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WHAT TO MAKE OF THE RECENT GRENNELL-FACILITATED AGREEMENTS BETWEEN KOSOVO AND SERBIA

BACKGROUND

Since its launch in March 2011, the EU-facilitated Dialogue on the normalization of relations between Kosovo and Serbia has had achievements and losses, as well as moments of success and of tension. The Dialogue's volatility has been felt throughout - talks are often halted or even suspending given regional or domestic developments. Most recently, the 100% tariff imposed by the Kosovar government on Serbian goods as a reaction to its lobby against Kosovo's Interpol membership led to strained diplomatic relations between the two countries. The Dialogue has been suspended since the tariff imposition in November 2018, and the light at the end of the tunnel suddenly got dimmer.

In parallel and since then, talks on territorial exchange between the two Balkan neighbors persisted, government talks bracing for a new coalition deal were happening, and back in Brussels a new Commission was taking office and laying out its agenda. It was amidst this disheveled context that the United States signaled renewed involvement in Kosovo-Serbia normalization of relations. US Ambassador to Germany, Richard Grenell, was appointed Special Envoy to the Kosovo-Serbia dialogue in October 2019 and has since reached two important, albeit not entirely transparent, agreements between the two countries - firstly restoring air links, and secondly restoring railways and building highways. This revived US engagement brewed a national political crisis in Kosovo, with Kurti's short-lived governments ousted and the tariffs formally lifted in their entirety. What is to be said about this revived American engagement in the region? Why is it happening now and how has it, arguably wickedly, played out at the national government level? And how has it been received by other stakeholders, namely the EU? This Policy Note will tap into these

questions by examining the agreements reached between Kosovo and Serbia and helmed by the US, from their timing to the not-so-transparent content, and from the political parties' reactions to the ambiguous way forward.

A REVIVED US INVOLVEMENT CLOSES OUT 2019: GRENNELL'S BALKAN PLAYGROUND

Ever since the 1999 NATO intervention in Yugoslavia which ended the Kosovo War, the United States has been a reliable ally to the Republic of Kosovo. Diplomatic relations and military support through the KFOR mandate have been significant, as well as important for Kosovo's standing in the international community. One of Kosovo's main national objectives is European integration, which necessarily passes through another key ally of the country, the European Union. As such, the EU has been heavily invested in the country and in achieving normalized relations with Serbia. The Dialogue on the normalization of relations between Kosovo and Serbia was instituted by the EU in 2011, prompting initial talks on technical topics of regional cooperation (i.e. telecommunications, air traffic, customs, civil records, freedom of movement) to trickier political topics (i.e. Kosovar representation in regional organisms, exchange of liaison offices). The 15-point Brussels agreement of 2013 formally signaled both countries agreed to undertake mutual efforts to normalize relations under the auspices of the EU. As follows, the **EU-facilitated dialogue** is not necessarily about reconciliation between Kosovo and Serbia, but rather motivated by the common goal of EU integration given the unequivocal normalized relations precondition. Motivated by a distant pursuit of EU membership and based on small agreements along a rocky road, the dialogue

is intrinsically volatile given the non-existent diplomatic relations and non-recognition of Kosovo by Serbia. Inevitably, mediated negotiations have been paused and often suspended in reaction to damaging developments. Most recently, the 27 EU Ambassadors appointed a new special envoy to the Kosovo-Serbia dialogue¹. Miroslav Lajčák, former Slovak foreign minister, is to start his mandate on 2 April with view of reaching normalization of relations between the two neighboring countries, under a legally-binding agreement supporting regional stability.

Regardless of this fresh move from Brussels, the outcome of which is still to be assessed, dialogue talks between Kosovo and Serbia as mediated by the EU have been formally suspended since October 2019. Serbia's repeated blockage of Kosovo's Interpol membership prompted the imposition of a 100% tariff on Serbian goods imported into the neighboring country, a move reprimanded by the EU and the US. Former Prime Minister Ramush Haradinaj even stated back in November 2018 that the tariff shall not be lifted until negotiations are held on principles of mutual recognition. Separately, the Kosovar population and government were also facing proposals of lands swaps between Serbia and Kosovo to ethnically homogenize their countries, a proposal which also turned some heads in the EU and key Member States. The dialogue's volatility had indeed reached a tipping point and suspension of talks was long-lasting. As a result of the stalled dialogue process, a transfer of negotiating authority seemed to have emerged from the EU to the newly-appointed US special envoy to the Kosovo-Serbia. It therefore signaled two major turning points: the EU was

