

SCENARIOS ON THE EUROPEAN UNION'S ROLE  
IN RELATION TO THE KOSOVO QUESTION

A Master's Thesis

by  
BAŐAK ACAR

Department of  
International Relations  
Bilkent University  
Ankara  
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IN RELATION TO THE KOSOVO QUESTION

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BAŞAK ACAR

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October 2008

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Professor Norman Stone  
Supervisor

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Professor Doctor Hasan Ünal  
Examining Committee Member

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in International Relations.

-----  
Doctor Hasan Ali Karasar  
Examining Committee Member

Approval of the Institute of Economics and Social Sciences

-----  
Professor Erdal Erel  
Director

## ABSTRACT

### SCENARIOS ON THE EUROPEAN UNION'S ROLE IN THE KOSOVO QUESTION

Acar, Başak

M.A, Department of International Relations

Supervisor: Prof. Norman Stone

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This thesis analyzes the process of European Union's recent and the future role on the Kosovo question. European Union's involvement in the Balkans within the framework of Stability Pact and Stabilization and Association Process will be discussed shortly. The thesis will focus on good scenarios which are Kosovo's independence and its membership to European Union together with Serbia, and Kosovo's EU membership while Serbia remaining a pariah. The thesis will also concentrate on the nightmare scenarios in relation to Kosovo issue are perpetuation of status quo and deterioration of status quo. Deterioration of status quo ranges from partition, the risk of disruption of territorial integrities of Bosnia, Macedonia, and Serbia. The likelihood of greater Kosovo and greater Albania will also be discussed.

Keywords: European Union, Kosovo issue, good scenarios, nightmare scenarios

## ÖZET

### AVRUPA BİRLİĞİ'NİN KOSOVA SORUNUNUN ÇÖZÜMÜNE İLİŞKİN ROLÜ ÜZERİNE SENARYOLAR

Acar, Başak

Yüksek Lisans, Uluslararası İlişkiler Bölümü

Tez Yöneticisi: Prof. Norman Stone

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Bu çalışma, Avrupa Birliği'nin Kosova sorununun çözümünde oynayacağı rolleri senaryolar yoluyla incelemiştir. Avrupa Birliği'nin Güneydoğu Avrupa için İstikrar Paketi ve Katılım ve İstikrar Süreçleri çerçevesinde bu bölgeyle ilgilenmesi üzerinde kısaca durulmuştur. Avrupa Birliği'nin Kosova sorununda şimdiye kadar oynadığı rol ekonomik, siyasi boyutlarıyla incelenmiştir. Kosova sorununun çözümüyle ilgili senaryolar iyi ve kabus senaryoları olmak üzere ikiye ayrılmıştır. İyi senaryolar Kosova'nın bağımsızlığı ve Sırbistan ile birlikte Avrupa Birliği'ne üyeliği ve Kosova'nın tek başına Avrupa Birliği üyeliğini kapsamaktadır. Kabus senaryoları ise Kosova'nın parçalanmasından, başta Makedonya ve Bosna'nın toprak bütünlüklerinin bozulmasına ve Güneydoğu Avrupa'nın istikrarsızlaşmasına, büyük Kosova ve geniş Arnavutluk projelerinin gerçekleşmesine kadar farklı alt başlıklardan oluşmaktadır.

Anahtar Kelimeler: Avrupa Birliği, Kosova sorunu, iyi senaryolar, kabus senaryoları

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## **CHAPTER I**

### **INTRODUCTION**

Kosovo continues to be the hot spot in the Balkans, despite the realization of conditional independence on February 2008. This development does not only create dooms day scenarios in the region and in the world, because of Kosovo being a precedent in secessionist claims or frozen conflict zones like Ossetia, Abkhazia, Nagorno Karabakh. There is also the good side of the medallion like the continuation of freezing the final status of Kosovo was removed from the political scene. This generated an atmosphere which encourages foreign direct investment in the country. Hence, this could contribute to the decrease in the effect of organized crime in the region and unemployment level in Kosovo could be diminished as well. In other words, young and unemployed population of Kosovo could no longer be regarded as a threat in terms of having the tendency to take part in the violent actions of KLA. So, given the fulfillment of the conditions of independence Kosovo will be a stabilizing factor in the region as well.

European Union's role will be decisive in peaceful settlement of Kosovo dispute. In 1999 NATO campaign, USA played the military role. But, with the election of George W. Bush, 9/11 attacks changed US foreign policy priorities in the Balkans.

European Union was responsible in economic reconstruction of Kosovo under UNMIK fourth pillar. However, the shift in US foreign policy precedence and the proximity of unstable Balkan region in European Union as a threat generated a reorientation of European Union's commitment in the Balkans. European Union under the framework of Stability Pact and Stabilization and Association Process started to make contractual relations with the Western Balkan countries. The main objective of these arrangements is increasing the regional links among the Western Balkan<sup>1</sup> countries in border management, energy sector, and fight with organized crime. European Union offered these states an integration perspective, with the reforms in political and economic institutions, creation of a free market economy, strong civil society, and fight against corruption. European Union conditionality offers carrot and sticks approach for the Western Balkan countries and in order to be a part of the European Union these countries started to pursue good neighborly relations, increase regional cooperation. If South East European countries had a common perspective, that is becoming a member of European Union, then they are aware that they must overcome the disputes among them. As a result, European Union should continue to apply the integration strategy in the Balkans, however Southeast European enlargement can take a long time and it will need financial resources.

Slovenia had been a member state with Central and Eastern European states, Romania and Bulgaria were member states since 2007. The next country is Croatia, and it is expected that it will be a European Union member in 2009. Macedonia had applied for membership, but accession negotiations had not started yet. Albania had signed a

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<sup>1</sup> Western Balkans and South Eastern European terms will be used interchangeably in the entire text, and they cover Albania, Macedonia, Croatia, Serbia, Montenegro, Bosnia Herzegovina. The use of South Eastern Europe instead of the Balkans is because of the negative connotation of the word. Balkans reminds ethnic conflicts, violence, extreme nationalism, corrupted politicians, continuous fragmentation of the states into smaller units and mistreatment of minorities.

Stabilization and Association Agreement; Bosnia was in the process of feasibility for a Stabilization and Association Agreement. Stabilization and Association Process and Stability Pact for Southeastern Europe are in fact complimentary of each other. Kosovo crisis in 1999 showed European Union that if European Union wants to be a serious actor in world politics, it should be active in the matters in its backyard. After NATO's Kosovo campaign, European Union accelerated their efforts on the formation of a European Security and Defense Policy. In this framework, Petersberg tasks focus on military crisis management of European Union in humanitarian assistance, peacekeeping and peacemaking aspects. Rapid Reaction Force which consists of 50000 soldiers will be deployed in two months. In 2003, ESDP operations were launched. They were light operations like taking over from previous actions. For example, European Union took over the police mission in Bosnia. During the conflict among the Albanians and Macedonians in 2001, European Union took over the police operation as well.

Kosovo poses a real challenge to the European Union, in the sense that the efficiency of Common Foreign Security Policy will be tested. Each European Union member countries had different foreign policy interests, especially in the issue of independence of Kosovo. Some member states like Slovakia, Spain, Greece, and Romania had already expressed that they would not recognize the independence of Kosovo. Each state had its own concern like Spain worries about Kosovo being a precedent for Basque. Romania had concerns on Transdniestria and instability of Moldova, if Transdniestria declares independence. Greece and Greek Cypriots worry about the recognition of Kosovo's independence would mean recognition to Turkish Republic of Northern Cyprus. Therefore, independence of Kosovo is like opening the box of

Pandora for Spain, Romania, Spain, Greece and this would have an impact on European Union's Common Foreign and Security Policy.

After the toppling of Milosevic, Serbia tried to be integrated into Euro-Atlantic structures, and democratic reforms took place. Kostunica was elected as prime minister and it is believed to be the right choice. Even though Milosevic had been removed from the government, his clients were still in power, criminalization of the state and corruption continued. Moreover, Djindic an influential Serbian politician was assassinated because of the politician's stance for prevention of further criminalization of the state. Serbian Radical Party inherited the legacy of Milosevic and continues to pursue extreme nationalistic aspirations, it is still a powerful element in Serbian politics that needs to be taken into consideration. Radical Party did not want Kosovo's independence and still portrays Kosovo as an inseparable part of Serbia. In spite of the desire to be a member of European Union, Serbia has not fulfilled the condition of delivering war criminals Radko Mladic and Radovan Karadzic to International Court of Justice. Serbia does not want to recognize the independence of Kosovo. Those are the main obstacles on the way to Brussels. Serbian foreign policy objectives are incompatible. Since the independence of Kosovo has occurred and the European Union had taken over the mission from United Nations, it is no longer possible to reverse the process. So far, Serbia pursued a relatively reasonable foreign policy, the military response as an answer to the declaration of Kosovo's independence did not happen. However, parallel structures in Serbian populated part of Kosovo, Mitrovica, was a real problem for the new Kosovo administration to handle. Furthermore, Prime Minister Kostunica resigned very recently for the reason that he finds pro- European Union ministers in his cabinet as

selling the national cause that is giving up Kosovo. Stabilization and Association Agreement could not be signed firstly due to the failure of the war criminals to Hague as already mentioned. The second reason of not signing a SAA with European Union is the desire to keep Kosovo. Hence, European Union membership horizon does not outweigh the significance of the preservation of Kosovo.

The settlement of Kosovo dispute is directly linked to Kosovo's positions, Serbian reactions and European Union's role. The need of scenarios in order to analyze the above mentioned factors is obvious. There are two kinds of scenarios: good, stability generating ones versus nightmare scenarios on explaining European Union's future role. The good scenarios include Kosovo's independence and its membership in European Union together with Serbia. The other good scenario is Kosovo's independence and membership in European Union while Serbia remaining a pariah. Nightmare scenarios on the future role of European Union on Kosovo issues are the perpetuation of status quo and the deterioration of the status quo. Thus, projection of distinct scenarios is important; also this could contribute to the international relations literature.

## **CHAPTER II**

### **SHORT HISTORY OF EUROPEAN UNION ENGAGEMENT IN THE BALKANS**

The pace of the events in the entire European continent change very rapidly. In the beginning of 1990's, with the collapse of communist regimes in Eastern and Central Europe, there was an optimistic atmosphere. The main perspective was, the end of the Cold War is the end of the division between ideological differences, instabilities in the form of social, economic and political and ethnic conflicts in the Europe. However, the eruption of violence and the bloody fragmentation of Former Yugoslavia formed a new environment in the heart of Europe. The head of European Community presidency in 1992, Jacques Poos, stated that "this is the hour of Europe". European Community's failure to put an end in the chaos, violence during the wars of Yugoslav dissolution showed that European Community was still not strong, able and willing enough to terminate a huge danger that produced instability for the rest of the continent. In other words, this means the credibility of European Community was at stake, given the failure in its backyard, to what extent it could present itself as a formidable actor in world politics. Abramowitz and Hurlburt (2002: 1) indicates that "For its own sake, if not for America's, Europe must succeed there". Without the military assistance of United States during the conflict, and its commitment in the

Dayton peace process, European Union would not impose a solution on Bosnia. Given the shift in American foreign policy priorities, European Union become the main actor in the Balkans which at the same time try to remedy social, political, economic problems in the region. Hence, European Union realized that it should form a solid European Security and Defense Policy and reinforce the framework of Common Foreign and Security Policy.

Another turning point in the history of the engagement of European Union in the Balkans in the post Cold War era is the Kosovo crisis of 1997-1998. Once again with American leadership, NATO operation took place in 1999. Due to the bad economic conditions and fragile political situation in the region, organized crime and influx of refugees had been the sources of instability in the Europe's neighborhood. In addition, Serwer (2003: 173) states that "For the EU, the Balkans are the 'near abroad' or 'Europe's Mexico'. Instability in the Balkans has repeatedly generated a flow of refugees and economic migrants, especially from Bosnia, Albania, Kosovo or Serbia in the European Union". A direct military threat from the Balkans towards European Union is not visible, but this does not mean that indirect risks that pose instability have been managed. Therefore, decisions of Thessaloniki Summit of 2003 should be taken into account.

The main significance of Thessaloniki Summit is: European Union admits its commitment in Western Balkans and the future of these countries in the European Union if and when they fulfill the Copenhagen criteria. Nevertheless it is noteworthy to underline the fact that European Union can and will not give in the fulfillment of European standards even for the sake of stability in Western Balkans. Southeastern

European countries must be alert about the length of the reform process, the public and the politicians should be patient and should not be overwhelmed by the seriousness of the task. Another important dynamic in this regard is; if politicians change their stance about devotion to be a member of European Union and do not control the extreme nationalistic aspirations in the public, and then there is the risk of regression in terms of the political reforms like treatment of minorities. As a result of this process, irredentism will gain momentum in the region, as well as the ethnic turmoil.

Kosovo had demonstrated European Union the necessity of building an active peace keeping, conflict prevention missions. In fact, the main framework of this was outlined in Petersberg tasks and Cologne Summit. Since then, a rapid reaction force consisting of 50,000 soldiers who can be deployed in two months was formed. European Union took over from NATO led operations in Macedonia and Bosnia Herzegovina, namely operation Concordia and operation Althea. In addition, European Union set police missions in the above mentioned countries. Thus, EU is active in the post- Ohrid arrangements, course of its implementation. European Union sent a new EULEX mission to Kosovo that will take over UNMIK. The central aim of this mission is to constitute a functioning legal system that is compatible with European standards. European Union does not only need to be involved in military, but also it should focus on institution building and for the case of Kosovo state building aspects for the Western Balkan countries. Therefore, a new understanding and its instruments were set for realizing the objective of bringing Western Balkan states closer to the standards of European Union.

Enlargement fatigue in European Union, especially after the French rejection of European Union constitution is an important factor that needs to be taken into consideration while evaluating European Union's engagement in the Western Balkans since Thessaloniki Summit. Western Balkan countries are aware of the fact that they must work on the political, economic, and legal reforms. In spite of this, if European Union does not reassure Western Balkan countries about membership, then these states could lose their dedication in the process of making the essential reforms, or keeping nationalistic goals aside. Pond (2005: 34) points out that European Union should continue to pursue an integration path to the Western Balkan countries for the stability of its neighborhood:

Any happy ending, however, still depends crucially on fulfillment of EU's promise to let the Western Balkans, at the end of the day, join the club. If that promise is now rescinded as Europeans become self-absorbed in the wake of French referendum, the continent's remarkable democratic transformation may yet exclude the Balkans in Europe's own backyard.

Like Pond, Gropas (2008) highlights that "Without the will to accede—on everyone's part—the Western Balkans won't have the capacity to do so". Both European Union and Western Balkan countries know that EU accession is the only feasible approach for overcoming the existing matters. Qerimi indicates that the former communist countries want to join to the Western world; they want to have free market economy and liberal democracy. These are the main reasons for the countries quest for EU membership. Enlargement of the EU refers to enlarging the zone of peace, stability, freedom (Qerimi, 2002: 47). Stabilization and Association process is useful for preparing the region for a sustainable economic, political reforms and a potential membership. Institution building in these countries plays a key role. In addition, Qerimi depicts that countries in the region are aware of the fact that they should

eliminate the ethnic tensions between them, start to look for the ways in which they can live together peacefully. EU and Southeast European countries should be realistic and sincere in their objectives. Qerimi mentions the importance of economic prosperity, improvement in the level of communication between the Balkan states for building a peaceful, stable region. Extending the zone of stability was and it still is the central motto behind EU 's strategy in the region. Batt (2004: 19) shares Qerimi's ideas about EU enlargement in the Balkans as a stabilizing factor. She has pointed out that the precondition of stabilization in the region is EU integration: "This implies that the phases of stabilization, transition and integration need to proceed simultaneously for their mutually reinforcing effects to work." Therefore, both EU and the Western Balkan countries should find the necessary mechanisms to cope with the matters arising from three phases; stabilization, transition and integration.

Weaver (2005: 165) states that war is a legitimate option in the Balkan context and "There is the danger of ethnic conflicts dragging Western powers in on opposing sides and thus triggers the return to power politics among the EU core states". Furthermore, EU could not give permission to the hindrances like absorption capacity, enlargement fatigue and the challenges of creating a European Union constitution derail EU's engagement in the Western Balkans. Otherwise interethnic confrontations that are relatively under control in the Balkan milieu will appear once again most likely in Macedonia. For instance, Ragaru (2008: 60) suggests that "If not, the EU might come to painfully understand that 'it's time has not come' in the Balkans, nor is it likely to do so any time soon". Likewise Judah (2006: 220) signifies the liability of EU to Western Balkans lies in the prospect of membership:

With the accession, in 2007 or at the latest 2008, of Romania and Bulgaria, the Western Balkans will be completely encircled by EU states, but without a credible prospect of eventual membership, the long feared “Balkan Ghetto” will have been created and consolidated. Another crucial point that is an obstacle not only to the prospective EU membership of the Western Balkan countries, but also to the regional cooperation is organized crime.

Glenny (2008: 87) has pointed out that the opponents of South Eastern European enlargement uses organized crime in the region as a justification to their positions without really addressing the political, economic grounds:

For over a decade, south-eastern Europe’s reputation has been tarnished by accusations of the region’s alleged accommodation with organized crime. These accusations have provided grist to the mill of those arguing against the expansion of the European Union into south-eastern Europe. Supporters of Balkan accession treat the subject as an irritating distraction from the political process of integration.

As I have mentioned before, Kosovo War in 1999 caused a dramatic change in European Union’s responsibility in the construction of security, stability in Southeastern Europe. O’Brien (2006:75) indicates “the first time that EU acknowledged for the Western Balkans had a future in Europe is Sarajevo Summit in 1999”. Shembilku (2004: 70) makes a differentiation in the EU strategy in the enlargement of Southeastern Europe and Central and Eastern Europe. The author underlines the main difference as whereas the Central Eastern European countries enter individually, Southeastern European countries will enter by forming a regional cooperation:

“Functionality” (regional dimension) and “conditionality” (European dimension) puts forward two conditional instruments: the creation of a regional economic union characterized by close “inter-border” co operation and “strengthened” political links in the area of “Common Foreign and Security Policy”, and the principle of differentiation-“whereby each country must be assessed in terms of its own capacity to meet the criteria set for membership.

Even though there are counter arguments arising from EU's reluctance in offering prospective membership to Western Balkan countries, the statement of Romano Prodi in Greece substantiates the EU's long term vision for the region is enlargement and inclusion. He said: "Whatever its ultimate status, Kosovo must be bound securely into the Balkans. And the Balkans must be bound into Europe." Stability Pact for Southeastern Europe and Stabilization and Association Processes are the core instruments in order to materialize the objective of EU in the region. They are complementary of each other. Krastev refers to the report of the International Commission on the Balkans. The author designates EU faces a dilemma in the form of engagement in the Balkans. For him, "the real choice for EU is either enlargement or empire." Krastev also puts an emphasis on "the lack of prospective EU membership, the survival of Macedonia as a state can not continue, and Bosnia and Kosovo will remain protectorates forever." Demetropoulou (2002: 104) like Krastev identifies the danger of "keeping Balkans outside the functional borders of Europe" as producing the risk of new EU approach in the region to fail. Stability Pact for Southeastern Europe, as well as Stabilization and Association Process are important tools for European Union. They do not only have a role in institution building, but also they are influential in economic and political cooperation among the regional states. In the following subsections of this chapter, I will examine Stability Pact for Southeastern Europe, and Stabilization and Association Process separately.

