

Kosovo: the best of the bad solutions

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Trapped between the maximalist objectives of Washington and Moscow, time is running out for the European Union to develop a response to the apparently inevitable and uncertain independence of Kosovo.

Faced with an apparently inevitable declaration of independence, the EU must remain united and follow a realistic policy while distancing itself from maximalist US and Russian positions. The goal is to prevent an independent Kosovo from becoming a failed state.

There is no good solution to the problem of Kosovo. This is the harsh reality that is gaining currency as December 10 - the deadline for Kosovo's final status negotiations - approaches. The most important thing is therefore to now find the best of bad solutions for this territory with a total area similar to Asturias. Of its two million inhabitants, 90% are Muslim Kosovo Albanians who want independence and 7% are Orthodox-Christian Serbs who are opposed to it. Everything seems to indicate that the solution will be based on a supervised independence for Kosovo.

Although Kosovo was never an independent state, Kosovar nationalism has seen the chance to fulfil its dream of independence. After four and a half centuries of Ottoman occupation, ethnic strife erupted in Kosovo between the Albanian majority and the dominant Serbian minority. In 1974, Tito granted Kosovo "autonomous province" status within Yugoslavia, but this never satisfied the Albanians as their political status was inferior to that of the six republics of the federation (Serbia, Croatia, Bosnia-Herzegovina, Slovenia, Montenegro and Macedonia).

In 1989, as Serbian nationalism intensified, Slobodan Milosevic abolished Kosovar autonomy. Faced with increasing resistance, Serbian troops commenced a wave of massacres that led to NATO's decision to intervene militarily against Serbia in 1999 in order to avoid genocide. Since then, despite forming part of Serbia de jure, Kosovo has lived under the aegis of the UN and does not in fact depend on Belgrade but on the local institutions that have been created over the last eight years.

Negotiations to resolve the status issue over the last six months between the Serbian and Kosovo delegations has not advanced at all. Kosovo Albanians consider that independence is the only just solution after so many years of oppression. Belgrade refuses to relinquish sovereignty over Kosovo, insisting on Serbia's territorial unity and offers instead variations on the formula of "more than autonomy, less than independence". For Serbians the whole issue has a historical and emotional dimension; they consider that Kosovo is the birthplace of their nation. To overcome

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this impasse, there has to be a winner and a loser. In other words, negotiations have become a zero-sum game.

Within the international troika that has been guiding the negotiations, Washington sympathises with the Albanian majority and favours Kosovo's independence; Moscow supports Serbia and insists that UN Security Council Resolution 1244 - which states that Kosovo forms part of Serbia - should be respected. The EU backs UN mediator Maarti Ahtisaari and his plan for an EU led supervised independence.

Since 1999, Washington has openly supported Kosovo's independence, raising the expectations of the Albanian majority. It is hardly surprising that streets in Kosovo's capital, Pristina, are a potpourri of homages to Bill Clinton, Madeleine Albright and George W. Bush. After the Iraq quagmire, Washington expects Muslim public opinion to view Kosovo's independence as a success story. This independence would also provide the US with a strategically valuable military base within firing range of the Middle East.

For Vladimir Putin, Kosovo has become just another pawn for Russia's resurgence. Russia's declared intention to veto Kosovo independence in the Security Council reflects its geopolitical ambitions rather than Slav solidarity with Serbia or any kind of concerns - legitimate or not - in relation to the Chechen Republic or Abkhazia and South Ossetia. In any case, Kosovo offers Russia the opportunity to defend its national interests from a position of legality.

Serbia's Prime Minister, Vojislav Kostunica, relies heavily on Russia. After stating that he opposes his country's membership to NATO, he presents the booming economic relationship with Moscow as an alternative to a European future for Serbia. Few Serbs, however, seem convinced: polls show that 70% of Serbs are in favour of joining the EU.

It remains to be seen whether the announcement this week of the initialling of the Stabilisation and Association Agreement (SAA) between the European Commission and Belgrade will fulfil its aim of appeasing Kostunica's aggressive rhetoric when referring to Kosovo. Despite the fact that war criminals Radovan Karadzic and General Ratko Mladic remain at large, the EU appears to have opted for a strategy of trying to compensate the foreseeable violation of Serbian territorial integrity.

The EU is desperately seeking to avoid open disagreement between its member states. Most European states accept independence as the only realistic solution, as no degree of autonomy will satisfy the Albanian majority's yearning for independence. However some states, including Spain, have been hesitant to back Kosovo's secession.

Spain is worried about the proliferation of new European states (Kosovo would be the 23rd new European State since the Cold War ended). Another concern is the fact that not having been independent previously would set a convenient precedent for the secessionist aspirations of sectors in Catalonia and the Basque Country. Spain should consider however, that the risk this precedent might involve does not justify dividing the EU in such an unstable scenario. When taking a stance in Brussels, Madrid should recognise that it is preferable to be aligned with the European majority and to maintain the 620 Spanish soldiers deployed in Kosovo so that this territory will remain more "inside" than outside the EU.

The danger of a "domino effect" in the Balkans cannot be denied. Warnings are coming from Belgrade and the Republic of Srpska regarding the latter's possible separation from fragile Bosnia-Herzegovina if the Kosovars achieve independence. Nevertheless, the EU should realise

that the *de facto* situation in Kosovo will overcome the *de jure* reality. After eight years of UN supervision during which it has not had to answer to Serbia, Kosovo has the *de facto* attributes of a state. That said a fragile state.

The international community, led by the UN, has had to face major challenges in establishing the rule of law and setting up institutions in Kosovo. Events in March 2004 when 21 Serbs died, in addition to the prevailing corruption, reveal that Western democratic principles have succumbed to ethnic tensions and the informal arrangements of a society based on clans. Despite 1.6 billion euros in EU funds invested into Kosovo's development, unemployment among young people between the ages of 15 and 24 is a staggering 75%.

On the other hand, nobody knows for certain what will happen in the north of Kosovo, where the Serbian majority boycotts the incipient Kosovo institutions and survives thanks to parallel financial institutions funded by Belgrade. Partition – at least *de facto* – is also very likely.

There is a real danger that Kosovo could become a failed state on Europe's fragile south-eastern border. The time has therefore come for the EU to stand united and develop a more far-sighted policy than the maximalist US and Russian positions. This would mean accepting an imminent unilateral declaration of independence by Kosovo and adopting all the necessary measures so that Kosovo can become a future EU member and not the epicentre for the European black market. This would be the best of bad solutions for Kosovo and for Europe.

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