accepting such a power shift in mediating authority to the US, arguably conceding to the dialogue's ineffectual standing point, and the US was assigning much more efforts to the country. In turn, this power shift propelled reactions in the national government's differing coalition political parties, as well as major changes in the country's actual political landscape, with Kurti's government becoming the shortest-lived in Kosovo history, only standing for 51 days before not passing the no-confidence of 25 March 2020. It can be argued that, in light of such a major turn of events in the past two months since the US revived its engagement, the EU was more propelled to revive its own engagement and means of handling the dialogue and tensions. Indeed, the quest for regional stability took a turn in recent months, namely rooted in a quest for Kosovo's sociopolitical stability, and is suddenly in a bigger need to be restored.

The transfer of negotiating or mediation authority started to come about in October 2019. The United States decided to step up its game – **President Trump appointed Richard Grenell, US Ambassador to Germany, as Special Presidential Envoy for Kosovo and Serbia Peace Negotiations**². It was a surprise appointment and a clear signal that Washington DC is committed and renewing attention to the decades-long conflict at the heart of the Balkan Peninsula. Moreover, this political move followed the August 2019 appointment of **Matthew Palmer as the US Special Representative to the Western Balkans**. In a speech in Prishtina on November 1st, Palmer stated that "My appointment as the Secretary of State's Special Representative for the Western Balkans and President Trump's appointment of Ambassador Grenell as Special

¹ EU Observer, "Former Slovak minister to become EU envoy on Kosovo-Serbia", 1 April 2020, via <https://euobserver.com/tickers/147936>

² White House, "President Donald J. Trump Announces Intent to Appoint Individual to a Key Administration Post", 3 October 2019, via: <https://www.whitehouse.gov/presidential-actions/president-donald-j-trump-announces-intent-appoint-individual-key-administration-post-6/>

Presidential Envoy for Serbia and Kosovo Dialogue underscores – if there was any doubt – the United States is present, focused, and ready to help. (...) Resolving once and for all the relationship between Kosovo and Serbia through full normalization remains a U.S. strategic priority”³. Building on Palmer’s role and stated representation of US commitment to the Western Balkans, the appointment of Richard Grenell as special envoy to the dialogue came with a bang.

Known as a Trump loyalist, Grenell was tasked with improving the normalization of relations between Kosovo and Serbia. His message was clear: both Kosovo and Serbia should focus on economic development, prospects of new jobs and improved prosperity as the incentive to normalize relations. Instead of dwelling on political obstacles and historic divides, **priority should be given to economic dynamism of both countries to enable growth** – “We are coming to connect you. I have no agenda, I will not put pressure on you, I want to connect you so that your economies grow, so that more opportunities are created for young people to stay here and to have hope. I am trying to focus on creating a dynamic in the economy while leaving the politics to you”⁴, declared Grenell in a joint press conference with Presidents Thaci and Vucic. Grenell has avidly encouraged both countries to focus on the potential for economic growth instead of fueling obstacles to constructive talks. Key examples here are: on the one hand Kosovo’s 100% tariff on Serbian imports, and on the other hand Serbia’s campaigning for recognition-withdrawal by sovereign states worldwide. Dropping the tariffs, for instance,

“was in the best interest of Kosovo and its economy, and the desire to attract new businesses”⁵, argued Grenell to national authorities.

Indeed, while the EU has a direct stake and real interest in normalized relations - for both are hopeful candidate countries located amongst EU Member States and geo-strategically important for European security - the US is arguably a more neutral external partner in the region. Notwithstanding its evident ally role to Kosovo and proven high commitment to the region ever since the Yugoslav wars in the 1990s, the US does not look to integrate Kosovo or Serbia into its Union or programmes like the EU; neither does it have external borders at the mercy of the Balkans' tense ethnic divides. All of sudden, a welcomed cooperation momentum was brought to Kosovo-Serbia talks, one firstly motivated by economic growth and, secondly or in collateral, motivated by prospects of EU integration. This new momentum triggered by US involvement has realized two letters of intent and/or agreements between Kosovo and Serbia so far - their occurrence, content and way forward are examined next.