## **2.1. Stability Pact for South Eastern Europe**

Before the Kosovo crisis, there were regional initiatives; however Kosovo crisis showed the ineffectiveness of the existing structures. Joschka Fischer, foreign minister of Germany, launched the Stability Pact for South Eastern Europe. Delevic (2007: 19) states the main aims of this initiative as: “to contribute to overcoming the chronic instability and frequent local conflicts in the Balkans, to foster regional co-operation and to support the Euro-Atlantic integration of the regional countries.” Macedonia, Albania, Bosnia Herzegovina, Croatia, Bulgaria, Romania, Serbia, Montenegro were the states taking part in the initiative. The composition of Stability Pact as follows: Regional Table which consists of other partners like Council of Europe, UNHCR, OECD, the World Bank, BSEC, IMF, NATO and the representatives of the member states in the region. Working table has three topics focuses on which are democratization and human rights, economic development and facilitation of economic cooperation and security matters. Pierre (1999: 2) notes that Stability Pact was the first sincere EU attempt to ‘Europeanize’ and ‘de- Balkanize’ the Balkans. Kavalski (2003: 202) refers to his ideas directly. Vujetic (2001: 116) deepens the argument by stating the incompatibility of the notion of ‘Balkanization’ and European integration.

Bendiek (2004: 2) exhibited a similar explanation of the goal of the Stability Pact when she said “The Stability Pact for South Eastern Europe is the first long-term structural conflict prevention policy initiated by the EU.” Since EU could not manage to prevent escalation of conflict neither in Bosnia, nor in Kosovo, in this sense a shift in the nature of EU engagement for South East Europe was necessary. ‘Peace by

integration' becomes the central strategy of European Union in this regard. If EU had not changed the nature of its engagement in the region, then there would be a vicious cycle of further ethnic, social, economic conflicts, due to noncompliance with minority rights, lack of democracy, rule of law, discriminatory treatment, and absence of economic reforms for a liberal economy. On the basis of this argument, it can be inferred that overcoming the nature of ethnic, social, political issues in the Balkans is directly linked to "EU's commitment on extension of European zone of stability, prosperity."(Bendiek, 2004: 20) Like Bendiek, Simic (2001: 29) points out the *sine qua non* quality of EU perspective for the Balkans " For European forces in Balkan states, membership of the Union is practically the only way to get anchored in Western values and to stabilize their societies and their international environment in the transition process."

By offering prospective EU membership, EU utilizes its carrot and stick approach. In other words, EU reinforces conditionality without giving in the fulfillment of Copenhagen criteria. Simic (2001: 29) also lists "devotion to conditionality" and "disproportionate allocation of EU's financial assistance to Central and Eastern European countries" as the factors that disrupted the balance in the expense of the South Eastern European countries. Moreover, CEE countries had been successful at institution building, coping with economic difficulties; the transition period to market economy was managed well. Also, the chance of escalation of ethnic conflict was minimized due to the EU membership perspective. But this was not the case for South Eastern European states. Given the lack of prospective EU membership, in particular, transition problems from communist legacy such as; criminalization of the state, non-transparency, unaccountable politicians, discriminatory treatment to minorities, and

extreme nationalism nourished atmosphere for inter ethnic violence. Thus, Stability Pact is the central instrument for helping the Balkans to catch the last train to democracy, prosperity, peace and stability.

In fact, magnetic attraction of integration to Euro- Atlantic structures is the key for Western Balkan states. Those states induce the solution of their economic, political, social problems to the integration of EU, NATO. While this motive could be a catalyst in terms of achieving the goal of membership, it may have destructing effects at the same time. As long as the reforms had been internalized by the society, there is no problem. On the other hand, just for the sake of doing reforms fast, having cursory reforms would not be the panacea for Western Balkan states. Furthermore, those superficial reforms would derail the countries from their purpose. For instance, superficial reforms can make both politicians and the public convinced of the sufficiency of the reforms, when EU said the opposite; this will create dissatisfaction among the elite and the public. Biermann (unknown date: 19) reveals a similar kind of approach when he said “Having raised high expectations among the peoples of South Eastern Europe, growing disillusionment seems to be inevitable as the years go by and the promise of eventual membership does not materialize.”

Another sector of the political reforms in Western Balkans is the one regarding the civilian control of military. EU’s insistence in this respect lies in the understanding of democratic process of accountability; transparency could facilitate the reduction of military expenditure. As a consequence, the public can question the cost of resolving a dispute with a neighbor country in military means and choose the peaceful methods of resolving dispute. Vujetic (2001: 114) indicates Stability Pact as “a process of that

promotes social learning, trust building”. Therefore, within the framework of Stability Pact for South Eastern Europe, reconciliation and formation of good neighborly relations, and regional cooperation could be realized.

Stability Pact contributed to the economic assistance that is needed by Western Balkan states. Donor support is crucial in the sense of upgrading the infrastructure. Given the setting up of the infrastructure, there will be an increase in the level of foreign direct investment. Moreover, trade agreements especially in energy, tourism can smooth the progress of regional co-operation. So, historical rivalries, extreme nationalist tendencies and high degree of distrust can no longer poison the regional cooperation in economic aspect specifically.

Türkeş and Gökğöz (2006: 679-680) underline the major deficit of Stability Pact as rewarding the ones which are more successful at fulfilling the European standards in terms of institution building, and cutting the amount of financial assistance for the deprived ones. Second, Stability Pact is not powerful and independent enough in economic terms, so it can not supply the essential financial resources. In addition to the failures mentioned above, Biermann (unknown date: 49) puts an emphasis on the three areas Montenegro, Kosovo and Macedonia as crisis generating ones, which have the potential to reverse the improvements that took place recently. For instance, the crisis in Macedonia demonstrated the ineffectiveness of Stability Pact on the diplomatic and economic aspects in terms of keeping the region secure and stable. Vujetic (2001: 128) raises the proposition of the potential of Stability Pact becoming “transnational instrument for stabilization, cooperation and integration.” Regional integration and cooperation can be useful for EU integration. On the other hand, there

is the possibility of a shift in the engagement of EU in the Balkans. By this I mean the regional integration for the South Eastern European states should not replace the existing dynamics for an eventual EU membership perspective. Because there would be a huge disappointment in the South Eastern European countries, despite their commitment in the reform process to meet European values.

The final point that needs to be stressed in this subsection is the relation between Stability Pact and Kosovo. I have already pointed out the reason of creating a body like Stability Pact was the problem of Kosovo. Serbia was a member of the initiative from the beginning. But due to the international administration in Kosovo and its unclear final status at that time, there was a special relation among Kosovo and Stability Pact that is in accordance with the decision of UN 1244. Stability Pact via European Bank of Reconstruction had helped financially and technically especially in the areas of institution, capacity building in Kosovo. Bearing in mind Kosovo's declaration of independence and the dangers of escalation of conflict in the region, the necessity of increase in the role of Stability Pact is obvious. As Stability Pact is a regional cooperation body designed for a conflict prevention tool by the EU, it must be influential as a platform where discussing the Kosovo issue can occur. Following the take over of EU mission from UNMIK, Stability Pact will be involved more in Kosovo. It will not be a surprise if Kosovo and Stability Pact begin to reorganize the nature of relationship among them. Therefore, under these conditions Kosovo could be the next member of the initiative which is considered as a stepping stone to EU.

To recall what I have emphasized previously, Stability Pact for South Eastern Europe and Stabilization and Association Process are the complementary strategies of EU's

Balkan engagement. As I have dealt with the first one in this subsection, in the next subsection I will deal with the Stabilization and Association Process.

## **2.2. Stabilization and Association Process**

Like Stability Pact for South Eastern Europe, Stabilization and Association process was set up in 1999. Stabilisation and Association Process, a new contractual relationship, consists of two stages: utilisation of crisis management tools in the region is done under stabilisation agenda. Cameron (2006: 102) defines Association as: “integrating the Western Balkan countries gradually into European structures.” Step by step implementation has distinct phases like feasibility studies of SAA, the beginning, conclusion and ratification of SAA. The countries which are part of this process is Albania, Bosnia Herzegovina, Croatia, Macedonia, Serbia, Montenegro, Kosovo. Croatia is the closest one to EU membership, as it had candidate status, had already started accession negotiation; so it is very likely that Croatia will join in EU in three years. Macedonia had a candidate status too, but accession negotiations with EU could not start very soon. Albania signed a Stabilization and Association Agreement (SAA) in 2007, Montenegro had initial- led the agreement. Kosovo was included in the process with a tracking mechanism before the declaration of independence. It is expected that after some time and improvement, it will have the same status like the other states. Bosnia had feasibility studies for signing a SAA.

In spite of the inclusive dimension of Stabilization and Association Process (SAP), Serbia, up to now, failed to start SAA due to its non-compliance with the decisions of International Criminal Tribunal for the Former Yugoslavia (ICTY). Failure of

compliance in the delivering war criminals Radko Mladic and Radovan Karadzic obstructed the road of Serbia towards EU integration. Even though EU had been very helpful during the SAA negotiations, every endeavor is doomed not to thrive due to non-compliance with ICTY. Final status of Kosovo, that is independence will not be agreed by Serbia, is another obstacle on signing SAA. From Serbian perspective, EU uses SAA as leverage to push Serbia accept the independence of Kosovo. Thus, Serbia is at the crossroads in this respect; it wants to be a part of EU, at the same time it is not ready to pay the price, which is the acceptance of Kosovo's independence.

Delevic (2007: 25) states the main aim of SAP as “to help the region secure political and economic stabilization while also developing closer association with the EU.” SAP will provide financial support for institution building, making trade reforms for a liberal economy that can compete in EU market and facilitate intra-regional trade, developing required infrastructure such as construction of the roads. SAP falls under EU policy of reinforcing regional cooperation. The Thessaloniki Summit in 2003 showed that the commitment of EU does not change, which is: ‘the future of Western Balkans is within the EU’. Thessaloniki Summit also clarifies the conditions for further integration with EU; which are implementation of the reforms, meeting Copenhagen criteria. Each country's performance on these aspects will be judged on an individual basis. According to the Commission report of EU that is issued in 27.01.2006, “SAP will remain the framework for the European course of countries in the Western Balkans throughout the enlargement process.” This report also notes the unsatisfactory developments about regional trade integration especially about the level of intraregional trade that is not close to realize its full potential. In order to consolidate the democratization process in the Western Balkans, EU Commission

Report highlights the significance of existence of an independent media and a strong civil society. SAP framework also encourages regional cooperation in education, energy, culture. Political dialogue, combating organized crime, and also border management are among the other areas that SAP framework enforces regional cooperation. CARDS (Community Assistance for Reconstruction, Democratization and Stabilization) provides the financial assistance for the construction of infrastructure, capacity and institution building, civil society formation, maintenance of minority rights, refugee return.

Lefne (2004: 122) asserts the example of Croatia and Macedonia which are the states that has applied for EU membership prior to the entry into force of their Stabilization and Association Agreements. For him, the other Western Balkan countries are more likely to imitate this way. Pre-accession status can grant more financial assistance than SAP; so this is more beneficial for the Western Balkan states. Croatia was a promising country in terms of both fulfillment of SAP conditionality, and making, implementation of the reforms. However, Croatia enjoys a position as a strong nation state as well as transformation of the HDZ policies in accordance with EU reforms. Therefore, while evaluating Croatia's successful performance, these dynamics should be taken into consideration. Unfortunately, not all the states in the region are as lucky as Croatia in terms of being fragile owing to either unresolved status issues or the minority issues. O'Brien (2006: 76) indicates the shift in the EU engagement in the Balkans has a positive impact on bringing the Western Balkan countries closer to EU. The author makes an emphasis on "the modification of EU treatment of its membership process as an answer to security problems" is a more conducive approach than obstruction of EU membership due to ongoing security issues. Biermann

(unknown date, 22) classifies the position of European bureaucracies as the ones for EU accession of South East European countries and skeptics of this. For the skeptics, “the new EU approach might have been designed to buy time until Kosovo crisis is over.” This claim had been falsified given the continuing devotion of EU in the Western Balkans via Stabilization and Association Process. Hard security issues remained aside since NATO’s Kosovo operation, however, soft security issues such as failing states, unresolved status issues, fragile economies are not very trouble-free ones to cope with. Finally, soft security issues bare the risk of changing into hard security ones.<sup>2</sup> If EU can give a reliable assurance for the security of South Eastern European countries, combined with a durable economic stability perspective, then the zone of peace, stability, prosperity will be enlarged. The Stability Pact for South Eastern Europe, and Stabilization and Association Process are the main channels of accomplishing this goal.

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<sup>2</sup> For instance, Macedonia is a fragile state arising from its vulnerability in relation to demands of highly populated Albanian minority. Despite the EU brokered Ohrid Agreement, Albanian minority may want further reforms in terms of equality and the riots may start again. It is known that there has already been resentment among Macedonians, since the new framework agreement grants so many favorable conditions to Albanian minority in ethnic Macedonian perspective. Besides, there are economic problems in the state. Finally, Kosovo’s status issue poses a formidable threat to Macedonian territorial integrity since Macedonian Albanians may want to unite with an independent Kosovo. Given the violent events in 2001 in Macedonia, almost a civil war erupted; there have already been the presence of KLA in Macedonia in the border zone. EU had taken over the police mission from NATO. Within Ohrid Framework, pockets of KLA left Macedonia, arms was delivered to state. Therefore, active engagement of EU had a positive impact on the peaceful resolution of the crisis. EU gave candidate status to Macedonia for supporting the reform process in the country.

## **CHAPTER III**

### **EUROPEAN UNION'S RECENT ROLE IN KOSOVO**

As peaceful resolution of Kosovo issue stands as an obstacle both in the regional cooperation and in the path to European integration. Tools of EU engagement in the Western Balkans like Stability Pact and Stabilization and Association Process can not realize their full potential that is extending the European zone of prosperity, peace and stability towards Western Balkans. Economic cooperation in the region is vulnerable because of the disruption of organized crime, criminalization of the state, and lack of institutions and infrastructure. Despite the fact that EU offered CARDS, and other financial assistance to Western Balkan countries including Kosovo these states still fall under the category that I described. These states have fragile economies, organized crime as it is like a regional epidemic. Glenny (2008: 101) underlines the Yugoslav embargo's effect on the creation of a 'pan-Balkan mafia'. The author also mentions the course of Kosovo and Macedonian wars was influential as smuggling routes. Milosevic's defeat in Kosovo war, caused his toppling, so Serbian mafia is looking for his replacement for the continuation of criminalization in the state. Simultaneously, pockets of Kosovo Liberation Army use Kosovo as a distribution centre of drugs, as well as small arms, human trafficking. These illegal activities manage to flourish in an unstable atmosphere due to the Kosovo's future.

Before the source of instability was the undetermined final status, now it is not the status issue anymore. Danger arises because of the spill over effect of Kosovo's independence. For Serbia this is unacceptable. Kosovo's loss can not be tolerated without compensation. Territorial integrity of Macedonia, Bosnia is at stake. In other words, Kosovo issue constrains the means of EU engagement in the Western Balkans as I have stated previously. For instance, Kosovo constitutes the main part of the disagreement between EU and Serbia. Failure to finalize SAA is due to the Serbia's insistence on not giving up Kosovo. Kostunica opposed signing of SAA given that EU uses this as leverage. Kostunica called for early elections, on the basis of the argument: Pro-EU ministers in the government do not react in accordance with Serbia's national interests, they undermine Serbia's future. Therefore, given the EU's effective role in Kosovo's independence, Serbia perceives EU efforts for its stabilization as ambivalent moves. This chapter will focus on distinct aspects of EU's recent role in Kosovo. The first subsection of this chapter EU's role under UNMIK fourth pillar deals with EU's economic role in the state. It will be followed by role that EU plays in the discussions of standards and status. SAP Tracking Mechanism falls under this subsection. The last subsection of this chapter provides information the new EU mission which is called as EULEX (European Union Legislation and Execution Mission)

### **3.1. European Union's Role in Economic Development and Reconstruction**

European Union's role was designed in accordance with United Nations Security Council resolution 1244.<sup>3</sup> EU's main function in Kosovo was under United Mission in Kosovo (UNMIK) fourth pillar namely: Economic Development and Reconstruction. Economic problems have been widespread in Kosovo since in the beginning of 1990's; and Milosevic's policy of ethnic cleansing in the area disrupted the infrastructure. Besides, given the NATO's Kosovo campaign railroads, telecommunication systems have been damaged considerably. When EU entered in the field of economic development and reconstruction, what was left in Kosovo can be summarized in a single word: Ruin. EU have become the largest donor who provided" over 1 billion € up to 2005 via the long-term development programs by the European Agency for Reconstruction since 1999."(Communication from the EU Commission, A European Future for Kosovo, 2005, 3)

European Union is in charge of Economic Development and Reconstruction in Kosovo under UNMIK fourth pillar since NATO's Kosovo campaign. Besides, for the stabilization of the country EU had a task force. Primary aspect of EU's role in Kosovo is contribution to the process of building necessary institutions such as judiciary mechanisms, rule of law. Absence of infrastructure like telecommunication system, railroads, and a proper banking sector is assisted via EU channels such as European Bank of Reconstruction and Development. The level of unemployment is

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<sup>3</sup> For further information about UNMIK, see Yannis, "Kosovo under International Administration: An Unfinished Conflict". Yannis refers to the composition of United Nations Mission in Kosovo, UNMIK under UN Resolution 1244. There are four pillars run by four different international organisations which form UNMIK. The first of these pillars is Humanitarian Assistance led by UNHCR, the Second one is the Civil Administration run by UN. OSCE was in charge of Democratisation and Institution Building, EU is in charge of the last pillar, which is responsible for Economic Development and Reconstruction.

high, wages are low. World Bank estimates range from 23 to 33 percent. As a consequence, standard of living is quite problematic. Due to the high rate of unemployment among young population, there is the risk of youth's involvement in organized crime as a way of achieving good life. Despite the fact that public sector is too limited too fiscally to drive the economy forward, public sector is yet the main source of employment (Economic Strategy and Project Identification Group Policy Paper No.1, 2004: 12). The contribution of EU in the field of economic development and reconstruction is crucial, since a viable economy for Kosovo can only be formed in this way. Economic development is a prerequisite to political stability as well.

Sejdiu (2005: 71) refers to a Rand Institute Report issued in 2003 while he states "the rapid GDP per capita recovery, a very quick renewal of the private economic sector." Like Sejdiu, Altmann (2004: 83) indicates the main reasons of a rise in the growth rate are the remittances from the Kosovar Diaspora just after 1999 operation, and the higher international assistance. Abramowitz and Hurlburt (2002: 4) argue that the reduction in CARDS would "hit Kosovo particularly hard". Even though the final status of Kosovo is no longer undetermined, there is still the possibility of a violent conflict. Therefore, the business climate is not suitable for attracting foreign direct investment. Privatization has been hindered given the unresolved property matters, especially Serbian claims on public property. The main EU instrument of donor assistance in Kosovo is CARDS. CARDS will be utilized to stabilize democracy including refugee return, civil society; to maintain good governance and institution building judicial system; to foster economic and social development such as trade, infrastructure, and education. After a reduction in EU's financial assistance, from 2007 onwards will rise again and change its form. Instrument of Pre-Accession Assistance (IPA) will be beneficial for Kosovo in the sense of 'Institution Building

and Transition Support' and 'Cross-Border Cooperation'. 200 million € is granted by the European Commission from 2007 to 2009.

EU under UNMIK fourth pillar tries to modernize Kosovo's economy on the basis of European standards. Also, in order to achieve this aim, it helps Kosovo to have economic agreements with neighboring states. These agreements are diverse in terms of the fields from energy, transportation, tourism and trade liberalization. Free Trade Agreements are signed with Albania, Bosnia, Croatia, and Macedonia. These bilateral free trade agreements united in new regional economic cooperation framework called as CEFTA. CEFTA will bring a move to Kosovo's exporters; also this will contribute to further economic development of the state. Delevic (2007: 59) states that "trade liberalization and economic integration are a must. This will hold even more true once it ceases being dependent on aid and transfers." Energy sector is promising given the rich mineral sources in Kosovo. Regional integration in this field and taking part in the institutions in accordance with EU *acquis communautaire*<sup>4</sup> will be decisive for Kosovo, while attracting foreign direct investment for the reconstruction of the plants, infrastructure for the advancement of Kosovo's energy sector.

