Status Quo is Failing: The crisis echoed for a strict and new roadmap in the Dialogue

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THE STATUS QUO IS FAILING: THE CRISIS ECHOED FOR A STRICT AND NEW ROADMAP IN THE DIALOGUE

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On 29 May 2023, a crisis erupted in the northern municipalities of Kosovo, including Northern Mitrovica, Leposavic, Zvecan, and Zubin Potok. This development did not come as a surprise, considering the 23-year long history of instability in this part of the country. For those who are not closely following the political developments in Kosovo, the crisis occurred as a result of snap local elections in the northern municipalities held on 23 April 2023. Initially, the previous Serbian mayors resigned from their positions in protest against the actions of Kosovo's government to replace the car license plates from illegal to the RKS in that region. Subsequently, new elections were held, which Serbian political parties boycotted despite calls from the international community to participate. As a result, the elections had very low turnout, and Kosovo Albanian mayors were elected, which raised concerns about their legitimacy as a result of low support.

The first day of the newly elected mayors' work was marred by riots from local Serbs, aided by unidentified radical groups wearing masks. Kosovo Police's Special Unit had to clear the way for the newly elected mayors to enter the municipal buildings, a decision that was seen as provoking by the local community in the north. Government's decision to insist for the new mayors to work from the actual municipal buildings and its efforts to barricade these buildings with police forces, was condemned by the international community, blaming Kurti's government for escalating the situation. On the other hand, PM, Albin Kurti, remained steadfast in his decision to ensure that the mayors would work from their offices and not from alternative buildings, as proposed by the EU.

As a result, the situation worsened on the ground, leading to clashes between Kosovo Police, KFOR forces, and protesters who were determined to block the work of the new mayor's buildings. The situation deteriorated, resulting in many heavily wounded and injured KFOR soldiers, burned police and media cars, multiple serious attacks against journalists, and the chanting of racist slogans. Officially, the crisis had begun, erasing all the achievements made through the Brussels agreement.

So, what did the crisis unveil?

The status quo is not a solution.

The crisis in the north exposed the volatility of Kosovo-Serbia relations and the Dialogue itself. The status quo in the northern part of Kosovo has proven unsuccessful in integrating the Serb community into Kosovo's institutions and in establishing law and order in that region. The appeasement of radical elements in the north has allowed Belgrade to maintain leverage for potential escalation and control over the area. Neglecting the situation in the northern municipalities has repeatedly proven counterproductive. However, a purely legal approach towards the north is not a solution either, as the recent crisis has demonstrated. While legality is crucial for the country, the government needs a more strategic approach to assure the Serbian community that its actions are not directed against them and that integrating their community based on international standards is a government priority. So far, this message seems to have not been effectively conveyed. Therefore, a more bottom-up approach and direct dialogue with Kosovo Serbs remains imperative to bridge the gap between Kosovo's institutions and its Kosovo Serb citizens.
However, the dialogue has been in a state of limbo for quite some time now. Two deals brokered by the EU in Brussels and Ohrid failed to normalize relations between the two parties. On the contrary, the discourse worsened, particularly with the President Vucic referring to Kosovo's PM Kurti as a "terrorist" after the Ohrid agreement. The latter, in turn, referred to Vucic as "Little Putin" and remained determined to ensure that the mayors work from their offices, despite concerns about their legitimacy and international requests.

The crisis in the north is not new, but the recent one also stems from the EU's inability to make the agreements legally binding. The status quo in the dialogue brings instability, and the crisis is likely to be repeated unless a detailed and strict roadmap with a sequenced timeline is presented to the parties. De-escalation will happen sooner or later; it cannot last indefinitely. The parties will likely find themselves in a "make it or break it" situation. The crucial issue, once again, is the implementation of the Brussels and Ohrid agreements, as well as all other EU-facilitated dialogue agreements reached in the past. This is the elephant in the room that the EU, along with other actors such as the United States and the United Kingdom, should address appropriately.

Therefore, it remains crucial for the EU to clarify whether Serbia has accepted the agreements of Brussels and Implementation Annex to the Agreement on the path to normalization of relations between Kosovo and Serbia signed in Ohrid. Is the EU Proposal - Agreement on the path to normalisation between Kosovo and Serbia legally binding for both states, or is there an opportunity to cherry-pick only the parts that are convenient for the parties? Logically, the answer would be no from the EU. However, in practice, we have seen little to no progress in endorsing and respecting the agreement from Serbia. The aggressive discourse from Serbia and the mild reaction from the EU have created mistrust in Kosovo, while appeasement with this approach in Serbia is causing problems that will be difficult to fix in the future. On the other hand, Kosovo should deliver on establishing the Association of Serbian Municipalities based on the detailed sequenced plan agreed upon with the EU. Hence, the implementation of the Brussels agreement and Ohrid Implementation Annex cannot be linked solely to the establishment of the ASM. The agreement encompasses many articles and spheres of cooperation, centered around the de facto recognition of Kosovo, with the ASM being a part of it as well.

**Asymmetry will not succeed**

Kosovo's government faced harsh criticism from its allies, the EU and US, for the crisis caused in the north. However, Serbia initially did not face its share of blame for fueling the protesters with nationalistic propaganda, boycotting the local elections, and moving the army closer to the Kosovo border. These issues were somewhat overlooked. It was only when the protests turned violent, with vandalism and attacks against KFOR soldiers, Kosovo Police, and journalists, that the international community reacted more strongly towards them as well. The facts are stubborn, one might say, and day by day, the violence perpetrated by the protesters exposed the leaders behind them and their agenda, which aimed to escalate the security situation and undermine Kosovo's institutions with Belgrade's consent. Nevertheless, as the crisis reached its peak, the asymmetry in reactions diminished. The EU presented a de-escalation plan to both parties, with new elections for the northern municipalities at its core. Although the initial de-escalation plan has not been officially accepted by either country, Kosovo faced restricted measures from the EU for the first time on this issue. The asymmetry in decisions poses a high risk of undermining the normalization process for years to come. This growing gap could lead to hostile positions that will be difficult to repair. A neutral mediator should take this into consideration, as de-escalation is a
two-way road that must involve Serbia. Nonetheless, on 11 July 2023 Deputy Prime Minister of Kosovo Besnik Bislimi and the EU facilitator on Kosovo – Serbia dialogue Miroslav Lajcak agreed on the de-escalation plan. The deal entails new elections for northern municipalities in Autumn, reduction of Kosovo-Police forces around municipal buildings, endorsement of local elections by Kosovo’s government, joint security assessment in the north between Kosovo Police, KFOR and EULEX will take place based on the current needs, and the last point includes the return of both countries to negotiation table to agree on the sequenced implementation plan.

De-escalation has no alternative, and it must be emphasized. As long as the crisis persists, the implementation of the Brussels agreement will not be a priority. This is an important aspect that should be consider. The dialogue saga is heading toward dangerous scenarios, fueled by the crisis in the north. Overall, the crisis in the northern municipalities of Kosovo exposed deep-seated issues in Kosovo-Serbia relations, the shortcomings of the dialogue process, and the need for a strategic and balanced approach to address the challenges and achieve lasting peace and stability.
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