TWO AGREEMENTS AND A WHOLE LOT OF UNCERTAINTY

Insofar Grenell’s short appointment has, objectively, incited the stalled dialogue between the Republic of Kosovo and the Republic of Serbia. It has also incited major tensions in Kosovo’s political scene, which will be explored in-depth later. Through Grenell, mutually-beneficial agreements have been reached regardless of stark political

³ US Embassy in Prishtina, “Special Representative for the Western Balkans Matthew Palmer – Speech in Pristina”, 1 November 2019, via: <https://xk.usembassy.gov/special-representative-for-the-western-balkans-matthew-palmer/>

⁴ Euractiv, “US envoy tells Serbia, Kosovo to make concessions, cooperate”, 24 January 2020, via: <https://www.euractiv.com/section/enlargement/news/us-envoy-tells-serbia-kosovo-to-make-concessions-cooperate/>.

⁵ AP News, “Trump’s envoy urges Kosovo to drop taxes on Serbian goods”, 4 February 2020, via: <https://apnews.com/a9e21c6a6e2040358ae26715dd047225>.

obstacles at play. Details and implementation timelines for either one of the agreements remain to be known, a fact only made worse given the fact that the original letters were not immediately released. Notwithstanding, the signed letters of intent already positively reveal that communication ties between the two countries are not entirely closed off even if the EU-facilitated dialogue is currently suspended.

1. Restoring air traffic between Kosovo and Serbia (20 January 2020, US Embassy in Berlin).

Direct flights between Kosovo and Serbia were stopped when the war broke out in 1998. An achievement was reached on Monday 20 January 2020, when Serbia and Kosovo signed a letter of intent with German airline Lufthansa on the resumption of direct commercial flights between Prishtina and Belgrade⁶. The US Embassy in Berlin hosted the signing ceremony, with the Director General of the Civil Aviation Authority of Kosovo, East Berisha, the State Secretary of the Ministry of Economy of Serbia, Milun Trivunac, the Managing Director of Eurowings, Michael Knitter, and finally Robert C. O'Brien, United States National Security Advisor. It was a tri-partite signed agreement under the US wing. Host Grenell, US Ambassador to Germany, reiterated that "the key to reaching the agreement signed on Monday was ignoring the longstanding political conflicts between the two countries and focusing instead on the potential for economic ties"⁷. The US diplomat argues that

political debate "is leaving us behind"⁸ and should be left to local actors with the appropriate knowhow. His aim is to stimulate the region's economy and provide job opportunities for young people - much in line with President Trump's American domestic agenda as well.

The agreement determines that no added taxes, fees or charges will be applied to the new operating direct flights between the two capitals, and also that the "responsibility for implementing the flight and ensuring its safe operation lies with the Kosovo Civil Aviation Authority and KFOR"⁹. The Kosovar representative at the signing ceremony, Berisha, disclosed that several meetings with all relevant actors were held at the US Embassy in Berlin to broker the deal. Berisha further explained that Kosovo's agreement was green lit "by the outgoing Minister of Transport a member of the AAK, party of outgoing Prime Minister Haradinaj"¹⁰. KFOR as a signing party to the agreement can be tied to the KFOR-Thaci agreement on Northern Kosovo, which only recently came to light by currently-interim Prime Minister Albin Kurti. According to the latter, the 2013 agreement halts activities and missions by the Kosovo Security Force in the northern part of the country and gives control of it to KFOR. The agreement is said to be signed by Thaci and the former NATO Secretary-General Rasmussen. Kurti's criticism does not go to the agreement in itself, with the politician even stating he deeply understands the importance of "NATO in ensuring the full territorial integrity of the Republic and its

⁶ Prishtina Insight, "Grenell visits Kosovo and Serbia", 24 January 2020, via: <https://prishtinainsight.com/grenell-visits-kosovo-and-serbia/>.

⁷ New York Times, "Serbia-Kosovo Flights to Resume Under U.S.-Brokered Deal", 20 January 2020, via: <https://www.nytimes.com/2020/01/20/world/europe/serbia-kosovo-flights-resume.html>

⁸ *Ibid.*

⁹ Prishtina Insight, "BIRN secures documents relating to air, road and rail connections with Serbia", 4 March 2020, via: https://prishtinainsight.com/birn-secures-documents-relating-to-air-road-and-rail-connections-with-serbia/?fbclid=IwAR0jIHuoqL_HpGfFq-bUuqiyygVrklBo7lXrRdTytm2gDETBegu28TBFFU.