International assistance should be used directly for the economic development, institution and capacity building, democratization. Without achieving European standards in these fields, if the financial assistance is not utilized in the way it should be, then there is the danger of economic and fiscal problems to take root. Besides, foreign direct investment could not be obtained and organized crime can be more influential in Kosovo's economy. Hence, the more steps taken towards EU integration by meeting European standards, the more Kosovo could escape from the trap of

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<sup>4</sup> *Acquis communautaire* is the entire body of European Union legislation.

transition, coping with the economic, political challenges arising from the independence. This fact should also be taken into account; Kosovo could not afford a strong military that needs a considerable part of the state budget.

### **3.2. European Union's Role in Kosovo's Meeting the Standards and Kosovo's Status Discussions, and Special SAP Tracking Mechanism for Kosovo**

Following NATO's Kosovo campaign, G-8 concluded a peace agreement. With UN Security Council's mandate, 1244 Resolution constitutes international military presence KFOR led by NATO. Final status discussions have been postponed for a while, 1244 Resolution states that Kosovo will be remained as a part of Serbia with substantial autonomy. There are four types of solutions with respect to Kosovo's final status. I will give brief information about them **1. Standards before status:** In the initial stage, this was the main strategy of the international community. Before addressing a final political and legal settlement of Kosovo, political and economic reforms in the direction of European standards should be accomplished. However, this strategy did not succeed, because of the Kosovar Albanian demands of independence, and the problems of unresolved status for the security, stability of the Balkans. **2. Standards and Status:** This was the new slogan among the Kosovar Albanian politicians. Given the 90% of the population wanted immediate independence, to what extent international community can be successful at postponing the final status discussions? Both politicians and the public in Kosovo want independence and being a member of European Union. Thus, they are ready for meeting the European standards. **3. More than autonomy less than independence:** This was and still is the

Serbian position in Kosovo issue. Independence of Kosovo is not an acceptable option for the Serbs, as Kosovo is the cradle of Serbian civilization, not only as a historical myth, but also as the religious centre, the old monasteries are significant for the Serbian identity. **4. Conditional independence:** On the basis of a road map, Kosovo will be independent in accordance with Ahtisaari's proposal. I will deal with the Standards for Kosovo, later I will refer to the content of Ahtisaari's proposal. Standards for Kosovo are designed by UNMIK, "to make Kosovo a place where all people regardless of ethnic, racial or religious differences can live, work, and travel in peace, tolerance and justice." The main conditions for independence can be summarized as follows: Change of borders is not allowed. In other words, unification with another country is not acceptable. In this sense, Macedonia's fragile territorial integrity is no longer at stake theoretically; also the notion of Greater Albania can not be materialized, so the Serbian and Greek fears of Greater Albania project will be prevented. Respect for human rights is an important condition, which ensures the non discriminatory treatment to minorities in the areas of judiciary, police, and administration. Serbian monasteries as a part of cultural heritage must be protected. Final condition is the rejection of use of force in the settlement of internal and external disputes in a regional context.

Standards for Kosovo are introduced due to remove the developmental gap among Kosovo and EU. Copenhagen criteria can be met, if these standards bolster coexistence among various ethnic groups. Moreover, these standards are also instrumental in the process of Kosovo's prospective EU membership. A multi ethnic society in Kosovo with democracy, tolerance and rule of law is the main objective of EU in the Balkans for the prevention of a violent conflict. There are eight categories

of standards. **1. Functioning democratic institutions** covers the existence of free, transparent elections where internally-displaced persons included in voting, parallel structures was dismantled and decentralization come true, media and civil society should be independent, and should not function on the basis of ethnic discrimination.

**2. Rule of law:** An impartial, non-discriminatory police, and judicial system in accordance with European values which fully respects human rights is essential. Crimes of ethnic hatred and finance like money laundering, organized crime should not be tolerated. **3. Freedom of movement:** The people in Kosovo can access and utilize public facilities, travel, and work freely without intimidation of being harassed or attacked on the basis of discrimination. Free use of language in the related fields should be established and preserved. Issue of personal document in one's native language, meetings of the Assembly and committees conducted in all official languages are embracing improvements towards minorities. **4. Sustainable Returns and the Rights of Communities and their members:** This standard requires the return of refugees and displaced persons with safety, and without discriminatory treatment. Protection of human rights should be enforced on the basis of European standards. **5. Economy:** Tax systems, privatization, and institutions that are necessary for a market economy should be set up. **6. Property Rights:** For the return of refugees and displaced persons a new legislation is essential. Kosovo's cultural heritage should be protected and respected as well. **7. Dialogue:** Constructive stance is necessary, use of force while resolution of either external or an internal dispute is not an acceptable method. **8. Formation of the Kosovo Protection Corps:** When a sudden attack occurs in humanitarian or emergency sense, this organization will be helpful.

In line with these standards for Kosovo, Council of European Union's Legislative Acts that is issued in January 2006 rejuvenates EU's commitment to multi ethnic society, elimination of discriminatory treatment towards minorities. Facilitation of the climate for the return of the minorities and their inclusion in the political process of the country, particularly the Serbian minority, is extremely crucial. This will not only be beneficial at the process of maintaining constructive dialogue with Belgrade and the realization of EU criteria for future membership, but also will contribute to the Kosovo government's handling the issue of Serbian minority's setting up parallel structures. EU supports financially the decentralization process in Kosovo. Besides, from EU perspective, decentralization can provide the integration of Serbian minority to Kosovo state, and prevent the necessity of the parallel structures with Belgrade. The EU Council's Legislative Act makes an emphasis on good neighborly ties, peaceful resolution of conflicts and regional cooperation (Council of the European Union, Legislative Acts, January 2006: 6, 34, 35, 39, 40).

Finnish diplomat, UN Secretary-General's Special Envoy, Marti Ahtisaari prepared the main steps of conditional independence of Kosovo. As I have mentioned previously, 90% of the Kosovo population demand outright independence and can resort to violence as in the case of Mitrovica, because of the unsustainable status quo. EU, US realized the danger of freezing the determination of Kosovo status can be more destabilizing for the security, stability in the Balkans. Judah (2006: 215) states that "the talks are not about the status of Kosovo, but about negotiating the status of the Serbs in Kosovo." Thus, conditional independence is the best solution in the context of providing the continuation of a secure, stable atmosphere in the region.

International Criminal Group Report (185, 2007: 2) indicates the presence of EU and its taking the main responsibility on conditional independence of Kosovo:

The Ahtisaari Plan foresees it sending a special representative with a large staff to coordinate civilian supervision of conditional independence and a rule of law mission, as well as providing through its membership candidacy processes the economic support, and motivation that can ensure an independent Kosovo does not become a failed state.

International Crisis Group Report 185 recommends to EU and its members that they must be aware of the fact that if a unified EU policy on the support of conditional independence is not materialized, then CFSP and ESDP will be ineffective. In addition, EU member states should notice that the best solution for the peaceful resolution of Kosovo issue is the conditional independence, recognition of Kosovo is an important step with respect to the implementation of Ahtisaari plan. This Plan designates postponement of the formation of a Kosovar army since KFOR will stay to protect Kosovo's borders, and guarantee Serbian minority's security. EU should make Serbia realize the progress of Serbia in the Stabilization and Process is directly linked to its positive role on the Kosovo issue (International Crisis Group Report 185, August 2007: 3). "What was new and what made the Ahtisaari Plan potentially attractive for Prishtina and Belgrade was the Europeanization of the international presence and the back door for de facto secession respectively" van Meurs Part 9, 2008: 16). However, both Kosovo and Serbia rejected partition as a way of solution and claimed their sovereignties on the whole of Kosovo. Therefore, EU members will form a common position via the principle of constructive abstention for the members that are skeptical of Kosovo's independence, in order not to undermine the stability of the Western Balkans and not to weaken the credibility of CFSP.

Cohen (2006: 8) signifies distinct positions of EU member states within the context of Kosovo. Some member states perceive partition of the state as a solution to the Kosovo issue, but given the conditions for Kosovo's independence, no change concerning the border of Kosovo will take place. As a consequence, partition as an alternative is no longer suitable as a solution. Greece, Spain, Romania, Cyprus are against full-fledged independence of Kosovo. Cyprus thinks Kosovo will be a precedent for the recognition of Turkish Republic of Northern Cyprus. Greece shares the same anxiety; however it also has other reasons such as the risk of the Albanian refugee problem due to the possibility of Kosovo being a failed state. Spain fears that Kosovo will be a precedent for Basque's separatist claims. Except Cyprus, all other states had joined the bandwagon in some way, though some of the above mentioned states still have not recognized Kosovo as an independent state. Cohen (2006: 8) underlines the fact that as soon as the implications of failed EU constitution and EU enlargement will be removed from discussion, "the potential political implications and financial burden of long-term management over Kosovo's affairs" will be questioned as well.

EU's role on the basis of Ahtisaari plan has a significant dimension which is Kosovo's integration to EU as a member that should be taken into account. In advance of Ahtisaari Plan, EU had a special SAP Tracking Mechanism with Kosovo was confirmed in the Thessaloniki Summit. This mechanism offers Kosovo to improve at its own speed, and formed under European Partnership in November 2005 with Serbia and Montenegro, including Kosovo. Kosovo initiated European Partnership Action Plan, which guides Kosovo's reforms compatible with Copenhagen criteria. For a full fledged Stabilization and Association Agreement, EU

must establish contractual relations with the state. Since in 2005 Kosovo was not an independent state, STM was offered. It is highly likely that full fledged Stabilization and Association Agreement will be conducted with Kosovo. Both EU and Kosovo's commitment to this process should stay alive; in this sense monitoring of EU for further progress with reference to implementation is essential. For instance, during the second meeting of the Kosovo SAP Tracking Mechanism in 2003, it is recommended that minority participation in the administration and multi ethnic composition of police, judiciary should be reinforced. Furthermore, both the first and the second meetings of SAP Tracking Mechanism highlight "school text-books should be screened on their factual accuracy and be brought in line with Council of Europe standards."(First and Second Meeting of the Kosovo SAP Tracking Mechanism, March-July 2003: 1) All of these suggestions are in accordance with the Standards for Kosovo and makes Kosovo more close to EU integration. An additional improvement is in the quality of Kosovo's media which has diminished the hate speech and biased reporting, also crimes with ethnic motivation is in decline. In spite of these developments, minorities of Roma and Serbian particularly face discrimination in the access to public utilities, education and limitations in the freedom of movement due to lack of security grants continue. (Commission of the European Communities, Kosovo Under UNSCR 1244 2006 Progress Report, 2006: 14)

### **3.3. European Union Legislation and Execution Mission in Kosovo (EULEX)**

Maliqi (1998: 75) emphasizes the necessity of EU engagement in Kosovo, in some ways he foresees the groundings of EU strategy in the province, for him EU is the key to stop further instability, violence:

In the case of Kosovo, there is no way in which EU can appear neutral, or still be an innocent bystander. On the contrary, Europe holds the keys to Kosovo's destiny, in that it still maintains the right to determine questions of sovereignty, and decides who are fully capable of forming a state, and who not. Because Europe today, as before, considers the Balkans to be a "domestic issue", and part of its back yard, or even an annex to its own home, the EU considers it natural to assume the role of main arbiter in the current, very tragic Balkan crisis.

Like Maliqi, Delevic highlights the importance of EU in the resolution of Kosovo issue. Delevic (2007: 82) states that EU will take over from UNMIK, "undertake a huge political and diplomatic investment, but will also, if things go wrong, have to deal with consequences in its immediate neighborhood." Cohen (2006: 6) indicates the warnings in Eide, who is the UN mission representative of Kosovo, had prepared a report in 2005. Eide Report talks about inter ethnic reconciliation can not be achieved in the near future. In order to achieve this aim, EU might have a potential role. According to decision of the European Council in 14 December 2007, EU declared that it is ready to send a mission to substitute UN. However, this does not mean that all EU member states will recognize an independent Kosovo. For instance, Spain declared that it will not recognize Kosovo's independence, but at the same time works for the institution building of Kosovo. This situation can be understood in the context of European consensus. Javier Solana prepared a mission that has civil administrative, judicial and police teams. Pond (Atlantic Community Workshop "Kosovo: It's Not as Bad as You Think", 2007) explains the conditions for EU take over. Following the declaration of independence, Kosovo parliament would send an invitation to EU.

Reinterpretation of UNSCR 1244 in line with the idea that “since 1244 does not stipulate that Serbia holds sovereignty until the Security Council decrees some new status, a political process to determine Kosovo’s future status” will be the solution that EU looks for. Pond signifies the ongoing EU mission take over as a part of the political process and the recognition of Kosovo’s conditional independence by several states as the determination of Kosovo’s future status. (2007: 4). There are conflicting views for this topic as well. For example, Tziampiris (2005: 292) points out the limited role in the final status discussions for Kosovo:

This is because Kosovo’s final status has to be decided by the UN Security Council and not by other international organizations, regardless of how well-intentioned or well-funded their aims may be. In other words, the EU’s role in Kosovo can be of substance only post-1244.

There are four types of challenges for EU with respect to its new position in Kosovo. First of all, relations between EU and Russia will be tense. As EU take over in Kosovo is not on the basis of a UNSC resolution, and Russia was not included in the decision making process and it was totally against any kind of independence to Kosovo, Russia will be less conducive to help EU. Secondly, preservation of unity among EU members about the new mission is of vital importance. Furthermore, EU must be aware of the fact that it will give a considerable amount of financial, technical and diplomatic assistance. If there is a split occurs about the nature of the EU mission in Kosovo, then the credibility of EU is at stake among Kosovar politicians and public. Hence, without the credibility in the eyes of Kosovo leadership and public, to what extent can one expect EU perform its role as a checks and balancer, which is the supervisor of the supervised independence. Thirdly, Schmidt (2008: 28) describes Serbian and other minorities’ assurance for their stay, and minority protection in accordance with Ahtisaari plan as another problem that EU needs to tackle. The final point is the expected tension in EU-Serbia relations. Up to now, Serbia has not given

up the notion that Kosovo is under its sovereignty. In other words, Serbia still insists on Kosovo's status should be finalized on the basis of less than autonomy, more than independence, so conditional independence to Kosovo will not be recognized by Serbia. The tactic of EU as offering EU membership as carrot, and in return making Serbia accept the conditional independence of Kosovo is problematic. Since, Serbia warns EU that it might withdraw from Stabilization and Association Agreement, depending on the distinct politicians perspectives, Kosovo can be sacrificed for EU membership, or vice versa. Besides, prospect of membership as a carrot alone is not sufficient for dealing with Serbia, differences among the politicians about giving up Kosovo should also be taken into consideration. Therefore, EU should not assume that membership carrot can open every door or be the panacea for every matter and construct alternative strategies to cope with the cases where membership carrot is inadequate.

Toshev and Cheikhameguyaz (2005: 290) discuss the results of replacing UNMIK with an EU mission in Kosovo. For identifying the new case, they coined the term EU mission in Kosovo. For the authors, EU protectorate can accelerate the pace of Kosovo's development, implementation of SAP its integration and gradually its accession to EU. The authors underline the possibility of Kosovo "joining as an EU trusteeship territory and become independent over time." The risk of delaying the solution of the final status problem within the framework of an EU interim administration should be overcome by EU (2005: 291). Toshev and Cheikhameguyaz substantiates EU mission in Kosovo as Kosovo being an EU protectorate. However, Kosovo is not a protectorate anymore in the sense that it gained independence conditionally. It is only for a short time that it will be controlled

by EU during the reconstruction, institution building process and minority protection. As long as the danger of Kosovo being a failed state vanishes from the agenda, then Kosovo will access to EU. Therefore, the argument of treating Kosovo as an EU protectorate is flawed given the role of EU mission in Kosovo is linked to the transition period.

After the Serbia's presidential election, EU members adopted a document on 4<sup>th</sup> of February 2008, which is consisted of 1800 officials including police and justice elements. The official name of the civilian crisis management mission is EULEX. EULEX is expected to remain in Kosovo for five to ten years and will cost 200 million euros approximately for the first 16 months (Southeast European Times, 5.2.2008). EU should be aware of the main challenges arising from taking the major responsibility in Kosovo. Given the US withdrawal from the Balkan stage, EU must be ready for the diplomatic, economic burdens. If EU is successful at institution building, and proves its capacity for dealing with the conflicts in its back yard, then EU will present itself as an important global player in the world politics, since its credibility will be tested and passed one of the tricky issues, Kosovo.

## **CHAPTER IV**

### **EUROPEAN UNION'S FUTURE ROLE IN RELATION TO KOSOVO: GOOD SCENARIOS**

Projection of the future by using scenarios is relevant in particular within the context of the role of European Union in Kosovo for various reasons. EU take over from the UNMIK is a testing ground for the capacity of EU in the fields of reconstruction, institution building, and conflict prevention. In other words, if EU manages to deal with the problems arising from the independence of Kosovo; such as the risk of escalation of an armed conflict among Serbia and Kosovo, fragility of Bosnia's and Macedonia's territorial integrity, then EU would be one of the decisive actors in the world politics. Secondly, attention of US from the Balkans was diffused due to the September 11 attacks, war on terror; therefore EU must fill the gap in the region. Thirdly, based on the EU strategy of offering membership perspective to South Eastern European countries, it is assumed the conflicts among these states which are threats to a stable, secure Europe will be removed from the agenda. Consequently, the success of EU take over in Kosovo will be the determinant factor for the stability, prosperity of the Balkans. In order to scrutinize the range of component's influence on the future role of EU in the Kosovo issue, scenarios are essential. These scenarios

provide the room for calculation in EU policies by giving the implication of distinct, probable outcomes of EU engagement in Kosovo. Nature of the scenarios can be classified in two groups which are good scenarios, and nightmare scenarios. Good scenarios about the future role of EU in relation to Kosovo are the following: Kosovo's independence and its membership to EU together with Serbia, and Kosovo's independence and membership in European Union while Serbia remaining a pariah. Nightmare scenarios about the future role of EU in Kosovo issue are: the perpetuation of status quo and the deterioration of the status quo. This chapter will focus on the good scenarios about EU's future role in Kosovo issue, and it has two subsections.

Good scenarios on EU's role in relation to Kosovo have the *sine qua non* conditions which are in particular connected to Kosovo's performance not only in internal reforms such as in economic, political and legal sphere, that is the meeting of standards for Kosovo, and Copenhagen criteria, but also Kosovo's commitment to the preservation of the existing borders. In other words, a multi ethnic Kosovo is the most crucial grounding of full-fledged independent Kosovo and its accession to EU in the medium term. For achieving this objective, a tolerant, prosperous atmosphere is required. Also, within this framework integration of Serbian minority in the society, and cutting the parallel structures with Belgrade is vital. In this sense, decentralization and inclusion of the Serbian elements in Kosovo administration, judiciary, public sector and return of refugees and ensure their safety might be helpful.

The last condition that needs to be mentioned for a good scenario is the creation of an economically viable Kosovo, which will have three implications. The first one is: If

economy of the country is viable, and the distribution of wealth among the society is in equal terms, as a result the minorities will not feel discrimination and the prosperity can make them feel more secure and belonged to the state of Kosovo. By this I rely on the assumption of economic enhancement can bring political development as well. All the people in Kosovo will also enjoy equal access in health, education. The second implication of an economically strong Kosovo is: Employment will rise among the society, especially young population; thus they will neither be involved in organized crime activities, and nor they are more inclined to ultra- nationalist aspirations. The need of a scapegoat figure to divert the attention of the public from economy by the politicians will not occur, and the minorities will not be interrupted, since a “common enemy” rhetoric will not be on the agenda. Thirdly, as long as the Kosovo’s economy is viable, and there is adequate level of employment for the people, there is no risk for a mass migration, refugee flow for states like Greece, Italy and other EU member countries.

