretion of individual EFTA members to decide the extent to which they want to embrace EU law. For example, while all EFTA countries have decided to join the Schengen zone through bilateral treaties between individual countries and EU, only Norway joined the European Defense Agency and only Switzerland joined EURATOM. EFTA members are also not prevented from leaving EFTA and

joining the EU. Six countries left EFTA to join the EU.

In practice, the benefits that come from either EU or EFTA membership are marginal. The only potential drawback for EFTA members is that they are not part of EU's political decision-making apparatus (i.e. European Parliament, Council of the European Union and European Commission). While the political significance of sitting in EU's institutions should not be underestimated, it should also not hinder prospects of bringing Kosovo closer to the EU through alternative means. Provided current political circumstances, joining EFTA is a viable alternative for Kosovo to move towards a similar alliance trajectory as that of other Western Balkans countries. Joining EFTA, a club of countries that recognize Kosovo, would also strengthen Kosovo vis a vis the EU.

Kosovo would first have to join EFTA, rather than the EU, and then apply to become a party to the EEA Agreement as an EFTA member. While circumventing a mainstream policy tends to yield complex solutions, joining the EFTA is less complex than joining the EU. EFTA does not maintain eligibility criteria —such as EU's Copenhagen Criteria— to join the club. According to the EFTA convention, “any State may accede to the Convention provided that the EFTA Council decides to approve its accession. As regards further formal requirements, any new member state would have to apply to become a party to existing EFTA free trade

agreements” (Article 56, EFTA Convention). EFTA membership primarily relies on the political will of the existing four members.

Joining EFTA would open the way to becoming a party to the EEA Agreement, which would still require an agreement between EU member states and Kosovo and subsequent ratification by both EU and EFTA member states. This scenario would alleviate political pressure from non-recognizers for three reasons. First, the agreement is of an economic rather than political nature. Second, Kosovo would apply to join EEA as an EFTA member rather than as a standalone entity applying to join the EU first and then the EEA. Third, unlike in the EU integration path where domestic institutions of EU member states are required to continuously get involved in the process of accepting a newcomer, joining EEA through EFTA is a single transaction. Individual EU member states debate domestically and approve a member to join the EEA only once.

Joining EFTA would be a win-win for Kosovo and the five non-recognizers. This arrangement should also be acceptable for the proponents of Kosovo’s statehood because only countries are able to join the EEA. Kosovo would join an exclusive club of countries, with a good reputation, that fully recognize Kosovo’s statehood and its state symbols. This decision would also not be an either/or choice between EU or not the EU, because Kosovo would be able to join the EU in the future as

political circumstances evolve, with a strengthened sovereignty and international position vis a vis the EU.

Joining the EEA through EFTA should also be seen as a constructive arrangement for the non-recognizers. The non-recognizers can argue domestically that admitting Kosovo in the EEA through EFTA prevents Kosovo from sitting in EU institutions along with the non-recognizers. Following EU consensus policy, the non-recognizers cannot block Kosovo's approximation with the EU, especially as other Western Balkans countries join the EU. Kosovo's membership into the EEA through EFTA follows non-recognizers' acceptance with furthering economic, rather than political relations with Kosovo, which is also reflected in the SAA language.

Some non-recognizers, such as Spain or Cyprus, may still cast doubt over Kosovo's EFTA membership as a Trojan Horse for joining the EU. Spain and Cyprus, countries with more sensitive domestic audiences towards engaging with Kosovo, can wait for other non-recognizers to ratify Kosovo's accession into the EEA and then follow the created consensus. In the meantime, Kosovo could provisionally join and implement the EEA Agreement. Even though Croatia joined the EU in 2013 and signed the EEA agreement in 2014, Croatia is entering its fifth year of implementing the agreement provisionally, because not all EEA member states have ratified Croatia's accession. Alternatively, Kosovo could also follow Switzerland's approach of not joining the



EEA, but instead enter into bilateral agreements with the EU. Such alternative is feasible for an EFTA member to operate in EU's single market. However, the ratification process of a number of deals rather than a single deal, as it is the case of the EEA agreement, could cause unwanted visibility for non-recognizers.

Deciding to join EFTA rather than the EU will not stop Kosovo from implementing EU-required reforms. Reforms that consolidate Kosovo's statehood and strengthen the rule of law are good for Kosovo, regardless of whether Kosovo joins the EU or not. Should Kosovo demonstrate the intent to join EFTA, the EFTA countries may also impose conditions for Kosovo to fulfill before it is able to join the club. Unlike the EU, EFTA does not have pre-accession assistance funds. On the contrary, joining the EFTA requires contributing funds for access to the single market and for EU's underdeveloped regions. Kosovo would still have access to EU financial assistance and cohesion funds upon joining EFTA. Countries that become EU members are already economically and politically stable, with a proven record of protecting human rights. It will still take years before Kosovo businesses and citizens would benefit from entering into the European single market. Until then, Kosovo should continue to constructively engage with the EU and utilize pre-accession funds designated for Kosovo.

## **Conclusion**

Kosovo cannot allow itself to remain isolated while other Western Balkans countries move closer to the EU. There is no alternative to rapprochement with the EU. At the same time, Kosovo should be open to exploring alternatives that yield positive outcomes. The current Kosovo-Serbia Dialogue is unlikely to result in Serbia's explicit recognition of Kosovo's statehood. Therefore, the five non-recognizers are also unlikely to change their stance prior to Serbia's formal recognition of Kosovo. Even if the five non-recognizers adjust their approach, Kosovo would have lost a lot of time compared to its neighbors who would make progress towards becoming EU member states. Joining the EEA through EFTA rather than the EU is a viable alternative that the Government of Kosovo should consider in order to prevent Kosovo from falling behind.



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**Columbia University** is one of the top academic and research institutions in the world, conducting path-breaking research in medicine, science, the arts, and the humanities. It includes three undergraduate schools, thirteen graduate and professional schools, and a school of continuing education. Founded in 1754, it is the oldest institution of higher learning in the state of New York and the fifth oldest in the United States.

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Program on Peace-building and Human Rights is an applied research endeavor taking a comprehensive approach to peace-building through humanitarian assistance, human rights, economic development, and political participation. The Program operates in Myanmar, Iraq, Turkey, Sri Lanka, Sudan, the Balkans, and the Caucasus. Activities involve dialogue initiatives, educational exchanges and curriculum reforms that reduce hostile perceptions, as well as cooperative projects with practical social and economic benefits. The Program enhances preventive diplomacy by focusing on strategies to break the cycle of violence.

**The Kosovar Institute for Policy Research and Development (KIPRED)** is the first think-tank established in the post-war Kosovo (February 2002), with the mission to promote and consolidate democracy and democratic values in Kosovo through non-partisan and independent research, capacity development and institution building.

KIPRED is a highly respected point of reference for expertise and a venue for informed public policy making and capacity building in Kosovo and wider, particularly in the fields of Foreign and Security Policies, EU Integrations, Inter-Ethnic Relations and Political Parties.

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