¹⁰ Prishtina Insight, "Details of Kosovo-Serbia flight deal revealed", 20 January 2020, via: <https://prishtinainsight.com/details-of-kosovo-serbia-flight-deal-revealed/>.

citizens”¹¹. His criticism rather goes to Thaci’s abuse of power in signing such a deal, alleging that he “violated three articles concerning, allegedly, “the transfer of sovereignty, ratification of international agreements and an article pertaining to the removal of the Kosovo President”¹². On a more logistical front, Berisha also explained that passengers on the forthcoming direct flights between Prishtina and Belgrade would use national IDs, as agreed by both countries in EU-facilitated talks on Integrated Border Management and use of documentation for travel.

Reactions from the international community followed suite. NATO Secretary General Jens Stoltenberg hailed the deal “as an important step which will make the circulation of people and goods easier and faster within the Western Balkans region”¹³. NATO’s KFOR, as the letter of intent reads, “retains the authority in the airspace over Kosovo, pursuant to internationally recognized agreements on NATO’s Mission in Kosovo”¹⁴. O’Brien, present at the signing, boasted the deal as “historic” and Grenell himself praised the President’s role in the achievement, tweeting that “President Donald Trump once again led us to an historic victory”¹⁵.

Although there is a seemingly widespread consensus on the constructive nature of his agreement, especially negotiated when EU-facilitated talks are suspended, there is plenty of uncertainty clouding the

achievement. To begin with, the letters of intent were not immediately disclosed until the Balkan Investigative Reporting Network (BIRN) recently was able to get a hold of them from President Thaci’s office, six weeks after the first agreement on airspace was signed, in early March - “After seeking the documents for almost two months, on Wednesday BIRN obtained two ‘Statements of Intent’ signed by officials from Kosovo’s Ministry of Infrastructure and one ‘Letter of Intent’ signed by the Kosovo Civil Aviation Authority”¹⁶. As such, the public or civil society organizations were not able to properly oversee or monitor the content of the agreement signed. Transparency has definitely not ruled the negotiating process. Secondly, some expert point out, Berisha noted, that the agreement can be perceived as signed with Lufthansa as a facilitator organization, rather than between Kosovo and Serbia. The agreement does not, necessarily carry a bilateral nature. Lastly, and most strikingly, there is distrust on Serbia’s willingness to live up to the agreement. Marko Djuric, head of the Serbian government office for Kosovo, publicly stated that the deal on direct commercial flights would only be operational after the 100% tariff on Serbian goods is dropped, to which Kosovar representative in the signing ceremony in Berlin responded “Its senseless to sign a deal that will not be implemented. (...) I don’t know for what reason they signed then”¹⁷. Serbia’s lack of

¹¹ Exit News, “Kurti Hints at Impeachment of Thaci Over Secret NATO Deal”, 26 February 2020, via <https://exit.al/en/2020/02/26/kurti-hints-at-impeachment-of-thaci-over-secret-nato-deal/>.

¹² B92, “Kurti reveals details of a secret agreement between Thaci and the NATO Alliance”, 26 February 2020, via https://www.b92.net/eng/news/politics.php?yyyy=2020&mm=02&dd=26&nav_id=108019.

¹³ NATO, “Statement by NATO Secretary General Jens Stoltenberg on direct flights between Belgrade and Pristina”, 20 January 2020, via: https://www.nato.int/cps/en/natohq/news_172807.htm.

¹⁴ Prishtina Insight, “BIRN secures documents relating to air, road and rail connections with Serbia”, 4 March 2020.

¹⁵ Twitter, 20 January 2020, available via: <https://twitter.com/richardgrenell/status/1219242253631283202?lang=en>.

¹⁶ Prishtina Insight, “BIRN secures documents relating to air, road and rail connections with Serbia”, 4 March 2020.

¹⁷ Prishtina Insight, “Details of Kosovo-Serbia flight deal revealed”, 20 January 2020.

transparency going into the US-brokered deals is a cautioning issue for those analyzing the nature and success of the new, unexpected developments.

2. Restoring railway and developing highway connections between Kosovo and Serbia (14 February 2020, Munich Security Conference)

The second agreement recently brokered by US officials was that of letters of intent produced on restoring railway links and building road links between Kosovo and Serbia. This deal builds on the first and once more put high-level Serbian and Kosovar representatives side by side in a US-facilitated setting. As with flights, there is no Belgrade-Pristina train line and roads are poorly maintained.