Delevic (2007: 72) indicates the necessity of a political state of normality for a stable and prosperous Western Balkan region, Kosovo issue is the most crucial obstacle in this realm:

The economic development of Kosovo, which is totally surrounded by the region and hence in the long run politically and economically dependent on it and especially on the immediate neighbors, would be impossible without a state of political normality in the region. The same holds true for further trade liberalization and transport integration as well as full exploitation of the energy potential of the region. Therefore, the political status of Kosovo will have to be resolved in a way which will not preclude regional cooperation.

Under EU supervision, Kosovo will be stable in terms of political, economic and social aspects during the transition stage. Again, EU should continue to its

commitment to enlargement to the South Eastern Europe, extension of the zone of stability, prosperity to the region.

Another key factor which will contribute to the realization of good scenarios is the task of Albania as a stabilizing factor. This covers Albania's responsible attitude to respect Kosovo as an independent political entity, and not think of union with it. In addition, Shembilku (2004: 59) underlines Albania's diplomatic efforts for a stable Macedonia and Monte-negro "where Albanians are not treated as second class citizens but within the guidelines of international law." Dassu (2001: 43) points out the impact of Tirana's attitude on "marginalization of extremist elements and offer incentives for Kosovars for playing a responsible role." Therefore, Albania as a stabilizing factor in the region does her best in every circumstance, in accordance with international law, and harmonizes her interests with Euro-Atlantic structures.

Good scenario has the component of no unification of Kosovo with other entities like Albania proper, Albanian populated areas of Macedonia. Besides, no formation of a greater Albania, greater Kosovo is on the agenda. Therefore, under the Ahtisaari plan the territorial integrity of Macedonia is guaranteed by prohibition of modification of existing borders of Kosovo. Due to the provisions of the same plan, Kosovo will not be partitioned too. Furthermore, as a result of international community's not supporting the partition alternative given the independence of Kosovo, Serbia can not demand unification with Re-public Srpska in Bosnia as compensation. Hence, territorial integrity of Bosnia is at least theoretically not at stake and further disintegration in the Balkans can be avoided. Given the Kosovo's renunciation of

changing the borders officially, the projects like Greater Kosovo, greater Albania and their deadly results can be prevented from taking place as well.

Serbian domestic politics will be decisive in the accomplishment of a good scenario. As soon as the pro-EU wing is totally in charge of the administration of the country, and the other politicians understand that Kosovo is a burden for the economic development of Serbia, and hampers the EU road, then, no one will blame the other as betraying the national cause. Also, the war criminals Radko Mladic and Radovan Karadzic should be delivered to Hague tribunal, in that case EU will initiate Stabilization and Association Agreement for Serbia, thus the process of its inclusion to the EU will take place. Rejection of the possibility of use of force for taking Kosovo back has already been a good sign for the stability of the Balkans.

#### **4.1. Kosovo's independence and its membership to EU together with Serbia**

The conditional independence and EULEX mission had been discussed in the previous chapter; so I will not restate them in detail, but I will give brief information about Kosovo's independence and the significance of recognition issue for a prospective EU membership. Under EU supervision, Kosovo's independence and the matters arising from the transition period like state and institution building, meeting of Standards for Kosovo will be managed. Despite the fact that Kosovo's independence relies on the conditions, after the transition period it will be genuine. Since independence of Kosovo is now realized, an important part of the good scenario appears as a fact, rather than a projection. However, the issue of recognition is

problematic in the sense that member states like Spain, Cyprus, Romania and Slovakia have not recognized the Kosovo state. On the other hand, France, Italy, Germany, United Kingdom had already recognized Kosovo. Therefore, disunity on the issue of recognition should be overcome in a short while, and a new framework for coping with the member states that will not recognize Kosovo. By this I mean the continuation of the prospect of membership to Western Balkan countries, including Kosovo. A statement from Der Spiegel (19 February 2008: United We Fall: EU Divisions Shine in Kosovo Agreement) illustrates this:

After all, the countries of the Western Balkans all have a “European perspective” a phrase which holds out the carrot of eventual EU membership. Kosovo too has been courted with the possibility of EU accession- even if a number of its members do not even recognize the baby state’s existence.

O’Brien (2006: 79-80) indicates the troublesome situation which is giving Kosovo a road map for “the prospect of a SAA, and a promise that EU member states will recognize Kosovo as a state by the time that the SAA is signed.” While evaluating this condition, there is one thing to bear in mind, which is the danger of a “delay on recognition as a state until the completion of road map could cause any EU member state to stop the SAA and membership process by refusing recognition.” The possible outcome of this situation will be an unwilling Kosovo for meeting European standards given the lack of the membership horizon. The author proposes immediate recognition of Kosovo as a state, in order not to blur the membership process later.

An independent Kosovo and its EU membership together with Serbia is in fact the most ideal and desired scenario. I have discussed the recognition trap because so far this is one of the most serious threats for the occurrence of the ideal scenario for the

prosperity, stability of Europe. Furthermore, USA is in favor of the option of the “implementation of Ahtisaari proposals including supervised independence. Within this context, the statement of US Secretary of State, Condoleeza Rice is worth to be reflected: “I want to be very clear that we see a future in which Kosovo and Serbia are both strong and free and in which both are fully integrated into the Euro-Atlantic horizon and Euro-Atlantic structures.” (Kosovo’s Final Status: A Key to Stability and Prosperity in the Balkans, US Department of State Fact Sheet, 23 January 2008). Another crucial statement that needs to be referred here is the statement by Ambassador Zalmay Khalilzad, who is the US Permanent Representative on Kosovo in the Security Council in 19 December 2007:

A lack of resolution to Kosovo’s status is preventing the full integration of the Balkans into Europe... To achieve this integration, it is essential to solve the problem of Kosovo’s status; this is hampering both Serbia and Kosovo’s advancement. It is time to move forward to a brighter future where Serbia and Kosovo can be partners and neighbors, fully integrated into Europe.

For Kosovo both the conditions of independence and the steps that need to be taken to path of EU integration are compatible, in fact they are the part of the same process. Be-sides, participation of minority to all aspects of Kosovo state, their equal access to public, private sector and non-discrimination policies in this realm will be productive. Since, this type of treatment to minorities especially to the Serbians, will avoid the parallel structures with Serbia proper, and the dangerous alternative of expulsion of the Serbs. Therefore, a Kosovo state with EU membership aspiration and meeting of the conditions of independence can decrease the possibility of further disintegration in the Balkans. Dassu (2001: 41) indicates “an accountable local leadership, enjoying popular support and answerable to both its constituents and international community” can claim the right to decide the final status of Kosovo. Within this context, approval

of Thaci as prime minister of Kosovo is meaningful, as during his first speech at the Kosovo parliament he said: “We are at the most important crossroads in our history as a country. We are in preparations that at the beginning of this year will turn Kosovo an independent state, a democratic country for all its citizens.” Thaci also spoke in Serbian so that he could demonstrate his commitment to a multiethnic Kosovo (Southeast European Times, Kosovo Parliament approves Thaci as Prime Minister, 10.01.2008). In accordance with Dassu’s comment on an accountable leadership who can answer the need of Kosovo citizens and international community, so far Thaci is the right choice as an able, and responsible political leader who can embrace all of the Kosovo citizens regardless of ethnic background. The kind of gestures like repeating the speech in Serbian at the Parliament would be the signal of a genuine dedication to contribute Kosovo’s and the stability of entire region. Hence, even though there can be gradual integration with EU, given Kosovo and Serbia had this kind of responsible leaders, they could enjoy good relations and can work together to reach their common goal, EU membership.

The ongoing tensions and the danger of further disintegration in Serbia concerning southern Serbia, Vojvodina and Kosovo (partition option among Serbs in the north and Albanians in the south) can be prevented by the “reconciliation and democracy for the sake of the broader European project.”(Rupnik: 2001). As long as EU is a factor that brings cohesion, the further disintegration in the Balkans can be stopped. Maliqi (1998: 76) raises the point of EU has been designed on the basis of unification, due to lack of capacity of nation-states solving national and minority issues. Thus, the minority issues in the Balkans in particular Kosovo and Serbia can be resolved within EU framework. Veremis (2001: 95) states the irredentist agendas should be replaced

by regional development and EU membership perspective. Likewise, Triantaphyllou (2001: 105) points out the common problems that Serbia and Kosovo have such as poverty, organized crime, weak state institutions. Kosovo and Serbia have the chance to have a constructive dialogue, and they can enjoy having a cooperative relationship, by following the German-French example which is the core of EU idea. Similarly, Batt (2005: 36) states the requirement of Serbs and Kosovars “modification of the positions and shift the focus from injuries of the past towards building a better future for their peoples.” Thus, in this sense, Serbia and Kosovo should discuss the common methods to solve these problems which are obstacles for accomplishing their common objective, EU membership.

Glenny (2004: 90) emphasizes the importance of a democratic and stable Serbia as a stabilizing factor in the region because of Serbia’s impact on Bosnia, Kosovo, Croatia, Montenegro and Macedonia. The author also mentions about the new economic opportunities arising from Serbia’s EU membership. In addition, the war criminals Radko Mladic and Radovan Karadzic should be delivered to ICTY immediately; hence, EU can initiate SAA with Serbia. Glenny makes further evaluation on the reflection of EU integration process as not a “one-way process.” Given the continuation of reforms in Serbia, EU should be more helpful during the accession process. Kouchner, who is the French foreign minister and UN administrator of Kosovo said that: I don’t know by what date or in which year, but Kosovo and Serbia will be together again in the EU.”(International Herald Tribune, Behind the Scenes, EU Splits over Kosovo, 19 February 2008). Therefore, in line with one of the most influential states of EU, France declares the high possibility of the realization of

the ideal scenario on Kosovo issue, that is Kosovo's independence and its membership to EU together with Serbia without giving a certain time.

Kuci (2005: 162) affirms that Kosovo is a burden for Serbia, and if and when it declares independence and Serbia gets rid of it, as a consequence, democratization and prosperity, under EU horizon can appear. In this context, Kuci refers to Bugajski and Malcolm's ideas which reflect the shift of the myth of Kosovo that is the chosen trauma in Volkan's (2007 :) terms to a "more humane and critical manner which Serbian and Kosovar people benefit." Sejdiu (2005: 84) points out the inclusive dimension of Serbia to the offering membership perspective to Western Balkan states:

On its part, Brussels has vehemently proclaimed ever since the decline of Milosevic regime, that the doors for Serbia and Montenegro are open, as there should not be a "black hole" in the process of EU's southeast expansion. To this end, the prospects of meaningful democratization of Serbia will, at least partially, depend on the degree to which Brussels, and other Western capitals, will offer "carrots and sticks" to Belgrade.

In accordance with EU approach to Serbia, the feasibility study for signing of SAA has finished, however, due to the failure of Serbia to deliver war indictees to ICTY and their uncompromising stance on recognition of an independent Kosovo, the negotiations for SAA can not begin. Halbrook (2005: 3) explains Serbian dilemma with respect to make the right choice between giving up Kosovo, and EU membership:

The Serbs will have to choose between trying to join the European Union and trying to regain Kosovo. If they seek their lost province, they will end up with neither. But, if it can opt for the future over the past, Serbia would have a bright future as an EU member, and the ancient dream of an economically integrated, peaceful Southeast Europe (including Greece and Bosnia) would be within reach.

Holbrook proposes EU to make Kosovo an integral part of the membership process on Serbia. As soon as the Serbian politicians make the right decision by recognizing the independence of Kosovo state, then the pace of EU integration process will gain momentum. Furthermore, EU wants settled borders and clearly defined states, which still Serbia lacks. Batt (2005: 7) raises the query of Serbia given the choice among “national question-Kosovo” and EU accession which has the priority. The author (2005: 8) thinks that Serbia must “redefine its national identity and statehood in order to become capable of integrating into the EU.” Copenhagen criteria and the extent of Kosovo’s meeting the conditions of independence can provide Serbs to pursue their legitimate interests in Kosovo such as in the areas of minority rights, property issues and cultural heritage (2005: 42). Also, Tziampiris (2005: 290) shares Batt’s ideas on the Serbia can both choose EU path and engagement on Serbian minority without “an autonomous region drawn upon ethnic lines.” Hence, one can conclude that Serbia via EU can monitor the well being of Serbian minority in Kosovo. Kosovo due to the commitment of a multiethnic identity of Kosovo and for the sake of meeting European standards would cooperate with Serbia.

Both Kosovo and Serbia will be influenced by the uncertainty of the EU enlargement. Given the enlargement fatigue, a parallel can be drawn for the visualization of the ideal scenario that is Kosovo’s independence and its membership to EU together with Serbia. Toshev and Cheikhamgevuyaz (2005: 303) points out the problems arising from the uncertainty of EU’s future status about enlargement:

If the EU cannot successfully reorganize itself to allow for the acceptance of new members, it can not offer membership to Serbia as an incentive for Serbia’s acceptance of the independence of Kosovo. Likely, there will simply be too little for Serbia to gain in letting Kosovo go.

Pond (2005: 19) talks about the impact of French referendum which is against anymore EU enlargement, “implicitly including Kosovo and Serbia.” The author states that the waning of membership prospect can trigger the old habit of violent conflicts in the region. O’Brien (2006: 79) claims that Serbia should be one step forward from Kosovo in the path to EU membership. However, I do not agree with this claim because if Kosovo and Serbia join simultaneously, they will be much aware of the fact that any act of violence, discrimination derails the membership process. According to International Crisis Group Report No.161, Serbs should be refrained from the message that “the train is leaving with or without you”. Since, prospect of EU membership is so far the only viable option as a peaceful solution to Kosovo issue for both Kosovo and Serbia.

The arguments about Greater Albania project will be discussed within the context of Kosovo’s independence and EU membership. Vickers (2008: 14) indicates that “the younger Kosovar Albanians have a separate Kosovar identity of their own and see joining the EU as a far more advantageous goal than any form of union with Albania.” Furthermore, Ragaru (2007: 54) underlines the belief among the Albanians in distinct parts of the Western Balkans believe that EU membership will give “all-Albanian inhabited lands to belong together in a larger entity, where freedom of movement will be the rule.” Therefore, as Kosovo and Albania proper have distinct identities and most of the Albanians think that EU as a common roof, as a result the nightmare of greater Albania disappears given the EU membership.

The election in Serbia was a kind of referendum on Serbian relations with EU. Pro-EU candidate Tadic won and EU declared its intention on accelerating Serbia’s EU

integration. Tadic did not attempt to use of force to stop the declaration of Kosovo's independence. However, Kostunica wanted the renewal of the elections due to the pro-EU ministers in the government. From Kostunica's perspective, EU bribes Serbia while Kosovo is the price for membership. In this sense, pro-EU ministers sell the national cause-Kosovo- to achieve EU membership. An able and responsible president of Serbia, like the Thaci the Prime Minister of Kosovo, can be the most valuable card in winning the game with EU, where the reward is the membership. As a consequence, Thaci and Tadic should be backed by EU so that they can be the factors who contribute to the stability, prosperity of their countries via the channel of EU accession.

As I have already mentioned, Kosovo's independence and membership to EU together with Serbia is the most ideal scenario on resolving Kosovo issue. But, the hope of the realization of this scenario will be affected by multiple factors such as continuation of Southeast enlargement of EU, domestic politics in Serbia and Kosovo, Kosovo's fulfillment of conditions of independence, Serbia's stance on not using force and not eruption of violence among the Albanian and Serbian communities in Kosovo. Therefore, despite the challenges concerning the realization of the ideal scenario, the rewards are so crucial that they can not be left aside.

## **4.2. Kosovo's independence and membership to EU with Serbia remaining a pariah**

This is a deviant form of the ideal scenario; however it can still be considered as a good scenario. Kosovo's independence and membership to EU with Serbia remaining a pariah is a strong possibility given the Euro-skeptics, rise in ultra-nationalism and the image of pro-EU leaders of Serbia as betraying the Serbia's national cause, and the power of Radical Party. As the best strategy for EU is to exit from Kosovo when it is a member of EU, if Serbia insists on the claim of not recognizing Kosovo, and freezes the relations with EU. In this scenario, Kosovo will be the winner so this will be a zero sum game for Serbia. Since Kosovo is now independent and is under EU supervision, then it will be though gradually become integrated to EU. Therefore, as long as Serbia misses the chance of EU integration path, and follows a non-compromising stance, it is against Serbia's interests for two reasons. Firstly, Kosovo has already been independent and recognized by important states like USA, UK, France, Italy and so forth. Hence, if Serbia's choice is in line with isolation, and freezing the ties with EU, and there is no option of the reversal of Kosovo's status, Serbia will lose its entire chance to pursue its legitimate interests such as preservation of Serbian minority in Kosovo.

In the first part of this section, I will focus on Serbia's image as pariah, their victimization perception, from the era of Milosevic. Then, I will deal with the divisions among Serbian domestic politics about Kosovo. Lastly, I will examine the implications of the two diverse orientations of Serbian leadership: Pro-EU, seeing Kosovo as burden, and pro-democratization versus Euro-skeptical, pro- Russian,

extreme nationalist, perceives Kosovo as an integral part of Serbia, isolationist and remains of Milosevic regime.

Uzgel (2001: 1) stresses the positive qualities of Tito's Yugoslavia such as; being outside of Soviet Union's monitor, its treatment to distinct nationalities. On the other hand, Milosevic's reign changed the whole picture "With Milosevic's Yugoslavia all of these characteristics turned upside down and, the once respected and prestigious country of the Cold War years and the most likely EU candidate among the East European countries became the pariah state of the 1990's." Engert (unknown date: 55) states that Yugoslavia under Milosevic regime was "an ultimate pariah regime" which has the Milosevic control on army, judiciary. Engert uses Pridham's ideas on this matter. Milosevic does not only use intimidation of the opponents as a tactic, but also he manipulates the media. Like Engert, Uzgel emphasizes the Milosevic's Yugoslavia was a "challenge to the basic tenets of the New World Order." Yugoslavia under Milosevic rule was a European Rogue state in both Uzgel's and Engert's analyses. The lack of democratic standards, and the respect for human rights, as well as the criminalization of the economy of the state, created the fertile ground for organized crime in the Balkans. Therefore, the four cycles of wars that Serbia lost under Milosevic which occurred due to the unrealistic Greater Serbia project, economic sanctions by the West and US involvement to stop the wars in Bosnia and Kosovo.

Triantaphyllou (2001: 104) indicates the shift in international community for Serbs, due to the Albanian involvement in the increase in violence in Macedonia, Kosovo proper and southern Serbia. The author mentions that with the overthrow of Milosevic regime, Serbs are no longer treated as the pariah of the Europe. Return to Europe was

the slogan of some Serbian elite and EU. Serbia is included in Stabilization and Association Process. Despite the recent shifts that take place in Serbia, EU can not start the initial of SAA since Serbia fails to comply with the deliver of war indictees Mladic and Karadzic. So far, no development occurred and this was a precondition to start the SAA. Thus, one can claim that Serbia is the only one who can open the road to EU by delivering the war indictees to ICTY. Otherwise, Serbia will be excluded from the Stabilization and Association Process; as a consequence, it may not be integrated to EU. Thus, at least in the fulfillment of this condition, it is up to Serbia to decide to continue with EU or become the pariah of the Europe by missing the train.

O'Brien (2006: 77) suggests that most of the Serbian politicians are still attached to the nationalist agenda that caused a lot of trouble for the country during the 1990's. Now that both Kosovo and Montenegro are independent, this can trigger the ultranationalist tendencies in Serbia, "especially if the EU is perceived to have fostered the breakup of what remains of Yugoslavia." In accordance with the Greater Serbia project, which includes large part of Bosnia, Kosovo, some parts of Croatia and Macedonia, but it lacks the support of Serbian public.

