Sandwiched between two competing narratives – a lot of uncertainties in the process of the dialogue

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Nine years have passed since the EU-facilitated dialogue between Kosovo and Serbia initiated. It started as a technical dialogue aiming to create better relations between the poles, but despite good intentions, a lot of obstacles have been presented. As almost everything on the Balkans Peninsula, and in particular between Kosovo and Serbia, the main issues at its core are political. As a result, the dialogue swiftly turned into a political process with numerous barriers, a lot of tension and very few success stories.

While more than 30 agreements have been signed\(^1\), only few have been implemented. The dialogue has been stalled since the 100% tariff on goods from Serbia, and Bosnia and Herzegovina was imposed by Kosovo government in October 2018. Although the EU’s leading role in the talks had remained undisputed, tables turned after the appointment of the US Ambassador to Germany, Richard Grenell, as Trump’s Special Envoy for the Kosovo-Serbia dialogue in October 2019. This was a clear message that United States’ involvement in the dialogue would be direct and that, subsequently, the prominent role of the EU was subject to change.

While the EU dealt with the lion’s share of the dialogue since 2011, with their newly appointed special envoy the U.S abruptly managed to strike two eventual agreements (through the signing of two letters of intent) between Kosovo and Serbia: first, restoring direct flights between the two countries; and second, restoring the railways and building connecting highways. Needless to say little information has been provided on the negotiations and the signing of the letters of intent themselves. Nevertheless, these eventual agreements have remarkably distorted the course of the dialogue by entering into a new phase where the United States will be a direct actor. The EU has in recent years however failed to maximize any momentum that would possibly lead to a final agreement between the two countries, in particular towards Kosovo. Even though the EU previously had full supervision over the dialogue, it has not lived up to its promise of visa liberalization for Kosovo’s citizens, and neither did it show assertiveness when the controversial discussion on border corrections or land swaps aroused.

As the USA interference, the EU made a move. The 27 EU Member States appointed former Slovak foreign minister Miroslav Lajčák as Special Representative for the Kosovo-Serbia dialogue in an attempt to restore the talks, now that tariffs have been dropped and reciprocity has been lifted. In the light of this process, special representative Lajčák visited Prishtina to test the waters and restated the importance of resuming the EU-led dialogue. Despite this, while the critics of his plan are on the rise in Kosovo, the EU is also lacking a concrete initiative that would bring both countries closer to a viable and stable solution. Following the creation of the Hoti government on June 3\(^{rd}\), the US-facilitated talks between Kosovo and Serbia were scheduled to resume on the 27th of June in Washington D.C, but the Kosovo delegation called it off due to the indictments filed by the Special Prosecutors Office against president Thaci\(^2\). The talks would have been led by special envoy Grenell in the White House and would have thus technically excluded EU from the process.

Many have doubted the adequacy of the EU’s special representative due to the indecisive role of the EU in the normalization of relations between Kosovo and Serbia. For the first time since


the dialogue started, the two EU high officials who are engaged in the process come from non-recognizing states. Thus, Lajčák holds a heavy burden in his task to restore the legitimacy of the EU in the dialogue, as well as to convince the political actors to see the EU as the sole leader in this matter.

The current low point of the EU and U.S transatlantic partnership regarding the Kosovo-Serbia dialogue posits a troublesome development. While since 1999 the international community shared a common consensus on the course of actions towards Kosovo, the appointment of Special Envoy Richard Grenell depicts a growing polarization between the two world powers when it comes to the future of Kosovo and Serbia. Many high officials from Brussels, including Special Representative Lajčák, have declared that the normalization of relations between Kosovo and Serbia is a European problem. While the U.S. special envoy Grenell has moreover constantly declared that the Kosovo-Serbia dispute could be solved through economic cooperation, the EU Special Representative has repeated that the problem is political.

Consequently, two narratives have evolved in the Kosovo-Serbia dialogue. The EU’s narrative envisages the importance of solving all outstanding issues between the two countries and reaching a comprehensive, legally binding agreement. However, mutual recognition is not mentioned as an ultimate goal. The idea of border revision or land swap is not seen as a viable solution according to the EU, with Germany categorically refusing this option. The narrative of Brussels through its special representative is neither limited to deadlines nor to the issues to be discussed. Constructive ambiguity is yet a determining factor in this approach. As a consequence, this narrative and approach have faced some resistance and skepticism among political actors in Kosovo. Despite this, the EU is trying to leave its mark now that the U.S has significantly stepped up the rhythm of the dialogue.

In contrast, the U.S narrative envisions a fast deal with mutual recognition as the only viable result. The deadline is quite clear for the American counterpart: the deal between the Kosovo and Serbia should happen this year. All the initiatives to restart the talks coming from the White House, rather than from Brussels, lead in that direction. Grenell’s rhetoric towards the dialogue is direct, unequivocal and is often embroiled with the grain of economy rather than politics. The contextual problems of the region do not seem to get the slightest attention from the U.S administration. The American narrative in the dialogue has implicitly excluded the EU from the process, and not in rare cases has the EU been blamed for not delivering on the dialogue and on its promises regarding visa liberalization.

Stuck between the two competing narratives, Kosovo is facing many uncertainties regarding continuation of the dialogue. The political scene in Kosovo is highly fragmented and polarized, especially since the no-confidence vote. It is unprecedented in the recent political history of Kosovo that political forces and actors are divided on backing the EU over the U.S, or vice-versa. Politically this posits a major problem as it can seriously harm the relations with both partners. Choosing between the two is not a stance that should prevail. Both the EU and the U.S have constantly supported the state-building process of Kosovo, therefore political elites should constitute political stances that first and foremost represent the interests of Kosovo. The ongoing political saga has paved the way for more uncertainties regarding the dialogue, contributing to a lack of consensus among political parties and leaders within Kosovo on the path that Kosovo should follow. In this light, many fear the outcome as there is no viable strategy that would unite all political visions. Uncertainties flourish as there are two Special Envoys engaged in one process,

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3 EU High Representatives: Josep Borrell and Miroslav Lajčák
4 See: Rrezohet qeveria e Albin Kurtit synohet krijmi i nje qeverie te perkohshme, available at: https://www.dw.com/sq/kosov%C3%AB-rr%C3%ABzohet-qeveria-e-albin-kurrit-synohet-krijimi-i-nj%C3%AB-geberie-t%C3%AB-p%C3%ABrkohshme/a-52919184
at the time when there is a complete absence of internal consensus among Kosovo’s political elites.

The Kosovo-Serbia dialogue often seems like a thriller movie with a lot of unpredictable situations and with new actors appearing on the scene. In these situations, Kosovo often finds itself in the position of the spectator rather than the actor. While this process has been volatile ever since its start, it seems we have arrived at the last chance for Kosovo’s elites and institutions to develop a strategy and engage seriously in the dialogue by establishing an unequivocal position towards Serbia and any mediation team. The fragile international position of Kosovo cannot bear any confrontation with its crucial state-building allies, the United States and the European Union. The opposite could result fatal for Kosovo’s international legitimacy. The uncertainties on how the dialogue will continue are remain to be seen; however, it is mandatory that Kosovo establishes basic guidelines and principles on the proceedings of future talks with Serbia. Against this backdrop, Kosovo’s newly appointed government holds a heavy burden, as well as a high responsibility, to restore citizens’ trust in the dialogue with Serbia and enable a proactive and inclusive approach towards this process.
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