Grenell had mentioned in late January, when the first agreement happened, that expert-level talks were also taking place on rail links between the two neighboring countries. No further details were released until an agreement was announced in mid-February. Present at the signing ceremony on the sidelines of the Munich Security Conference were a delegation from the Ministry of Infrastructure and Transport of Kosovo, and Marko Djuric, head of the Kosovo office of the Serbian government. Also in attendance were Presidents Thaci and Vucic and Philip Kosnett, US Ambassador to Kosovo. International media noted that "While the deals are mostly symbolic at this stage, the signing ceremony on Friday marked a rare moment of cooperation between two leaders who have refused return to the negotiation table for more than

a year"¹⁸. Indeed both country leaders praised the letters of intent on transportation, with Thaci labelling it "another milestone" and "great step" toward reaching a final mutually-agreed deal on normalizing relations and regional peace¹⁹. With an emphasis on the improved flow of goods and people, Grenell thanked "good friends President Vucic and President Thaci for their continued engagement and commitment to progress in the region"²⁰.

However, once again, **transparency has not been a forte in the handling of the negotiating process**. Upon getting the letters of intent from the President's Office at the beginning of March, BIRN noted that the railway agreement lacked an official government stamp or letterhead, and "no details regarding financing or dates for completion"²¹ were laid out in the text. It definitely renders Kosovo's political commitment a bit blurry. Such absence of transparency was particularly noted and condemned by Kosovo's new, and indeed recently toppled, Prime Minister, Albin Kurti. Kurti - officially appointed in early February and officially ousted and occupying the role as interim PM since 25 March - complained that those representing Kosovo for both agreements were under the wing of the former government, and therefore not linked or green lit by the, at the time, current incumbent, himself. This authority gap is especially remarkable given that Kurti also had also been in attendance at the Munich Security Conference, yet wasn't presented with the content of the agreement or authorized to sign despite his official role as Prime Minister of one of the contracting state parties. He noted that, while he certainly

¹⁸ Al Jazeera, "Another milestone: Kosovo and Serbia sign rail, road deals", 15 February 2020, via: <https://www.aljazeera.com/news/2020/02/milestone-kosovo-serbia-sign-rail-road-deals-200215021536359.html>.

¹⁹ Twitter, 14 February 2020, available via: <https://twitter.com/HashimThaciRKS/status/1228244720796815366>.

²⁰ US Embassy in Serbia, "Special Presidential Envoy Grenell on Serbia-Kosovo Rail and Highway Agreements", 14 February 2020, via: <https://rs.usembassy.gov/special-presidential-envoy-grenell-statement-on-serbia-kosovo-rail-and-highway-agreements/>

²¹ Prishtina Insight, "BIRN secures documents relating to air, road and rail connections with Serbia", 4 March 2020.

supports efforts to upgrade infrastructures and advance good neighborly relations, especially in rail connectivity being useful for his qualitative education plans, "it is nevertheless very important that the process be transparent, resulting from genuine negotiations, and in full compliance with the sovereignty and laws of the country, economic priorities"²². For this reason, former PM and current interim PM Albin Kurti always showed a cynical posture to the recently-brokered talks and signed agreements.

For instance, Prime Minister Kurti's agenda clearly laid out fighting corruption through local actors and domestic issues (i.e. rule of law, attracting investments) as priorities, rather than channeling all resources and energy into the dialogue with Serbia. When it came to the ongoing US-propelled talks with Serbia, Kurti had very limited contact during his tenure ship as head of Kosovo's cabinet.

The topic of the Kosovo-imposed tariffs on Serbia has proven to be the most divisive and most important one for the recent political developments in Kosovo.

Back in January, upon his appointment, Grenell publicly stated at a press conference that "business leaders in both countries agreed that the tariff must be dropped" in efforts to improve connectivity²³. In fact, how the tariff issue evolved under Kurti shaped up to the key challenge for his leadership and agenda. Since March 2020, the US started to exert more pressure on Kosovo to remove the tariffs imposed in late 2018, considering them a fundamental obstacle to the country's economic prosperity as well as not fueling good neighborly relations. Prime Minister Kurti proposed a government plan to gradually remove the tariffs with some partial conditions, yet this was not supported by

Kurti's coalition partner, the Democratic League of Kosovo (LDK), who wanted to abolish the tariffs "immediately, completely"²⁴. LDK did not bulge for they are eager to keep good relations with the government in Washington DC, which was clear in stating the need to abolish the tariffs as soon as possible, rather than gradually. As such, the government was unable to appease the US' request and sanctions ensued - on March 13 2020 an American foreign aid agency tied to the US Congress announced it would be suspending two of its standing programs with the Republic of Kosovo, until the tariff issue was finally resolved. The Millennium Challenge Corporation stated that "The United States' position regarding Kosovo's tariffs against goods from Serbia is clear. Lifting these tariffs will improve Kosovo's economy and help reduce poverty through economic growth. Until Kosovo's tariff issue is resolved, MCC will pause implementation of the threshold program and development of the proposed compact program in Kosovo"²⁵. In the United States being a main, arguably the most important, state ally to Kosovo, the tariff issue was early on expected to impact Kurti's governmental priorities and political gambles.