Batt (2005: 65) underlines the fact that Kosovo's place in the Serbian culture, history and as a myth is undermining the perception of the Serbs. The loss of Kosovo is equivalent to the loss of national dignity, and causes humiliation. Likewise, Pond (2007: 1) states that "resentment, self-pity and the want of revenge among the Serbs and their self-identification as both the rightful Balkan hegemony but also the special victims on Balkan history." The strength of the Radical Party in Serbia can be linked to the victimized sentiment of Serbs, and the extreme nationalist tendencies in order

not to betray the national cause by giving up Kosovo. Pond (2005: 28) refers to the popularity of the Radical Party and argues that “the Germanic Protestant honesty in admitting broader culpability is rare among the Serbs.” In line with this view, Serbian public and politicians should take the responsibility of the fatal faults of Milosevic. Pond (2005: 32) points out that given the EU assurance and the removal of Kostunica from the government, “Serbia might still catch up after their lost decade and half as a pariah and stubborn non-player in the EU game, if Belgrade also pays the other price of extraditing Mladic and Karadzic to The Hague.” Therefore, within this framework, Serbs should be adapted to the loss of Kosovo given the assurances from EU to be included in the EU family. In order to avoid creating a new, victimized image for the Serbs, offering EU membership perspective is essential. Besides, if EU takes Serbia in as a member, then the self- identification of the Serbian public and the country will not be poisoned by being suppressed by the international community, Serbia will not become the pariah of the Europe.

There are two distinct perspectives on Serbian domestic politics orientation which also has an impact on the foreign policy formulation of the country. The first one is pro-EU, seeing Kosovo as burden, and pro-democratization which is lead by Boris Tadic. The second one is Euro-skeptical, pro- Russian, extreme nationalist, perceives Kosovo as an integral part of Serbia, isolationist and remains of Milosevic regime, Kostunica and the leader of the Radical Party are the chiefs of this wing. I will examine these distinct perspectives in the following parts.

Pro- EU wing in Serbia which is exemplified by President Boris Tadic is on the side of trans-formation of Serbia into a liberal democracy. Maliqi (1998: 160) states that

“Kosovo sucks the future of Serbia, since it leads to constant militarization and prevents its true democratization.” In this sense, Kosovo is a burden for Serbian development in political and economic realms. Delay of democratization of Serbia influences its EU integration as well. However, even Tadic can not declare explicitly that Kosovo is a burden, and it should be let to go, since the label of selling the national cause is not easy to carry. There is a quarrel among the ruling coalition partners, Tadic’s Democratic Party and Kostunica’s Democratic Party of Serbia. Despite the fact that they agree with the final status of Kosovo, their stances on EU-Serbian ties diverge. Tadic thinks that there is no reason to break all the ties with EU, and the country should pursue EU integration process. Furthermore, Tadic knows that there is no alternative for Serbia in the region, other than EU. Isolation is not the suitable way of Serbian foreign policy objectives. EU offered an interim political agreement for Serbia; this is the temporary solution until Serbia fulfills the conditions of SAA. Tadic wants to sign it, but Kostunica does not want Serbia to sign that document because it would mean an indirect recognition of Kosovo’s independence. For instance, one of the close allies of Tadic, Djelic who is the Vice Prime Minister states that “Interim agreement with EU speeds up Serbia’s progress towards the EU, including gaining membership candidate status.” (Southeast European Times, 11.02.2008) Tadic points out that it is only via EU that Serbia can pursue its interests about Kosovo. He said that: “I will never give up fighting for our Kosovo and I will, with all my might, fight for Serbia to join the European Union. “However, in reality these two ideas are incompatible with one another; thus Serbia will be the pariah of Europe as long as the policy of keeping Kosovo in Serbia is preserved. Also, Tadic refers to the frozen conflict phase with the countries that recognized Kosovo, whereas

this does not mean damaging diplomatic ties. Tadic is aware of the fact that this would jeopardize Serbia's interests. (China View, 16.02.2008)

Delay of signing SAA with EU does not only create dissatisfaction among Serbian public, but also it is destructing the mutual trust between EU and Serbia. Furthermore, redefining Serbian state and its return to Europe, by the reform steps that has taken so far, will not be realized without Serbia's EU perspective. As a result, Serbia needs EU for finishing its democratic change. Batt (2005: 68) claims that Serbia's meeting of EU conditionality will be decisive in the process of democratic transformation. The author states that EU conditionality and the changes take place in accordance with it are not easy to meet due to the difficulty of giving up sovereignty. Moreover, EU perspective can have a strong constraint for ultra-nationalist inclinations in Serbian politics. Therefore, EU should not be treated as an imperial power, but it should be perceived as a partner (: 66).

Kostunica seems to be pro-EU in the beginning of his presidency after the removal of Milosevic but now he seems to be skeptical of EU policies towards Serbia. Though he still wants to be an EU member, however he is not ready to pay the price of the reforms, and deliver war indictees to the Hague Tribunal and so forth. For him, loss of Kosovo can not be tolerated and EU is the main responsible actor, so how can the EU membership claim go on under this condition is open to discussion. Kostunica follows a hardliner, ultra-nationalist rhetoric about Kosovo. He wants Serbia to freeze its relations with EU and US, within the framework of suspending diplomatic relations with states that recognize Kosovo, economic blockade of Kosovo and withdraw from Stabilization and Association Process. These movements will only cause Serbia's

dismemberment, and make them pariah of the Europe. Judah (2006: 5) argues that, the presence of NATO troops in Bosnia and Kosovo will protect the stability of these lands, given the Serbia's choice of isolation; Serbia can not harm anything else but itself. Kostunica during the government session in Belgrade on the 14<sup>th</sup> of February made the comment on the future of EU-Serbian relations:

Serbia has always been in Europe and therefore nobody can bring it in or take it out, and Serbia should join the European Union as a whole, in the same way as others in this union. Serbia was requested to sit at the table of the European family, as the only state which got its seat through undignified trading and by sacrificing its memories, identity, Serbia can never agree on this.

The weakening of pro-EU wing in Serbian politics, due to the soft power of EU is no longer believable in the eyes of Serbian public is a problem. For Serbia, Kosovo's independence is against international law. A Serbian commentator, Gojic made a statement in International Herald Tribune on 18<sup>th</sup> of February about this:

By supporting Kosovo, the international community is making it difficult for main stream, outward-looking Serbs who wanted to align themselves with the EU. How can we try and fight for EU values when French foreign minister calls Kosovo's independence as a triumph for international justice, even as the EU breaks international law.

Russian and Serbian relations within the context of EU position on Kosovo's independence are strengthened. Furthermore, ongoing energy deals are the key of Serbian-Russian partnership. Russia seems a more reliable partner for Serbia due to its support in Kosovo issue, economy. This situation is dangerous for EU energy security, but US presence in Kosovo can be seen as a deterrent. Serwer (2005: 8) emphasizes that neither EU nor NATO want Serbia as a member with Kosovo unresolved. Hence, Russia remains their main option to Western world. Shemelev (2005: 15) points out that without Kosovo, its links Serbia is a damaged and weak

state. Moreover, its loss means the loss of fertile land rich in mineral and energy resources. The loss of energy resources could be compensated by the dealings with Russia.

In conclusion, given the Serbian choice on EU integration versus isolation and closer ties with Russia, their self-identification and the way they handle the loss of Kosovo Serbia will be either fully incorporated into EU, or commit political suicide, becoming a pariah in Europe. Serbia is at a crossroads, and Kosovo issue will be the decider. Serbia signed SAA with EU eventually, but before the delivery of war indictees to the ICTY, there will be no progress with the declaration of EU candidate status. Due to SAA, there will be visa facilitation arrangements for Serbs. This transition process may be the last chance of Serbia to choose the EU way by fulfilling required criteria.

## **CHAPTER V**

### **EU'S FUTURE ROLE IN RELATION TO KOSOVO ISSUE: NIGHTMARE SCENARIOS**

The nightmare scenarios in relation to the projection of the future of Kosovo issue is of vital importance. As the probability of eruption of armed conflict among Kosovar Albanians and Serbs does not a threat to their security, but also this situation is dangerous for the stability, prosperity of the Balkans, and the entire European continent as well. Due to the influx of refugees, arms, drug trafficking, organized crime will find the fertile ground and thrive under this condition in the neighboring countries like Greece, Italy.

Given an outbreak of violence, and the partition of Kosovo among the Serbs and Kosovar people, territorial integrities of Bosnia, Macedonia will be at stake. Republica Srpska in Bosnia will demand outright unification with Serbia, Albanian minority in Macedonia can want to unite with Kosovo. Modification of borders in the Balkan context may cause further disintegration, ethnic tensions. Therefore, the partition option should be put aside while resolving the Kosovo issue. Besides, partition is among the nightmare scenarios because of the danger of opening the

Pandora's Box. In my opinion, partition of Kosovo would be like a suicide. Its independence, if well-managed is a source of stability, however if partition of the new state occurs, there will be more destabilizing effects.

Creation of mono-ethnic states in the Balkan scale by ethnic cleansing, repression of ethnic minorities is not possible due to the EU membership perspective, since protection of the minorities is one of the Copenhagen criteria. On the other hand, as soon as EU disengages from the prospect of Southeast European Enlargement for the reasons like enlargement fatigue, absorption capacity, economic problems, then there is no point for the Southeastern European countries to continue to democratic reforms. Furthermore, the credibility of EU in its own back yard will be damaged considerably. In addition, ultra-nationalist, autocratic leaders can find the fruitful atmosphere to manipulate the public and may resort to violence for their revisionist aims like modifying the borders. Within this framework, Kosovo and Serbia can be more inclined to fight since in Serbia Radical Party might win the elections and in Kosovo KLA can become powerful again. Also, economically viable Kosovo and Serbia will be less inclined to armed conflict, whereas economic matters in both countries may create fruitful environment for the extreme nationalists. EU disengagement from the region may decrease the foreign direct investment in both countries. Lastly, even if EU does not choose to disengage from the Balkans, the governments of Kosovo and Serbia may give up from integration with EU. In other words, this condition should be taken into consideration while constructing nightmare scenarios. Hence, any shift in the direction of EU engagement from giving Southeast European countries the prospect of membership might increase the level of conflict, particularly among the Serbs and Kosovars; so this should be avoided. Any party in Serbia and Kosovo

which is against EU perspective, though very unlikely can try to make these states out of EU orbit; hence the hope of economic prosperity will be undermined as well.

The terms of supervised independence should be implemented by the Kosovar authorities in full terms; otherwise the situation would be more complicated. Also, EU and NATO should check the extent of the level of implementation. If Serbian minority is forced to leave Kosovo, and Serbian cultural heritage is destroyed, in that case the motive of Serbs becomes legitimate. International community will have to answer their concerns too; so the reliability of NATO and EU is open to discussion from that time. Serbia can justify the use of force in order to suppress any wrongdoing to the Serbian minority and this can cause further violence. For instance, the March 2004 unrests in Mitrovica were not only towards Serbian minority, but also KFOR troops were perceived as enemies. Therefore, the recurrence of such events should be prevented; there should not be violence against minorities, and international presence.

Another crucial point while constructing dooms-day scenarios about Kosovo issue is the shift in Albania's position. Up to now, Albania followed a responsible foreign policy and acted as a stabilizing factor. Albania wanted Kosovo's independence, but did not demand unification; it also wanted Albanian minorities in the neighboring countries should be treated equally. But, this may change. Though only marginal people demand Greater Albania project now, given the increase in the support to this idea, and Albanian leadership decides to choose to unifying with Kosovo, then the armed conflict with Serbs, and Greeks seems inevitable, as the Greater Albania is a direct threat to the vital interests of Greece and Serbia.

After elaborating the nature and the patterns of nightmare scenarios in relation to role of EU about Kosovo, I will name the types: Perpetuation of status quo and deterioration of status quo. Perpetuation of status quo will cover the option of freezing the status of Kosovo without any modification. 2004 unrests in Mitrovica will be a sub-section of perpetuation of status quo, as this event became the turning point which clearly demonstrated how unsustainable the status quo is. Deterioration of the status quo means the worsening of the above stated factors like radicalization of Serbian and Kosovar domestic politics, expulsion of Serbian minority in Kosovo by force, shift in EU engagement in the Balkans, the suspension of implementing the conditions of Kosovo's independence, serious economic problems in Kosovo and Serbia, any attempt to modify the existing borders, a change in Albania's foreign policy priorities to form Greater Albania.

### **5.1. Perpetuation of status quo**

After 1999 NATO's Kosovo campaign, until the declaration of Kosovo's independence, and the recognition of supervised independence in February 2008, there was UNMIK. The final status issue had been postponed to an unknown date in order not to cause instability in the region. In spite of the unbearable weight of these questions: To what extent is the status quo sustainable? Can the final status decision of Kosovo be delayed forever? What will be the main implications of perpetuation of status quo? Is it better to decide the final status at once? What are the effects of perpetuation of status quo for the neighboring countries like Bosnia, Macedonia, Montenegro, and Albania? Will there be spill over effects to these countries? But, two

events are the turning points to affect the US and EU to agree upon deciding a way of resolving the final status of Kosovo. These are 2001 Macedonian crisis, and March 2004 unrests in Mitrovica.

The 2001 Macedonian crisis was among the reasons of not to come up with a final status decision, as Albanian minority in Macedonia may demand unification with an independent Kosovo. Remnants of KLA were also influential in ethnic confrontation in Macedonia. EU brokered Ohrid Accords among Macedonians and Albanian minority, since then EU had a stabilization mission there. However, the new Ohrid framework has not been internalized by the Macedonian authorities, and without EU conditionality there will be a reversal in this regard. Hence, Albanian minority given a discontent, discrimination can still demand unification with Kosovo.

March 2004 unrests in Mitrovica clearly demonstrated the unsustainable aspects of the way that Kosovo issue had been handled. Mitrovica is a divided city among the Serbian and Albanian communities. Violence was not only directed to the Serbian minority, but also against KFOR. This was crucial in the sense that showing the discontent towards international community about the freezing the status of Kosovo. Serbian minority had set up parallel ties with Belgrade, and refused to take part in any event in Kosovo such as elections. Mitrovica events were both a rehearsal of an outbreak of violence and ethnic confrontation, which may be considered as a catalyst that can be resulted in expulsion of Serbs from Kosovo by force. Furthermore, it was a warning to the EU, NATO, USA that Kosovar Albanians are frustrated with the perpetuation of status quo that is the final status decision is urgent, and unless these actors do something to resolve this issue, the anger of Kosovar Albanians will be directed to them as well. Therefore, the credibility of NATO and EU will be

questioned, and they will not have the sufficient intensity of leverage to stop an eruption of a large scale armed conflict among Serbia and Kosovo.

Another important factor that leads to reluctant stance of EU and USA is the impact of 9/11 events and Bush administration. There was an alteration of US involvement in the Balkans with the George W. Bush's presidency. Moreover, 9/11 events changed the foreign policy priorities of US, within this context, the commitments to stability in the Balkans from the era of Clinton's administration was left aside. USA diverted the economic and military assistance due to the focus on Afghanistan, Iraq. EU became the main actor which ensures the stability, security in the Balkans. On the other hand, given the split between EU members on the form of resolution of Kosovo issue, there have not been significant improvements. Besides, there is difference of opinion between US and EU, which is visible in Trans-Atlantic partnership. For instance, EU fears that US will recognize a unilateral declaration of Kosovo's independence. This may trigger a reprisal by Serbia which relies on Russia's diplomatic, military help. In addition, there are EU member states which are against to Kosovo's independence either due to minorities, or danger of Kosovo being a precedent to secessionist claims. Halbrook (2005: 2) stresses the US impact on pushing EU for the terms of conditional independence of Kosovo. Thus, EU needs to discuss the Kosovo issue and can not finalize a common approach easily and choose to the tactic of procrastination.

There are various politicians, scholars who have come to the common conclusion of the status quo in Kosovo is unsustainable. Zalmay Khalilzad in his statement in UN Security Council on December 19 2007 mentions that the positions of each side are irreconcilable; hence the status quo is unsustainable. Likewise, Holbrook (2005: 2)

refers to Burns statements during Contact Group meeting. Burns said that: “The situation in Kosovo was inherently unstable and, unless there was an acceleration of efforts to determine its final status, violence would probably rise, with NATO forces, including US troops, tied down indefinitely.” Similarly, Batt (2005: 35) states that “international community in the form of the Contact Group deems the status quo unsustainable.” Also, Tziampiris (2005: 286) underlines the fact that freezing the status issue is not a proper method since no party to the conflict wants to compromise, and the parties feel that the situation is unsatisfactory. Maliqi (1998: 40) refers the situation in Kosovo as “a state of neither war nor peace but still more war than peace.” The expression of Dassu (2005: 35) is striking because she describes the final status of Kosovo as a “hostage issue by definition.” This idea can be implemented to the economic field as well. Democrat Senator Joseph Biden, during the opening statement on the hearing of Kosovo in November 2005 argues that the current status quo is impractical. Brimmer (2007: 35) uses the speech of Biden to show that “Kosovo’s economy remains a hostage of the province’s undefined legal status.” Also, Serbia’s economy is under pressure due to the ongoing defense expenses in Serbia’s budget and the unstable atmosphere is a threat to foreign direct investment. Lastly, in line with the main theme of Biden’s speech, Delevic (2007: 9) signifies maintaining the status quo may cause an escalation of conflict, and may disrupt the economic improvement in the region. Therefore, both Kosovo and Serbia are the hostages of the perpetuation of status quo, both in economic and political fields.

Arguments about delaying the final status are criticized by some scholars, intellectuals. Dassu (2001: 35) reveals that buying time and wasting time are not same; what needs to be done in Kosovo issue is within the time limit to take the steps

to build self-rule in Kosovo. Rupnik (2001: 80) raises the same question concerning desirability of the perpetuation of status quo. For the author, the protectorates are means to gain time and to freeze a problem. However, he asks a further question: “But has time really been ‘gained’, and is one quite sure that one can ‘freeze’ the status quo?” Actually, buying time and prolonging the issue is the thing that Serbs want, so the strategy of international community coincides with the Serbs wishes. Türbedar (2007: 54) argues that Serbian tactic of freezing the status of Kosovo is doomed to fail. Cohen (2006: 2) too illustrates this point, for him Serbian solution of Kosovo issue that is more than autonomy, less than independence is in accordance with the preservation of status quo, and can not offer the necessary tools to deal with the problem effectively.

The perpetuation of status quo creates the fertile ground for organized crime in Kosovo and Serbia as well. The lack of a functioning legal system, monitoring of borders are the reasons of the epidemic of organized crime. Pond (2005) suggests that given the institutional vacuum Albanian and Serbian mafias involved in distinct types of organized crime, and KFOR is not in the position to prevent them from taking place. As a result, more instability in the Balkans becomes apparent. Likewise, Eldridge (2001: 49) points out the worry of international community about the destabilizing effects of Kosovo’s independence in terms of the risk of “puppet regimes associate with organized crime.” Winther (2007: 93) emphasizes that due to the perpetuation of status quo means “further spreading of organized crime into the rest of the Europe.” Hence, organized crime and criminalization of the state is a pattern that is seen in Kosovo and Serbia as a consequence of institutional vacuum, monitoring of borders. The necessary precautions can not be taken while the

perpetuation of status quo is the main hind-rance because the clarification of final status will cause a state with functional borders, legal system and can cure the disease of organized crime with the help of NATO forces.

Time does not curb Serbian-Kosovar Albanian antagonism, but increases the level of hatred. There is a mutual distrust among the two communities which can not be overcome without problems. Joseph (2005: 116) states that postponing the final status will not be the solution to Kosovo issue. "Kosovo will remain deadlocked by Serb fears and intransigence on one hand, Albanian frustrations and impatience on the other." Maliqi (1998: 40) stresses that Europe's and other international actors' insistence for Albanians to continue to live under Serbian jurisdiction is problematic. The author's analogy of a married couple who can no longer stand each other is funny, but it perfectly reflects the reality:

A desperate situation, like a court order to a married couple who hate each other; and who can not live together, to share a flat. And if one of them wanted to partition the flat, the judge would say cynically: you will have your autonomous corner in that flat where you can cry your heart out.