As a result of this escalated war of words and economic retaliations matched with the differing opinions between Kurti's Vetevendosje and his junior party in governing coalition LDK, the latter proposed a no-confidence vote. The government was successfully toppled with 82 votes in favour, 34 against, and 1 abstention²⁶. The vote and eventual fall of the government in a time of particular national and global strife caused by the COVID-19 pandemic was met with deep mistrust by citizens, institutions and

²² Al Jazeera, "Another milestone: Kosovo and Serbia sign rail, road deals", 15 February 2020.

²³ Prishtina Insight, "Grenell visits Kosovo and Serbia", 24 January 2020.

²⁴ Prishtina Insight, "Kurti apologizes for failure to implement tariff plans", 15 March 2020, via:

<https://prishtinainsight.com/kurti-apologises-for-failure-to-implement-tariff-plans/>.

²⁵ *Ibid*.

²⁶ Balkan Insight, "No-Confidence Vote Topples Kurti Govt in Kosovo", 25 March 2020, via <https://balkaninsight.com/2020/03/25/no-confidence-vote-topples-kurti-govt-in-kosovo/>.

international actors. In fact, protests had ensued against the motion for a week, from citizens locked inside their homes because of the Coronavirus restrictive measures in place. On 1 April, all tariffs on goods from Serbia and Bosnia and Herzegovina were officially lifted²⁷. This had been announced by Kurti in March as a plan to gradually abolish the ever-mentioned tariffs, when he started by lifting the tax off raw materials. The final abolishment move was praised by international actors, in particular by the EU's High Representative Josep Borrell who stated that "Regional cooperation is key as is maintaining flow of goods, in particular in times of crisis COVID19"²⁸.

Outgoing and incoming governments aside, when will the letters of intent signed start to be implemented? How will the talks materialize in practice in addition to in paper? The way forward is more unclear and vague by the day.

UNCLEAR WAY FORWARD: WHAT TO MAKE OF THE SUDDEN HIGH-LEVEL US ENGAGEMENT?

As promising as letters of intent and subsequent agreements are for economic dynamism and cooperation, implemented deals are lined up to be even more promising. As things stand, there is no real clarity on when commercial direct flights between Prishtina and Belgrade would start running, or when the railway and highway infrastructures would see improvements.

Amid the agreement fury and lack of transparency, many questions remain and many more arise. What is to be made out of Grenell's appointment? Some have praised the move, not only for signaling a revamped US engagement in the stalled dialogue and tense neighborly relations, but also for

Richard Grenell's persona in particular. As US Ambassador in Germany and formerly posted to the US Mission to the United Nations, Grenell materializes the transatlantic bond and showcases mediation experience. His high-level standing and added impetus certainly revived Kosovo-Serbia talks in their ultimate goal of Euro-Atlantic integration. In contrast, some have condemned the choice in view of his controversial nature, already having experienced several gaffes in European soil²⁹. Similarly, what is to be made out of this sudden more active US participation in finding a lasting resolution to the Kosovo-Serbia conundrum? Notwithstanding Grenell's assertion that he has no agenda, geopolitics is a power game and agendas are a given. In point of fact, I argue that the lack of transparency to the abovementioned process, on the recent agreements signed and the respective available documents, pertains three layers: the domestic level of Kosovo, the international level of the US and the EU, and the neighboring level of Serbia.

Firstly, on the **lack of transparency it can be argued that the wrong people were involved in the US-brokered process and agreement completion, particularly on the Kosovo side**. In addition, very little was publicly disclosed about the content, let alone the negotiating chips on the table for the agreements. Only after civil society consecutively pressured the President's office for the original copies of the signed agreements was the public made (more) aware of the conditions set and parties at stake. This signals extremely low accountability to the citizens and low confidence in the normalization of relations³⁰. The main and only contact civil society and Kosovar citizens alike have with

²⁷ Deutsche Welle, "Kosovo lifts all tariffs from Serbian, Bosnian goods", 1 April 2020, via <https://www.dw.com/en/kosovo-lifts-all-tariffs-on-serbian-bosnian-goods/a-52975561>.

²⁸ *Ibid.*

²⁹ New York Magazine – Intelligencer, "The Scariest Part of Richard Grenell's Appointment", 20 February 2020, via: <https://nymag.com/intelligencer/2020/02/richard-grenell-director-national-intelligence.html>.

³⁰ Balkan Insight, "Buckle Up: Serbia-Kosovo Flight Deal a Wake-up Call for All", 22 January 2020

the letters of intent and/or agreements are the accolade tweets by President Thaci and President Vucic, former Prime Minister Haradinaj, and other country representatives from the relevant Ministries. As follows, the role of the Presidential figure as commander of the process of normalizations of relations between Kosovo and Serbia is reinforced, despite Kosovo being a parliamentary democracy and MPs' oversight over the Executive being a chief accountability measure. When it comes to a potential final deal, those posing themselves to be helming negotiating talks, mediated or not by international actors, are the two Presidents. In turn, Albin Kurti's voice as elected Prime Minister at the time of the agreements, was cancelled out. This is particularly important in light of Kurti's recent unveiling of the secret agreement between former NATO Secretary General Rasmussen and then-Prime Minister Thaci, back in 2013³¹. As noted in the previous chapter, such an agreement is argued by Kurti to go against national sovereignty and should have been made public.

Kurti kept insisting and raising awareness on this lack of transparency by mentioning a secret land swap plan, devised by the Kosovar and Serbian presidents. He argued such a plan and clear bilateral nature of talks could explain the hostilities his government is receiving. However, top US diplomats engaged were quick to react with a joint statement dismissing this claim - "The statement was signed by US Special Envoy for the Kosovo-Serbia dialogue, Richard Grenell, the US Ambassador to Kosovo, Philip Kosnett, and the US Special Representative for the Western Balkans, Matthew Palmer"³². Adding the tariff issue to the mix, indeed relations between Kurti and the US were solely deteriorating, which definitely

prompted LDK to act faster with its motion of no-confidence as a means to salvage the partnership.

Notwithstanding the government that will be appointed after Kurti's interim turn is over, a clearer way forward must definitely include the new government. Kosovo's cabinet is equipped with a democratically-elected and is able to should inject a breath of fresh air into the Dialogue with Serbia, and therein enable progress on the path to normalized relations.

Secondly, there is a **lack of transparency from the two strategically invested international actors, the EU and the US**. On the EU's side, the EU-facilitated dialogue lacks clarity and real strategy underpinning its progression. The EU may have integrated the requirement for normalizing relations into the accession negotiations with Serbia and into the Stabilization and Association Agreement (SAA) with Kosovo, yet a deficiency remains in the intended scope and aims of a Dialogue final solution. Furthermore, the Dialogue has been stalled since 2018 and only now, in April 2020, did the EU seek to formally revive its engagement by appointing a new special envoy. The timing of this move in light of the ongoing US-dominance of the topic, could be grilled. Nevertheless, revived engagement from the EU as a strategic partner in the region and to Kosovo as a hopeful member state, has cross-party support in the newborn Republic.

On the US' side, President Trump is bringing his business impetus to the Kosovo-Serbia peace process. As laid out by US Special Representative to the Western Balkans, Matthew Palmer, "improved relations and progress in talks with Serbia open potentially lucrative and job-creating investments all of Kosovo's citizens can

³¹ Balkan Insight, "Kurti Seeks Kosovo President's Sacking Over 'Secret' NATO Deal", 26 February 2020, via: <https://balkaninsight.com/2020/02/26/kurti-seeks-kosovo-presidents-sacking-over-secret-nato-deal/>.