In parallel with this analysis, with the new Serbian constitution that declares Kosovo as a part of Serbian jurisdiction, and Kosovar Albanian wish to declare a unilateral independence seems to widen the rifts between the parties. International Crisis Group Report 124 issued in March 2002 underline the Albanian fears, and Serbs hopes of eventual reincorporation of Kosovo to Serbia. Within this context, Serbs and Albanians will perceive each other as a threat. Even though these evaluations have been made in 2002, they are still valid now. Winther (2007: 94) argues that KLA legacy is the cause of distrust of the Serbian minority:

From an Albanian point of view, the KLA- heritage is seen as something natural, but from the Serbian point of view, it has meant a complete lack of legitimacy of the new political and public establishment in Kosovo, now perceived by Serbs as being run by criminals.

Bumci (1999: 61) highlights the flawed association between the removal of Milosevic and the change of Serb society its position to Kosovo. The author exemplifies the Milosevic legacy is still valid, since the new leader Kostunica thought in the same way of the former president. As a consequence, perpetuation of the status quo only contributes to the additional enmity, doubt between the two parties. Therefore, Milosevic and KLA heritages are the sources of cynicism, and can be exacerbated rather than be curbed as long as the final status of Kosovo remains vague.

Perpetuation of status quo for the sake of preserving regional security and stability is in fact undermines the countries like Bosnia, Macedonia and leads to more instability. Risk of a new Balkan war due to the discontent parties in Kosovo issue who hate each other can be more prone to be manipulated by the extreme nationalist rhetoric. If a war breaks up due to Kosovo among Albanians and the Serbs, this can have spill over effects to Bosnia, Macedonia, Monte-negro, and Albania proper. Dassu (2001: 39) comments on the negative impacts of freezing the final status of Kosovo would destabilize Macedonia, and may disrupt Serbia's transition period to democracy. As 2001 events in Macedonia demonstrated that unresolved Kosovo issue is like a Demo clean sword on the top of the territorial integrity of the country. Batt (2005 : 45) uses the view point of Macedonian President about the current status quo, without clarifying the final status of Kosovo is more destabilizing for Macedonia than Kosovo's independence. As long as the borders remains fixed, controlled and KLA remnants do not take part in violent activities in Macedonia, then the situation is

acceptable for Macedonia as well. Likewise Joseph (2005: 114) mentions that vagueness over Kosovo's final status disrupts the "public confidence in the stability of Macedonia." For instance, South East European Times highlights the appearance of militant groups in Kosovo and these groups show signs of fueling unrest in Macedonia. Albanian minority in Macedonia did not want outright independence or unification with Kosovo during the 2001 events, therefore given the full implementation of Ohrid Accords; it is unlikely that they will pursue the goal of independence.

Bosnian territorial integrity is fragile because of the perpetuation of status quo. Republica Srpska wants to declare independence, though in accordance with the provisions of Dayton Agreement it is prohibited. Serbs demand unification with the Serbian entity in Bosnia, and see this option as a compensation to the loss of Kosovo. Sejdiu (2005: 90) points out that allowance of Serbs secession from Bosnia will mean "legitimization of the Serbia's genocidal campaign to expand its state frontiers." Besides, secession of Republica Srpska is beyond the approval of international community. Actually, Serbs persistence will be their trouble in the sense that the wish of partition of a country is a bad precedent for territorial integrity of Serbia too given the large number of Albanians in the Presevo Valley. Hence, Serbs can only use disruption of territorial integrity of Bosnia as leverage to international community, but they can not dare to commit suicide as the same weapon may shut them too.

### **5.1.1. March 2004 Unrests in Mitrovica: Rehearsal of a Full-Scale Ethnic Turmoil**

I have already explained the relationship between the uncertainty of the future of the status of Kosovo and the risk of further instability because of ethnic confrontation among Albanians and Serbs. March 2004 unrests in Mitrovica can be conceived as a rehearsal of a full-scale ethnic turmoil. These events are also a crack to the efforts of building multi-ethnic structure for Kosovo. Furthermore, 2004 unrests are striking since the hatred and violence was not only directed to the Serbs, Roma minority but also to the international presence namely KFOR. The frustration among the Kosovar Albanians due to the undetermined final status of Kosovo became uncontrollable and the extreme nationalists made use of this atmosphere.

It is important to bear in mind that Mitrovica is on the focus of partition scenario of Kosovo between Serbs and Kosovars. Any ethnic confrontation in the mixed population, which is divided in ethnic lines, will serve the Serbian wishes. In this sense, Serbs are more likely to provoke Albanian hatred, nationalist sentiments to achieve the goal of extending their borders by partitioning Kosovo. Under these circumstances, Kosovar Albanians become angrier, less tolerant to the existence of Serbian minority. Kosovar Albanians are aware of the fact that treatment to Serbian minority is the main condition of the supervised independence now, so they changed their policies accordingly. However, it is hard to curtail the antagonism, hatred among the Albanians and Serbs.

March 2004 unrests in Mitrovica broke out as a result of a false report which talks about Serb gangs which assaulted Albanian children. While the children were trying to escape from the Serbs, they went to the river and three of them drowned. Despite the outcry and rapid spread of the news in Kosovar Albanian media, the report proved to be false. In other words, there was not such an act of violence towards Albanian children occurred. Once provoked, the anger can not be monitored easily. In this context, Albanians demolished properties, public facilities like hospitals, schools. There were forceful evacuations of Serbian houses, which are either burned or forcefully occupied. The results of the events are reported by Kofi Annan, to the Security Council.<sup>5</sup>This event was a signal to the minorities or returnees that they are not welcomed in Kosovo. Also, displacement of Roma and Ashkali were a serious matter. Hence, in order to prevent the recurrence of such events like March 2004 unrests, conditions of the Kosovo's independence are certain on the topics of minority treatment, and protection of cultural heritage of Kosovo.

Batt (2005: 39) stresses that Kosovar Albanian political leadership failed to condemn the violence immediately. Despite this fact, the new leader Thaci knows that for achieving the goal of EU membership, and the preservation of independence and recognition, he must be responsible. If events like 2004 unrests happens again that the minorities are attacked by Albanians, at least in rhetoric acts of Thaci will be more likely to condemn the violence at once. Thus, March 2004 unrests should be a lesson for Kosovar Albanians, the leaders, and the Kosovar Albanian media because of the danger and the lethal results of the recurrence of such events.

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<sup>5</sup> According to the report of Kofi Annan issued in 30 April 2004 in UN Security Council: A total of 19 persons died in the violence, of whom 11 were Kosovo Albanians and 8 were Kosovo Serbs, and 954 persons were injured in the clashes. Approximately 730 houses belonging to minorities, mostly Kosovo Serbs, were damaged or destroyed. 36 monasteries, churches were attacked.

European Stability Initiative prepared a report on June 2004 about the Lausanne Principle, which reflects the multi-ethnicity, and the future of Kosovo's Serbs. For the authors of the report, March 2004 unrests show the influence of extreme nationalist sentiments to reach political aims by using violent methods. Young Albanians are open to the manipulation of these extremists and this should be taken into account. The manipulation of Albanians is just the thing that Serbs wanted so that the Serbian leaders can justify an attack to Kosovo. Any attempt to resort to violence to keep Mitrovica from Albanian or Serbian control make the conflict a zero sum game. ESI Discussion paper (ESI, 2006: 1) refers Mitrovica as Kosovo's Litmus Test:

Mitrovica is Kosovo's Litmus Test. It is here that Guiding Principles set down by the Contact Group- no partition, decentralization, returns and multiethnic Kosovo- will face their toughest test. It is in Mitrovica that Kosovo leadership must prove that its commitment to a multiethnic society is more than rhetorical.

However, the fears of Kosovo Albanians about the division of Mitrovica can be a stepping stone to the partition of Kosovo should not be overlooked. Both the attempts of decentralization on the basis of the proposals of Ahtisaari and the Albanian concerns should be managed. The problems arising from the perpetuation of status quo have the danger to appear again in a worse form, deterioration of the status quo.

## **5.2. Deterioration of status quo**

Deterioration of status quo includes Kosovo's partition, forceful expulsion of Serbian minority, and Serbia's reprisal by use of force to take Kosovo back, Kosovo's

unification with Albania or territories secede from Macedonia and Serbia, shift in EU enlargement perspective in Southeast Europe. If Kosovo's independence and its implications in the region can not be controlled by EU, one or multiple of the above mentioned events come true, then dooms day scenarios about the Kosovo issue will begin to flourish. The ongoing status quo has already been fragile and difficult to handle. I will examine different forms of deterioration of status quo. Some forms and the results of deterioration of status quo overlap, so I will focus on those connections as well.

### **5.2.1. Economic Problems**

Economic problems are visible both in Kosovo and Serbia. Delevic (2007: 51) uses ERBD Strategy for Serbia's estimation of the level of GDP per capita that is 1.100 euro in 2007. The common problems among the two countries are high level of unemployment particularly among the young population. Besides, according to the analysis of Reinvest Institute for Kosovo, any growth rate which is smaller than 7 per cent per year will breed economic and indirectly political instability. Winther (2007: 92) addresses the main sectors in Kosovo's economy are farming, mining, but these sectors are obsolete. The author notes that (2007: 92) "there is no real prospects of improvements, unless the economy is injected with massive investments from the outside." Therefore, attraction of foreign direct investment is of utmost importance for Serbia and Kosovo's economy.

Kosovo and Serbia are dependent on the business transactions with US and EU states. In this sense, when Serbia threatened to break relations with US and EU member states due to the Kosovo, Serbia should think twice and be aware of making a tough decision. Hence, Serbia should not risk the well being of its economy, and not subvert its economic interests.

Kosovo is in need of strong institutions and infrastructure to develop its economy so that more jobs can be generated and welfare be distributed. So far, administrative system offers encouraging conditions for private enterprises. But, Schmidt (2008: 30) points out the failures in “the judicial system, unresolved property issues, and infrastructural deficiencies (especially the unreliable electric supply)” still disrupt the private enterprises. Thus, in order to create a viable Kosovo in economic terms, EU and OECD should work together and contribute to the infrastructure and institution building.

There is a direct relationship between the danger of ethnic violence and deterioration in social and economic conditions. Within this framework, high unemployment rates among the young populations of Serbia and Kosovo, given the general dissatisfaction and frustration in the society, is open to manipulation by the extremists and are more prone to resort to violence. In line with this situation, Mitrovica continues to be the spot of tension among Albanians and Serbs not only in inter-ethnic strife, but also economic problems. In fact, European Stability Initiative portrays the region as a development challenge. According to the report, it is highly likely that foreigners and donors in Mitrovica will vanish given the ongoing danger of ethnic violence. Furthermore, the population will decline and economic problems exacerbate. “Any

reduction in transfers from Belgrade, in particular, could lead to an exodus of the Serbian elite.” (European Stability Initiative Discussion Paper, 2006: 6) This state have various implications such as; the continuation of poverty, economic decline, unemployment, thrive of inter-ethnic violence, disruption of the hope of catching foreign direct investment and the end of multi-ethnic ideal for Kosovo that is imposed by the European Union.

Finally, the danger of renewed violence between Kosovar Albanians and Serbs deter the level of investment in the neighboring countries like Albania, Montenegro, and Macedonia as well. For instance, Vickers (2008: 24) indicates that the possibility of renewed violence in Kosovo damages the improvement of tourism in Albania. Hence, NATO and EU should assure that there will not be a new war so that a healthy business climate can flourish in Southeastern Europe. Otherwise, Kosovo, Serbia will be backward economically and the whole region will face political and economic instability.

### **5.2.2. Organized Crime**

Eldridge (2001: 49) underlines that international community is right to worry about the further criminalization of states which are governed by the leaders who are deeply involved in organized crime. Kosovo had already become the main route of women, drug, and arms trafficking. Even though, Kosovo is not the only state whose economy is dependent on the revenue from organized crime, the rise in the number of states which can not control its borders really bothers the prospect of economic development

and security of the Balkans. As a consequence, renewed violence may cause refugee flows throughout the Europe and the disorder may offer the organized crime networks the suitable environment for the spread of organized crime.

Secondly, organized crime causes corruption and this leads to the failure of democratic institutions. Unemployed young population perceives that organized crime activities are means of being rich in a short time, so they are more willing to take part. Also, Winther (2007: 93) argues that the main reason of the spread of organized crime is the insufficiency of the KFOR and international police forces to control it. The author states that “If 18-45,000 KFOR troops and UNMIK’s 3-4,000 international police officers can not eliminate or contain this organized crime, what would happen if these left Kosovo as a part of the solution?” Hence, NATO and EU must ensure the border control; strengthen the economic development and democracies in South Eastern Europe. Once achieved, economic prosperity and political stability should not be undermined by the hands of extremist politicians, since Kosovo, Serbia and the rest of the South Eastern Europe can no longer bear the burden of a renewed violence.

### **5.2.3. Disruption of Ideal of Multi-Ethnic State Model in Kosovo**

Any attempt to damage the multi-ethnic structure of Kosovo means an extra step towards deterioration of status quo. Delevic (2007: 55-56) argues that the current trade regime in Kosovo and Serbia creates economic gains for only one group. In other words, within the realm of economy, the trade transactions should be built in order to foster multi-ethnic partnerships. By this method, both trade within Kosovo

among Albanians and Serbian minority and the trade between Serbia and Kosovo can produce the economic stability. However, if the current status quo continues, there is no room for such positive development; rather there will be more social, political, and economic instability. Therefore, commitment to multi-ethnic structure of Kosovo can be a catalyst in generating peace in the region; conversely its disruption will trigger more insecurity.

Batt (2005: 50) indicates that March 2004 unrests and the reactions of Kosovar Albanian leaders are not enough to condemn the events. Moreover, the author claims that by not taking necessary measures, the Kosovar Albanian leaders proved that they are not really committed to the goal of achieving multicultural Kosovo. As I have explained previously, March 2004 unrests demonstrate that under the current circumstances no multi-ethnic structure is viable in Kosovo. In line with this argument, recurrence of events like March 2004 unrests, and the renewal of the Kosovar Albanian politicians' attitude will mean that EU policy to offer membership perspective and the creation of a multi-ethnic Kosovo is doomed to be unsuccessful. However, it should also be taken into consideration that Serbian politicians are trying their best to damage the formation of a multi-cultural Kosovo. Their position will be analyzed in the subsequent subsection about parallel structures.

European Stability Initiative prepared a report in 2004 about the Lausanne Principle, which discusses the applicability of Lausanne Principle about exchanging populations to the Serbian minority in Kosovo. According to this report, the credibility of NATO, UN, and EU are at stake because of the possibility of state formation with further ethnic cleansing. Any attempt to transfer populations will trigger more unrest. Hence,

without the solid base for multi-ethnic Kosovo, any solution which is in accordance with Lausanne Principle will bring more hatred, violence. Also, Lausanne Principle and EU objective to create multi-ethnic Kosovo is incompatible with each other.

#### **5.2.4. Decentralization**

One of the conditions of Ahtisaari plan is decentralization in the municipalities in particular for the Northern Mitrovica. On the other hand, according to the report of International Crisis Group, Ahtisaari plan makes the continuation of Belgrade's influence on Serbian minority. (International Crisis Group Report No.177, November 2006). Likewise, Judah (2006: 216) emphasizes the content of decentralization is the autonomy for Serbs, and Serbian minority would like to have the control of Belgrade instead of Prishtina.

The decentralization plan is in parallel with Serbian wishes, Serbs wanted to form autonomous Serb enclaves because their main aim is the partition of Kosovo. European Stability Initiative report (2004: 25) uses Kostunica's statements: "no matter what we call it-decentralization, cantonization, it makes no difference, some kind of autonomy must be given to the Serbs." This statement summarizes Serbian plans about the future of Kosovo. This report (2004: 11) suggests that creation of autonomous Serb enclaves within Kosovo to preserve Serbian minority would cause Belgrade's direct control in the region. However, this option is full of traps. First of all, separate Serb enclaves need extra land for farmers who are displaced. Direct consequence of such development is to take Albanians out, or persuade them to leave.

Secondly, by making Albanians leave the enclave, Serbs will no longer worry about their security, and survival in Kosovo. The ESI Report (2004: 13) points out the matters about maintenance of security given the division of Kosovo:

In a divided Kosovo, Serb police could not monitor the activities of Albanian extremists, nor carry out arrests in the 'Albanian' territories they are based. Conversely, a purely Albanian Kosovo Police Service would be unable to investigate a crime scene within the Serb enclaves. It is natural that Kosovo Serbs expected to be served by Serb police officers within a multiethnic force. But if Kosovo is divided into two separate legal jurisdictions, effective policing of inter-ethnic crime becomes impossible.

Thirdly, Serbian enclaves will rely on assistance from Kosovo budget, and this may make Serbian minority areas vulnerable. Since Kosovar Albanian politicians may not want to transfer revenues from Kosovo budget to fulfill the needs of Serbian enclaves, which may be annexed by Serbia proper in medium term.

Another important point is to grasp the distinction between what EU understands from decentralization and what Serbs figure out. Actually, on the basis of Serbian perspective decentralization is a stepping stone to the partition of Kosovo. Ensuring security of Serbian minority is the pretext for Serbia proper. In order to undermine Kosovo's sovereignty, and to disrupt the emergence of a sense of belonging to the Kosovo state among the Serbian minority, Serbian politicians continue to support parallel structures. However, EU wants decentralization for the sake of preserving multiethnic Kosovo. EU is aware of the fact that if every aspect of decentralization is evaluated well, and is kept under control, then both stability and security would be guaranteed. In addition, well-managed decentralization can stop Serbian desires of partitioning Kosovo. Therefore, EU must explicitly reject the partition and spoil

Belgrade's tactic, but EU should persuade Kosovo government to take necessary steps so that Kosovo Serbian minority could be integrated into Kosovo.

#### **5.2.5. Partition of Kosovo**

Altmann (2001: 29) summarizes the basic tenets of partition. Partition is completely rejected by the Albanian side, but Serbs want to materialize this goal. River Ibar will be the frontier which divides Kosovo as northern and southern part, north Ibar will be unified with Serbia proper. Kosovo Albanians in the northern part will migrate to Kosovo, at the same time Serbs in the southern Ibar will face the hard choice of stay their home land, or migrate to Serbia. Therefore, exchange of population and territory will be against the commitment of EU on avoiding forced migration and creation of ethnically homogenous states in the Balkan scale.

Partition of Kosovo will weaken Kosovo's economy, and will not fix instability, security. Even if, Serbs have taken Northern part, it is noted that most of the important Serbian monasteries are in the southern part. This is a serious matter that should be taken into account. Furthermore, northern Kosovo had important mineral resources like Trepca mines and Kosovo can not be a viable state if partition occurs. Economic problems could generate more organized crime, unemployment. This could cause extremists to take power and manipulate the public easily; a suitable atmosphere for renewal of violence will take place. Shortly, divided Kosovo will bring more problems than it had solved. Thus, partition of Kosovo deprives it from the crucial

economic assets and it is a threat to the stability, violence, security of the Southeastern Europe.

Partition will cause other problems for Serbian minorities and will not solve the issue of insecurity as the Serb population is dispersed; as a result they are still in need of protection. Batt (2005: 44) indicates that ethnic partition will make remaining Serbs in Kosovo more susceptible, due to the idea of ethnic partition legitimizing what is left from Kosovo is Albanian's. Hence, Kosovar Albanians may resort to violence to erase the last pocket of Serbian minority that disturbs a homogenous Kosovo.

There are three types of partition scenarios which are called as soft partition, violent partition and de facto partition. Toshev and Cheikhameguyaz (2005: 291) refer to the version of decentralization as soft partition where Serbs enclaves are de facto under the jurisdiction of Serbia proper. I have already discussed the traps of this scenario in the previous subsection, but its benefits should be reckoned. For the above mentioned authors, soft partition has the approval of Serbian minority and Serbia proper; therefore it is legitimate in the eyes of Serbs. Second implication of soft partition is the borders of Kosovo would remain integral. Tziampiris (2005: 286-287) discusses about the possibility of renewal of ethnic hostilities in Kosovo would trigger Serbia's military response. After such a development, it is highly likely that there will be violent partition. This may trigger partition in adjacent territories in the form of forceful redrawing of borders in Republic Srpska, western Macedonia, and southern Serbia (Presevo valley). I will analyze the implications of partition of Kosovo in detail under the subheading forceful redrawing of borders. De facto partition is possible when Kosovo declares unilateral independence without the consent of international

community and the Serbs. Kosovo Serbs may declare secession from Kosovo and demand outright unification with Serbia proper. In line with the option of de facto partition, an expert on the Balkans had made a comment in International Herald Tribune on 18<sup>th</sup> of February 2008, she argues that no matter what comes out of Kosovo's independence, and de facto partition is on the horizon, despite the unwillingness to accept it.

#### **5.2.6. Parallel structures and Serbian minority boycotting elections in Kosovo**

The inheritance of setting up parallel structures of Kosovar Albanians is now an obstacle for Kosovo while building functional statehood. Furthermore, the same method is used by the Serbian minority in order not to recognize authority of Prishtina. Judah (2001: 62) puts an emphasis on the negative consequences of lack of institutions in Kosovo, the intensification of chaos, and he predicts that under these circumstances, Kosovo could become "NATO's West Bank." According to EU Commission Staff Working Document (2006: 9), two systems run in Kosovo in public administration like justice, education, health care simultaneously. The most important issues are the property registration, recognition of diplomas, identity cards. Since, unrecognized property registration creates legal uncertainty for property holders. Moreover, diplomas and passports which are considered to be invalid, limit the free movement of people, access to education and work. Hence, parallel structures should be tackled during the EU supervision, otherwise they are a direct threat to Kosovo's sovereignty, and prepares ground for Kosovo to become a weak state, and prevents a coherent society from taking root in the state.

Parallel structures set by the Serbian minority are also instrumental for the Serbs to have the upper hand in negotiations due to the partition scenario. On the basis of this version, Batt (2005: 46) reflects the following argument; provided that Serbia gets all the territory that is under the control of Serbian minority, and parallel structures run by Serbs around that area, this piece of land will be equal to the one quarter of Kosovo. Being dominated and alienated by the Albanian policies, Serbian minority opposes strongly to the independence of Kosovo. This makes Serbian minority more to seek the support of Serbia proper and to be manipulated by Serbian politicians easier. By this way, Kosovo Serbs can not develop healthy ties with Kosovo government, and can not feel loyal to the newly emerged state.

Boycotting the elections in Kosovo is a method that Serbian minority utilizes to reinforce its relationship with Serbia proper. Serbian minority once did not boycott the parliamentary elections and joined the process, despite the fact that they are not in favor of an independent Kosovo. By joining the elections, Serbian minority hoped that its voice will be heard in the final status decisions. For instance, before the March 2004 unrests, there were 22 seats for Kosovo Serbs. However, March 2004 events had negatively influenced the participation level of Kosovo Serbs in elections. In line with this argument, Pond (2005: 30-31) highlights that Kosovo Serbs rejected to take part in elections and they preferred the continuation of parallel structures run by Belgrade, although they are modest. The modification of Kosovar Albanian leaders' attitude towards Serbian minority, given that it is genuine, may contribute to the inclusion of Serbs and despite its difficulty may cause Serbian minority to develop a sense of belonging to Kosovo state. On the other hand, realization of this objective is not so simple, and is not very likely to happen. The differences between Kosovar Albanians

and Serbs are increasing day by day, and every step with goodwill may cause further discontent as it might be too late to create a multiethnic Kosovo and integrating Serbs and Albanians.

### **5.2.7. Redrawing Borders, Destabilizing the Balkans**

Redrawing borders by force, particularly in the Balkan context is problematic as it will trigger further disintegration by encouraging secessionist movements. The impact of Kosovo issue on the modification of borders will either be via partition, or escalation of an armed conflict among Serbia and Kosovo. As a consequence, territorial integrity of the following states is at stake: Macedonia, Bosnia, Serbia, and Kosovo. Hasani (1998: 54) stresses that the application of self-determination principle and redrawing borders in Former Yugoslavia did not take border adjustments into account beforehand, and “left people on the wrong side of the border and made them vulnerable to ethnic cleansing.” Also, Hasani refers to the distinction between the lands created by the use of force and ethnically cleansing the areas (Republica Srpska) versus the entities existed long time ago (case of Kosovo). The author (:54) points out that by neglecting the discussion on border adjustments those two cases are treated by international community as equal. I agree with the distinction that Hasani underlines, especially the case of Kosovo and Republica Srpska due to the risk of partition and its destabilizing results for the entire region. However, I do not think that further modification of borders after independence of Kosovo is necessary and desirable. Change of borders by use of force and ethnic cleansing should be prevented by conflict prevention methods used by NATO, EU. Secessionist claims of Albanians in

Presovo Valley and Macedonia to form greater Kosovo, Republica Srpska's desire to secede from Bosnia and unify with Serbia proper, partition of Kosovo among Serbs and Albanians should be managed by conflict prevention methods used by NATO, EU. Kosovo's independence was like opening Pandora's Box, it will cause new conflicts. The statement of Tadic needs to be mentioned in the context of the danger of instability due to the future developments in Kosovo issue. "Should Serbia be partitioned against its will...it could in turn result in the escalation of many existing conflicts, the reactivation of a number of frozen conflicts, and the instigation of who knows how many new conflicts."(Speech during the opening of security conference, Munich, 8 February 2008, BBC News). To what extent EU and NATO can cope with the risks arising from Kosovo's independence mainly avoidance of violent conflict and keep Kosovo intact simultaneously is the main question. I will deal with the modification of borders by use of force, in the milieu of greater Kosovo/greater Albania, Macedonia, Serbia, Bosnia briefly within the framework of the deterioration of status quo in Kosovo issue.

#### **5.2.7.1. Greater Albania and Greater Kosovo**

Although Ahtisaari plan had prohibited Kosovo's unification with other states, there is still the risk of establishing Greater Albania and/or Greater Kosovo. Batt (2005: 51) refers to report 161 of International Crisis Group which underlines that it is widespread among Kosovar Albanian politicians to merge with Albania in the future on the basis of a federation. Batt (2005: 51) discusses that the rise of Albanian nationalism is a real concern for the Serbs given that it is uncontrolled. If Kosovo

unites with Albania proper or other Albanian living territories, then the territorial integrity of Serbia, Montenegro, and Macedonia will be disrupted. Moreover, the realization of Greater Kosovo/Greater Albania might create similar demands by Hungarians in Transylvania and Vojvodina, Croats in Bosnia, Republica Srpska in Bosnia, thus it will encourage secessionist movements in Europe. Furthermore, Dassu (2001: 38) states that EU anchoring perspective for the South Eastern Europe does not create the unstable environment that Greater Albania project could flourish. Likewise, this is the case for Greater Kosovo. However, as soon as EU anchoring becomes ineffective, then Greater Albania / Kosovo might find the fertile ground to come true. Consequently, the desire to set up either Greater Albania or Greater Kosovo is up to the fate of EU anchoring.

As I have previously stated, it is not Kosovo's independence that will cause insecurity in the region, but it is the possibility of modification of borders and further disintegration in the form of Greater Kosovo/Greater Albania. In line with the possibility of ultimate merger with Albania, Batt (2008: 5) highlights the perception of Kosovo's independence as one step forward in order to achieve Greater Albania project. Likewise, Altmann (2001: 31) specifies the probability of unification of Albania and Kosovo under a federation is very high and a greater Albanian state would damage the existing balance in the region. For Altmann, the merger of Kosovo and Albania would not finish the Greater Albanian project, but it would trigger the secessionist attempts in the Albanian inhabited territories such as southern Macedonia, Presevo Valley, Montenegro instead. Heisbourg (2005: 1) uses the argument of Shemelov, which equalizes independence of Kosovo with the realization of Greater Albania, which may result in clash of civilizations in the region. Shemelov

makes an emphasis on the risk of a potential armed conflict between Serbia proper and a new Greater Albania may cause a new war in the region. I will deal with the Greater Kosovo project in the following subsection which outlines the disruption of Macedonia's territorial integrity.

#### **5.2.7.2. Disruption of Macedonia's Territorial Integrity**

During the crisis of 2001 in Macedonia, the Macedonian government claimed that its stability is under threat due to the KLA insurgents. According to the Macedonian point of view, Albanians are trying to make use of the uncertain climate in Kosovo and want to redraw the borders in their favor. Despite the fact that KLA had made it clear that it had no intention to fragment Macedonia, it still insists on equal treatment to Albanian minority in Macedonia on the constitution. Within the EU brokered Ohrid framework, positive developments had taken place so far. Nevertheless, Macedonia still continues to be in the equation of nightmare scenarios on Kosovo issue. Macedonia is fragile, and its territorial integrity is at stake especially due to the possibility of partition of Kosovo and its reflection on Macedonia. In other words, Macedonia can take problems from Kosovo in the outline of organized crime, secessionist activities. Macedonians and Albanian minority in Macedonia are both discontent with the current status quo that was built under Ohrid accords. Macedonians do not want to apply the measures that give Albanian minority equal status. If Ohrid accords are not implemented fully, then how can Albanian minority feel that its status is not second class in the country? Hence, the prospect of secession

and unification with Kosovo will be a better alternative for the Albanian minority, and this will obviously damage the stability of Macedonia.

Ragaru (2008: 54) emphasizes the link between Macedonians concerns of an uncontrolled independence of Kosovo and its spillover effects for Macedonia. For ethnic Macedonians, Albanian inhabited places, especially Tetovo region which is closer to Kosovo, may secede and merge with Kosovo, and Greater Kosovo could be achieved and this is a nightmare for Macedonians. Also, provided that KLA is not satisfied with the status of Albanian minority in Macedonia and decides to stir up the ethnic tensions, it will be likely that ethnic Macedonians worries will come true as a self fulfilling prophecy. Bumci (1999: 62) underlines the presence of a security relationship among Kosovo and Macedonia. For him, partition of Kosovo will be a bad precedent for Macedonia, and he concludes his argument by stating the risk of a war in Kosovo dragging Macedonia and damages its territorial integrity and vice versa. Similarly, Tziampiris (2005: 287) stresses that partition of Kosovo could be more destabilizing for Macedonia, given that it would cause further radicalization of Albanian minority and eruption of violence in the country. Also, Altmann (2001: 31) suggests that fragmentation of Macedonia would undermine the stability, security of neighboring states like Greece, Albania, Kosovo, Serbia and Bulgaria. To put it briefly, deterioration of status quo either in the scenarios of Greater Kosovo, or the partition of Kosovo, directly affects Macedonian territorial integrity, fragile ethnic balance that is achieved with great difficulty. As a result of this, disintegration of Macedonia would more likely weaken the dream of prosperity, stability and security in the Southeastern Europe and turn it into a nightmare instead.

### **5.2.7.3. Interruption of Territorial Integrity of Serbia due to a possible secession in Presevo Valley**

Eldridge (2001: 37) states that from 1999 to 2001, KLA started to be involved in violent activities in southeast Serbia, which is Presevo Valley. According to the author, the chief plan of KLA by attacking Serbian military and police was to provoke a Serbian anger, trigger a new armed conflict and preserve their political say on the future of Kosovo. In accordance with this argument, one can infer that further radicalization in Kosovar Albanians, in particular among the discontent youth, would cause problems in Presevo valley as well. Therefore, Serbia should be extremely cautious while dealing with the problems in Presevo valley in order not to provoke a new conflict that bares the danger to become a war. Batt (2008: 8) designates the fact that some Albanian leaders in Presevo valley preferred to use Eastern Kosovo with a political motivation behind. The demand of secession from Serbia and subsequently unification with Kosovo is their main objective. Moreover, the places where Albanian minority lives in Serbia is poor, undeveloped. The author reveals that unemployment rate is seventy percent among Albanian minority in the district. Despite the fact that Serbian governments tried to improve the conditions of living in Presevo valley, the existing problems remained unsolved. Hence, under these circumstances Albanians in Presevo valley can be more open to take part in KLA activities, and actively seek secession and form Greater Kosovo. If such a worse case scenario occurs, the military operations of Serbian army will not be a surprise either, and this will mean another cycle of war among Kosovo and Serbia that may drag the neighbors inside of the conflict, and this is the nightmare itself.

Yannis (2001: 31) has pointed out that Serbs and Kosovar Albanians will be more likely to resort to other ways in order to win the game of enhancing their vital interests:

Not only was the conflict continuing, but both sides were prepared to advance their struggle by other means, as illustrated, among others, by the emergence of violent division of Mitrovica and its “sister crisis” in Presevo in Southern Serbia (or Eastern Kosovo as Kosovo Albanians prefer to call the area).

In parallel with the argument of Yannis, if Serbia tries to obstruct Kosovo from achieving stability, because it may find itself tackling with an ethnic turmoil in Presevo. Likewise, Tziampiris (2005: 290) indicates that the attempt to give substantial autonomy based on ethnic lines could easily damage the territorial integrity of Serbia due to the presence of minorities in Vojvodina, and Presevo. Thus, Serbia can play with the matches, start the flames, and burn Kosovo’s stability, but can not stay out of the fire and will damage itself as well.

A well known expert, Daniel Serwer thinks that Kosovo Albanians will not choose secession of Presevo from Serbia, provided that Serbs refrain doing the same thing about Mitrovica in immediate time frame (Council on Foreign Relations, *Independence for Kosovo? Managing the Consequences*: 4). But to what extent one can rely on the sustainability of such an assumption, since both sides have high level of distrust, and without constructing a state of normalcy among the parties, there is the danger of each side’s resort to support and accelerate the secessionist attempts. In other words, the assumption of Serwer is flawed within the context of unpredictable patterns in Kosovar Albanians and Serbians interactions, and the need of caution to

foreshadow a future conflict and take essential measures accordingly. As a reliable prediction can not be obtained about the future of Kosovo and Serbia domestic politics, given the lack of a guarantee of the rise of radical and discontent group's pressure.

Tziampiris (2005: 288) signifies that partition of Kosovo could cause the demand of Albanian minority in accordance with the same kind of healing to Kosovo Serbs. The author refers to the view of a Presevo Albanian politician that is cited in Churcher: "Albanians of Presevo valley will ask nothing more than what Serbs of northern Kosovo are asking." Therefore, while using Mitrovica as leverage for Kosovo, Serbia should pay attention to its borders to overcome the instability, insecurity that is a threat to both itself, and to the wider region. Balcer et al (2008: 72) indicates that another region that will be a source of tension is Sandzak, which is shared between Serbia and Montenegro. The area is widely populated by Bosniaks who are poor, conservative and open to Islamic fundamentalism. In addition, there is a pro-Albanian sympathy in Sandzak; so the dynamics in the region should be managed care-fully in order to avoid an ethnic turmoil.

#### **5.2.7.4. Disturbance of Territorial Integrity of Bosnia due to a possible secession of Republica Srpska**

Partition of Kosovo would have various complications for the states in the region, although the most vulnerable state which is directly under the pressure of

fragmentation is in fact Bosnia Herzegovina.<sup>6</sup> Altmann (2001: 31) points out how Bosnia would be divided into three distinct parts on the basis of Kosovo's independence as a bad precedent:

The recognition of an independent Kosovo after a successful referendum could not only serve as a precedent for Albanian population in Macedonia and Montenegro, and maybe even also in northern Greece, but even more for the Bosnian Serbs in Republica Srpska. They could be tempted to follow the example of Kosovo and launch a referendum on unification with Serbia proper, in contravention of the Dayton accords. Similarly, the Croats of Herzegovina could then insist on a referendum for the unification with Croatia, leaving behind a rump Bosnia deprived of two-thirds of its present territory.

The argument of Altmann was formed in 2001, that moment Kosovo's conditional independence has not been materialized, and since that time it was evident that Serbs will demand to unite with Republica Srpska as a compensation of the loss of Kosovo. After seven years, Serbian strategy remained the same; this is visible in the statements of the leaders of Republica Srpska. For instance, they threatened to disrupt Bosnia's territorial integrity by seceding from Bosnia and declare outright unification with Serbia proper if and when Kosovo's independence is recognized. Argument of Altmann is in some ways flawed, because he forms his argument on the basis of the problematic assumption. While Altmann states that Kosovo's independence will be a precedent for other entities such as Republica Srpska in the region, he does not make the distinction between the ways of creation of entities in Kosovo and Republica Srpska. Sejdiu (2005: 90-91) underlines this point, he based his claims on the

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<sup>6</sup>With the Dayton Accords of 1995, Bosnia Herzegovina Federation was established. Higher representative is the centre of power who can annul laws, enact legislation, dismiss officials. So far, a convertible currency, licence plate, flag is introduced. The way that Bosnia is democratized is open to criticism since there is democratization via dictatorship, for instance Professor Neuhold discusses this point. Dayton accords had dealt with the constitution of Bosnia Herzegovina. Bosnia Herzegovina is one state, which is composed of Republica Srpska, and Croat-Bosnian Federation. Croat Bosnian Federation has ten cantons. The state does not have a single army, but three distinct armies instead. Given the corruption, and the remains of ethnic cleansing Bosnia's Croats, Bosniaks and Serbs will vote for nationalist politicians. Stabilization and Association Process can be the only viable solution to keep Bosnia-Herzegovina intact.

premises of “Kosovo having a different culture, history, nation and identity which is recognized in the constitution of Former Yugoslavia.” and for him, “Republica Srpska as an entity is the product of Serbian genocidal campaign against Bosnian Muslims and it has no historical or cultural identity.” Moreover, Sejdiu indicates that should Republica Srpska become an independent state, this will mean that Serbian strategy to increase its territory by ethnic cleansing is acceptable for the international community. On the basis of the premises of Sejdiu, the part of the Altmann’s argument which sets up an artificial link between Kosovo’s independence and its being a precedent for Republica Srpska is refuted as they do not share the same conditions. However every point of the argument of Altmann is not invalid; as there is an association among how Kosovo issue will be handled and the territorial integrity of Bosnia. In some ways, Altmann’s argument can be reformulated and be valid under recent circumstances. It is not the Kosovo’s independence that poses a risk to the territorial integrity of Bosnia, but it is the partition of the state. Likewise Tziampiris signifies the redrawing of borders would open Dayton accord’s legitimacy to discussion. In line with the complications of partition of Kosovo, Tziampiris states that if partition of Kosovo occurs, then it will be a precedent for the case of Republica Srpska. If Altmann’s argument is reformulated on the grounds of Kosovo’s partition would be a bad precedent for Bosnia’s territorial integrity due to the demands of Republica Srpska to secede and unify with Serbia proper, then it is an updated and valid argument.