³² Prishtina Insight, "Secret land swap plan dismissed by US", 27 March 2020, via <https://prishtinainsight.com/secret-land-swap-plan-dismissed-by-us/>.

benefit from”³³. Regional, Kosovar and Serbian interests aside, what is the real intention for the revived US diplomatic efforts, especially out of the blue? The back-to-back appointments of two Special Envoys indicate President Trump is looking for another presidential win to prove his global soft power influence and successful run as President. At a time when the EU is shuffling its agenda and enlargement methodology along with the newly-appointed von der Leyen Commission, the US might have seen a power vacuum opportunity. As such, strategic moves were made to cover the vacuum with a blanket of American leverage, and impede dialogue talks between the two neighbors to decay any further. Trump would certainly like to be the one facilitating mutual recognition of the two countries. Looking back, President Trump has sought out flashy accomplishments which impress the electorate and show real results – some examples include holding talks with North Korean leader Kim Jong-un for the first time in US history, ordering drone strikes on Iranian major general Soliemani, and proposing an Israel-Palestine plan pushing for a two-state solution. As a matter of fact, in the aftermath of the first Grenell-facilitated agreement signed by Kosovo and Serbia, Trump labelled it “another win”³⁴, therein showcasing the power of his administration’s diplomacy. Grenell has already hinted that “There are more announcements coming soon because both sides are eager to move forward”³⁵, which implies US diplomatic efforts under President Trump won’t be stalling anytime soon. For this reason, Grenell’s appointment could be construed as a push, not so much for Kosovo-Serbia

normalized relations and mutual recognition and Kosovar recognition, but more so for President Trump to boast another international win.

Lastly, the **lack of procedural transparency in Serbia’s engagement in the process**. While letters of intent have been produced, agreements signed and accompanying photo-ops delivered, Serbian authorities remain ambiguous as to their commitment to compromising with Kosovo. Seeing the dialogue unblocked is certainly positive for Serbia’s growth and economic dynamism yet it does imply indulging a state they do not recognize. For this reason, they seem to go back and forth along an awkward road of complying with talks yet reiterating their non-recognition of Kosovo – “We have a different stance on the recognition of Kosovo than America and Pristina. They want that independence to be recognized, we don’t”³⁶. Most pressingly, the 100% tariff imposed by Kosovo is absolutely dismissed as foul-play by Serbia, and certainly not accepted as bargaining chip to Kosovo’s wishes that they will only lift the tariff when Serbia recognizes Kosovo’s independence or stops its lobby for UN Member States to revoke recognition. Furthermore, President Vucic did not acknowledge Kosovo when addressing the public after signing the agreement on restoring railway and highway links. He instead praised the agreement as objectively “important for the freedom of movement of people, goods, capital, and service” and thanked President Trump and US

³³ US Embassy in Prishtina, “Special Representative for the Western Balkans Matthew Palmer – Speech in Pristina”, 1 November 2019.

³⁴ Twitter, 21 January 2020, available via: <https://twitter.com/realDonaldTrump/status/1219433612753289216>.

³⁵ European Western Balkans, “Grenell urges new Kosovo government to abolish tariffs as soon as possible”, 4 February 2020, via: <https://europeanwesternbalkans.com/2020/02/04/grenell-urges-new-kosovo-government-to-abolish-tariffs-as-soon-as-possible/>.

³⁶Euractiv, “US envoy tells Serbia, Kosovo to make concessions, cooperate”, 24 January 2020.

Ambassador Grenell for their facilitating role³⁷.

CONCLUDING REMARKS

All things added, the legality of the agreements and talks themselves can be contested. The US entered into historic talks with the two Presidents of each signing state, and seemingly discarded the Cabinet's role. Not only that but the final texts of the signed agreements concerning air links and railways connections were not immediately or easily made public. Moreover, Albin Kurti was adamant in his campaign against corruption and secrecy of past leadership in Kosovo, from a potential land swap agreement to a NATO-deal by the hands of Hashim Thaci.

The agreements are promising and a positive sign, not only for their ambition but in spanning from a more-engaged US ally - yet such positive developments mustn't be taken blindly. It will be the task of the new government to-be to keep scrutiny high and ensure citizens' trust is restored in the process, let alone the government.

A revived United States engagement in the region and in the Kosovo-Serbia

normalization of relations process is certainly welcomed. Nevertheless, it is important to flag ambiguities and make clear what is at stake. As things stand, there are (too) many questions related to the sudden appointment of Matthew Palmer and, especially, Richard Grenell, to facilitate a constructive progression of good neighborly relations between the two sovereign states. The actors involved are not being transparent and the newly-elected Kosovar leadership is not being involved as it should be - transparency and accountability should lay down the law in the process. Civil society and citizens alike should be aware of this and raise their voices to anything going against this democratic principle.

³⁷ Balkan Insight, "Serbia, Kosovo Leaders Welcome Deal to Restore Rail Link", 14 February 2020, via:

<https://balkaninsight.com/2020/02/14/serbia-kosovo-leaders-welcome-deal-to-restore-rail-link/>.

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