Balcer et al (2008: 70) states that Republica Srpska rejects the possibility of limitations on the level of its autonomy, “even if preserving it comes at the price of excluding Bosnia-Herzegovina from EU integration processes.” In parallel with the ongoing discussions in the country about the modernization of the political system

which will constrain substantial autonomy of Republica Srpska. As a result of this tension, Republica Srpska may end relations with the central authorities in Bosnia, and as I have mentioned previously, Republica Srpska threatened to withdraw from Bosnian federation given the Kosovo's independence. Bugajski (2007: 6) raises the point of Republica Srpska to take a portion of land, Brcko, from Bosnia; the main significance of this land is to keep two Serbian parts together in order to ensure that the newly formed state is not divided. The author (: 6) reflects that "Bosnian Serbs may provoke a military operation of Sarajevo to justify Belgrade's and Moscow's assistance to maintain Serbs interests." (Council on Foreign Relations, Independence for Kosovo? Managing the Consequences). Sven Alkalaj, who is the Minister of Foreign Affairs of Bosnia Herzegovina during an interview, acknowledges that despite the fact that Kosovo's independence made the circumstances difficult for them; the problem is not that serious. For the minister of Foreign Affairs, if Republica Srpska declares independence on the grounds of Kosovo's independence, this will mean their indirect recognition of Kosovo. He emphasizes Dayton accords which prohibits one constituent of Bosnia to secede without the will of the others. For him, the three components of Bosnia would not accept fragmentation at the same time, therefore Kosovo's independence can have some destabilizing effects on Bosnia, with the caution and assistance of international community Bosnia's territorial integrity could easily be preserved (Interview with Semih İdiz, Milliyet, 03-05-2008). While making projections of dooms day scenarios, it is not possible to rely on wishful thinking as it is observed in the statements of Alkalaj. If Bosnia's territorial integrity is in the hands of international community, then to what extent one can rely on the genuineness of its commitment and support to keep Bosnia intact, as the previous hesitation of international community to intervene the wars of Yugoslav dissolution

demonstrates. Hence, the destabilization arising from the way that Kosovo issue is handled will have the potential to disrupt ethnic and political balance in Bosnia the most, and will continue to be on the centre of the dooms day scenarios.

### **5.3. Serbia's preferences as a state and effects of its choices on its foreign policy orientation**

Batt (2005: 11) designates the importance of Serbia being a "nation-state of the modern European type." For the author, in order to be that kind of state, Serbia must have clear borders; without fulfilling that condition, Serbia will be a threat not only to its neighbors, but also to Serbia's integration to Euro-Atlantic structures by being a liberal-democratic state. In other words, if Serbia chooses a non-liberal, extreme nationalist and hardliner stance, then it will follow an uncompromising, aggressive foreign policy and may even resort to use of force to resolve to take Kosovo back and disrupt territorial integrity of Bosnia. Furthermore, Sejdiu (2005: 81) emphasizes the fact that Serbian democratic transition has not finished yet, so the old matters like army and church as the sources of xenophobia and extreme nationalism are still there. Given that Serbians choose to have a hardliner government, this will make Serbia away from European Union membership perspective and cause Serbia's isolation in the region. I will discuss the effects of Serbian domestic politics preferences on Serbia's relations with its neighbors.

Delevic (2007: 80) states that Serbia can not cause trouble to EU countries or US, but can be a threat to its neighbors, if these states recognize the independence of Kosovo.

For example, in order not to provoke Republica Srpska, Bosnia did not recognize Kosovo's independence. On the other hand, Slovenia which is an EU member had recognized the state, and Croatia as an EU candidate followed the same route. The author makes affirms that if a NATO member state recognizes Kosovo, as a result Serbia's relations with the organization may become sour. Bugajski (2007: 6-7) summarizes the possible efforts of Serbians to steer up tensions, in Montenegro and Macedonia. For him, tensions in Albanian inhabited parts of Macedonia may be encouraged by Serbian and Russian services to justify that there is a plot of a greater Albania. Besides, Serbia may threaten Montenegro not to recognize Kosovo, force recognition of Republica Srpska, and "radical Serb militias may seek to provoke the Albanian minority in Montenegro and use Montenegro to stage attacks into Kosovo." Thus, how Montenegro can retain good relations with Kosovo and not inflame Serbia's anger is the main dilemma. (Council on Foreign Relations, Independence for Kosovo? Managing the Consequences)

Serbia can make life difficult for Kosovo without resorting to military operations. Serbia may close the border between two states, cut off electricity and energy supplies to Kosovo, forces de facto partition of Kosovo, deteriorates relations with states which recognized Kosovo. If Serbs dare to cut off their ties with EU and US, they will become isolated, and be eventually the pariahs of European continent. In addition, Serbia exposed to sanctions against countries that recognize Kosovo's independence, but USA and EU will show the stick on the condition that Serbia becomes uncontrollable. A group of protestors attacked Turkish Embassy, US embassy and the mission of Slovenia in Belgrade after these state's recognition of Kosovo.

#### **5.4. The legitimacy issue and Kosovo's risk of becoming a failed state**

Rakipi (2007: 6) outlines the connection between democracy, legitimacy, and weak states. He points out that without taking a state fall into the categories of multiethnic or nation states into account, the lack of functions of a state make the state weak. Besides, there is the trouble of lack of legitimacy that is the product of weak institutions, and unfinished democratic transition. Rakipi claims that weak / failed states are menaces to national and regional stability in the forms of the spillover of the conflict to other states, organized crime. The ongoing parallel structures of Serbian minority in Kosovo will make the legitimacy of Kosovo state questionable. Likewise Veremis (2001: 93) discusses the organized crime having fertile ground in the collapsed or failed states. For him, the examples of this kind of states are Albania, Macedonia, Montenegro, the Presevo valley, Kosovo and Bosnia. These places do not enjoy an enforcement of judiciary and rules; there is a lack of democratic institutions as well, so that organized crime can exploit every opportunity. These failed states nourish irredentist agenda and pursue revisionist tendencies. Lastly, if European Union does not construct democratic institutions in Kosovo during the conditional independence period, then Kosovo will be doomed to be a failed state which is a threat to its neighbors and to wider European stability.

#### **5.5. Arguments related to eruption of violence in Kosovo**

Arguments which are related to the renewal of violence to resolve Kosovo issue are affected by various factors such as; reinforced position of KLA, massive expulsion of

Serbian minority from Kosovo, the presence and the risk of use of arms in the region, the risk of Serbs to use force to take Kosovo back, and the Radicals gaining upper hand in Serbian political arena. I will deal with these factors separately.

#### **5.5.1. Reinforced position of KLA**

Given that conditional independence will take longer than expected, that is the transition period to a full-fledged independent Kosovo is not on the medium term horizon, in addition to the ongoing frustration and economic problems in the state is not resolved, then it is expected that extreme nationalists may become stronger. According to the European Stability Initiative Report on Lausanne Principle and the Future of Kosovo Serbs, that is issued in June 2004, extremists had used to show that they are strong by exploiting the frustration among the Kosovar Albanians with the international administration and its instruments, they used violence for political ends, so the threat of recurrence of such events is still there. (ESI Report, 2004: 23)

As EU is the monitoring body of conditional independence and Kosovo government wants to be an EU member later, Kosovar Albanians may not perceive EU as an enemy in short run, but in the medium and long term, and if EU acts as a neo-colonial force in the eyes of Kosovar Albanians public opinion, subsequently attacks against EU presence will occur. This prediction is in line with the March 2004 unrests, there had been attacks to KFOR by Kosovar Albanians, on the basis of this situation, and one may anticipate that EULEX may face the same kind of treatment after an extensive presence in Kosovo. It is highly likely that treatment of minorities will be

testing ground for the EU mission in Kosovo and Kosovo government, and there will be tensions among the two bodies due to this topic. For instance, it is expected that concessions given to Serbian minority over internal issues will cause dissatisfaction among some Kosovar Albanians. Hence, the more radicalization in Kosovo, and reinforced position of KLA due to economic problems and discontent with EULEX mission, the riskier of an eruption of violence towards minorities in Kosovo which may result in forceful expulsion of Serbian minority.

### **5.5.2. Massive expulsion of Serbian minority from Kosovo**

Allin (2001: 9) puts an emphasis on the acts of Albanians in Kosovo are acts of revenge, and there was the logic of ethnic cleansing as well in their minds. The author states that the reversal of ethnic cleansing decreased the sympathy of the West which Kosovar Albanians enjoyed. Altmann (2001: 31) suggests that the lack of conditional independence especially to protect the minorities, there is the possibility of “constant discrimination and even a deliberate or forced exodus of these minorities.” March 2004 unrests might be considered as a rehearsal of massive expulsion of minorities in this regard, and a massive expulsion of Serbian minority will be the pretext for Serbs use of force to take Kosovo back. Another issue that will be a source of tension is the refugee return. Balcer (unknown date: 48) indicates that in order to make refugee return attractive, West should prepare the financial grounds. But refugees may not be interested in return given the danger of massive expulsion. Thus, the results of massive expulsion is a real threat to the stability of Kosovo, region, and may cause

endless Western military presence to prevent armed conflicts between Serbia and Kosovo.

### **5.5.3. Existence of Huge stockpile of arms in the region**

FRIDE Democracy Backgrounders report on May 2007 refers to a study on light arms, which is conducted by South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons and published in June 2006. This study shows that there were 400.000 weapons in Kosovo. Vickers (2008: 24) points out that “until a durable settlement is reached for Kosovo issue, the security of Albania proper is at stake because of the danger of arms might be stock-piled in Albania.” Paramilitaries on both sides have the access to these stockpiles of light weapons and will be more likely to use them, unless the arms trafficking are controlled properly by NATO troops in the region.

### **5.5.4. Serbs option to take Kosovo back by force**

International Crisis Group Report no.161 (2005: 1) suggests that if Kosovar Albanians resort to violence and try to suppress the Serbian minority, as a result Kosovo Serbs may demand the help of Serbian army, and there will be another crisis. On the basis of this argument, Judah (2006: 216) underlines the Serbian point which is due to the loss of Kosovo, Serbia has the right to take it back in the future. He refers to the remarks of Alexander Simic, one of the key advisors to Kostunica: “The Albanians have to be

aware that they will not receive independence and Serbia will have the right to take back everything it lost in an illegal manner.” Even though Tadic assures that Serbs will not use force to take Kosovo back, with a change in the leadership of Serbia, a hardliner leader may declare war to Kosovo. Thus, NATO forces could be in the middle and be dragged into a new armed conflict between Serbs and Kosovar Albanians.

#### **5.5.5. Radicals gaining influence in Serbia and Serbian vengeance due to the loss of Kosovo**

Allin (2001: 13) stresses that “without NATO presence in Kosovo, Serb revanchism and Albanian extremism could produce another war.” Economic and social discontents are threats to stability, and could cause more nationalistic movements to come to power both in Kosovo and Serbia. Therefore, if the sources of tension which are economic, social and psychological are not eliminated, escalation of armed conflict among Kosovo and Serbia is foreseeable. In the psychological realm, Winther (2007: 82) suggests that the constant reference to revenge and retaliation is found both among Serbs and Kosovar Albanians so that forgiveness and forgetfulness could not take place. The imminent danger of reprisals towards Serbian minority which is due to the vengeance of Kosovar Albanians is linked to the past traumas that have not been relieved yet. Under these circumstances, the distrust between the two communities continues, and there is no progress in relation to reconciliation. A divided Kosovo is a real obstacle because of the constant reminder of the objective of a multiethnic

Kosovo is unrealistic and post traumatic society can not settle, as the memories of ethnic cleansing, revenge are still alive.

### **5.6. International actors' role in the decline of Kosovo**

European Union, USA, and Russia are the main actors in the Kosovo issue; so their relations with each other within the context of Kosovo issue will be examined briefly, as a detailed analysis will be too ambitious, and it is beyond the scope of this paper.

European Union and USA share the same perspective which is conditional independence of Kosovo, while the minority rights will be granted in full terms. Both are against the partition option; however there will be disagreements between EU and USA due to the possibility of a long military engagement requirement in Kosovo. If the exit strategy for Kosovo is not form-ed in advance, and the EU member states which have not recognized Kosovo continue to follow the same policy, there will be important difference of opinions. Furthermore, Van Meurs (2008: 9) stresses that there will be hard choices among the EU and USA because of the timing factor:

For Washington it is about acting quickly enough not to forego the current momentum in the Kosovo issue, but not to loose its European allies by going too fast. For Brussels there is a fine line between pushing the disinclined member states too hard and risking another demonstration of European disunity- a disservice to the EU, to Kosovo and to transatlantic relations.

Moreover, integrating Kosovo and the Western Balkans in the Euro-Atlantic structures is the common vision of EU and US. Unless EU keeps offering membership perspective to Western Balkan states, there will be huge disappointment for those

states and as a consequence, due to the failure of the common vision there will be problems between EU and US. Van Meurs (2008: 9) indicates that Russian strategy of creating intra-EU or transatlantic discord back-fired. Even though, any crack on the Western alliance is useful for Russian interests in Europe and global level so far this is not materialized. It is obvious that integration of Western Balkan states to Euro-Atlantic structures is against Russian's interests, Balcer et al (2008: 73) states that Russia tries to obstruct Western vision for the region by insisting on its uncompromising stance in Kosovo issue for the sake of maintaining Serbia intact as a pretext.

Balcer et al (2008: 47) signifies that the Russian position on the Kosovo issue is "an opportunity to international scene as an actor without whose approval no major international problem may be solved." According to the authors, Russia's main aim is to gain concession from Western world which are significant Russian interests, including deployment of US missiles in Europe, and recognition of CIS are Russian spheres of influence. Russian strategy is to use the recognition of South Ossetia, Transdniestra and Abkhazia as leverage. Russian's attitude towards Kosovo issue is ambivalent as well in the sense of the change of borders it is dangerous for international order, but Kosovo as a precedent serves Russian interests in the recognition of above mentioned entities independence.

If an escalation of a military conflict takes place among Serbs and Albanians (whose religion is to great extent Islam), it will be perceived as a conflict between Muslims and Christians, which may be analyzed within the framework of the argument of clash of civilizations. Hence, Islamic extremists from the Middle East might be engaged in

the conflict within the framework of Islamic brotherhood. On the other hand, that kind of a scenario would be a nightmare of USA, since the presence of Islamic fundamentalists in Kosovo and their growing influence in the region is a threat to the Euro-Atlantic vision in the Western Balkans, it is a destabilizing factor for the region as Islamic fundamentalists way of life and the values of Western model did not converge.

USA has a military base in Kosovo, and it may use this military presence to deter a rise of Russian influence in the region. Simultaneously, there are rumors of Russian deployment of missiles on the coastline of Drina River on Serbia. On the basis of this situation, there will be a shift in the balance of power in the Balkans and USA military presence may not be considered as adequate, so it will be raised. Besides, the support that USA offers Albanians may cause alienation of Macedonia, Greece, Serbia; therefore these states may pursue more pro-Russian policies. This will be another incompatible point with respect to USA strategy in the region and may cause weakening of EU anchoring for the Western Balkans indirectly. In other words, Balcer et al (2008: 78) designates that given the substantial deterioration of interactions among Serbia and West, "Serbia would become an island in the middle of the Balkans, impeding further enlargement of the EU, and drifting towards Russia."

## **CHAPTER VI**

### **CONCLUSION**

The finest scenario for the stability of the Western Balkans, and the West is the acceptance of Kosovo's independence by Serbia without any further modification of borders in Europe. This scenario includes Russia's approval of Kosovo's independence in the Security Council so that Kosovo could become a member of international community, but this may not be realized prior to the termination of the feud between the Albanians and Serbs. Conditional independence of Kosovo under EU supervision is the most suitable time to resolve these disputes among the Serbs and Kosovar Albanians. Within the transition period towards full scale independence, the necessary institutions in Kosovo for a sustainable economy, liberal democracy, and preservation of minority rights should be established; so Kosovar citizens regardless of ethnic background could internalize above mentioned values. At this point, Galtung's classification of peace as negative and positive should be taken into consideration. Negative peace is the absence of war, but the root causes of violence which can be structural / indirect, personal / direct have not been eliminated, and are still apparent. Positive peace is the absence of structural violence in socioeconomic field and makes persons realize their full potential on global level. On the basis of this distinction, EU should continue to work on projects to build positive peace among

Serbs and Kosovar Albanians bearing in mind that this would be a long, expensive process and needs expertise, so that EU should take essential measures accordingly.

It is highly likely that Serbian ambivalence will continue, due to the requirement of making a decision between digesting the loss of Kosovo and integrating to Euro-Atlantic frameworks on the one hand, and insisting on taking Kosovo back some time later in the expense of isolation, and disintegration on the other hand. Likewise, Kosovar Albanians treatment to minorities, and the lessons from conditional independence process will be of decisive importance in the edge of Kosovo's integration of EU and NATO. Moreover, European Union must decide on its future with respect to the scope of the enlargement in the South Eastern Europe. The only thing that can make the loss of Kosovo tolerable for Serbia is the horizon of EU membership. Under these conditions, the ambivalence of EU is a real danger for stability in the region, because South Eastern European states will be derailed from "EU anchoring" and therefore Russian influence in the region may increase and EU will lose its credibility. If European Union fails in the conditional independence process of Kosovo, then it will not only disappoint USA which has complaints about burden sharing, but also show that European Union is still incapable of dealing with the conflicts in its own backyard. Hence, the way that Kosovo issue is managed will be a testing ground for the prestige of EU and its position as a global player.

Partition of Kosovo can not be proposed or accepted by Kosovar politicians, only in the context of exchanging Mitrovica and Albanian inhabited Presevo Valley. However this will not be possible due to the fact that maintenance of multiethnic structure in the Balkans, and exchange of territory and population are against a

principal EU objective. There might be some EU member states which individually support partition as a solution, despite the fact that in the end they will act in accordance with Common Foreign and Security Policy. In addition, the loss of Presevo valley where the transportation routes are crucial for the connection of Serbia with Mediterranean will neither outweigh the loss of a considerable portion of Kosovo and Serbian desires to have compensation, and nor the mineral rich places around Mitrovica is a panacea for the Serbian economy.

Albanians are of key importance for USA interests in the Balkans because of their strategic position and pro-USA stances, as a consequence it is expected that as long as Russians play the Serb card to increase their influence, USA will play Albanians. Moreover, the loss of Kosovo may trigger anti-Western sentiments in Serbia, and reinforcement on the Russian-Serbian alliance. In spite of this possibility, a total turn to the Milosevic mentality in the sense of an armed struggle with Kosovo, and NATO forces, will not occur; there will be nationalist rhetoric, small scale assaults among Albanians and Serbs, and a degree of souring relations with West. The most significant threat that Serbia make has an economic nature, as Kosovo's electricity supply comes from Serbia; Serbia may cut off it in order to destroy Kosovo's economic development. Although this option is desirable for Serbia on short term horizons, this is not favorable for medium and long term horizons either. Since, it is evident that an economic blockade may provoke USA and EU to take some measures against Serbia.

The negative effects of Kosovo's independence will be felt greatly in Macedonia, and Bosnia depending directly on Serbian and Albanian's attitude in the area. Serbia's

role in instigation of secessionist claims of Republica Srpska will accelerate the course of Bosnia's fragmentation. Simultaneously, the pockets of Albanians in Macedonia and Serbia may resort to violence to unite with independent Kosovo, given their discontent with the economic inequalities, and the continuation of second class citizenship in the above mentioned states. Hence, Macedonia and Serbia must be careful and work on the improvement of Albanian minorities' status. Also, Serbia must be cautious while provoking secessionist claims of Republica Srpska, as Serbia's territorial integrity is at stake due to the forthcoming Albanian uprising in Presevo valley. Thus, the visions of greater Kosovo and /or Greater Serbia which flourish on an unbalanced atmosphere, and can cause further disintegration in the region and are dangerous for the security, prosperity and stability.

Russian EU relations may sour temporarily because of EU position in Kosovo issue. On the other hand, relations will strike a balance in medium terms; as Russia and EU had common benefits in diverse subjects, which energy is the main one. Russia will more likely to perceive Kosovo question as a bargaining tool with USA, so that it could obtain concessions from USA , particularly its privileged position concerning CIS. However, Russia should be aware of the fact that recognition of Abkhazia, South Ossetia, and Transdniestria may backfire, because there are separatist movements inside Russia, mostly Chechnya, so this may cause trouble for Russia's territorial integrity. Besides, China has separatist movements too concerning Tibet, Xingjian, so there will be problems between Russia and China. China's position on Kosovo's independence will be linked to two factors; which are not provoking anger of USA and Russia's approval of Kosovo's final status as independence.

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