



DISINTEGRATION OF YUGOSLAVIA – KOSOVO ACT

Beginning of the war in former Yugoslavia was marked by a scene that completely demonstrated the absurdity of everything that has happened. When in June 1991 Slovenia, then one of the republics of former Yugoslavia, decided to declare the independence, the Yugoslav government (led by a Croat) sent troops to occupy the border crossings. The military action was participated by beardless young men from all over former Yugoslavia, most of which was 18 years old and unprepared and unequipped to military action. They were opposed by members of the Territorial Defense of Slovenia made up of citizens. At one point the young soldiers found themselves in front of a border crossing that was defended by the territorial defense. Television reporter came to a soldier who was lying in the grass by the road and asked him: **"What happens?"** The young soldier replied honestly: **"What do I know? They seem to want to secede, and we should supposedly stop them!"**.

Twenty years later, at the border, this time between Kosovo and Serbia, there's a similar scenario. It all started on September 16 when the mission of the European Union (EU) in Kosovo took control over the two border crossings, Jarinje and Brnjak, from international military force (KFOR). These two crossings between Kosovo and Serbia are located in northern Kosovo that is populated by Serbs.

They have been controlled by KFOR since July this year when clashes erupted between the Kosovo special police units ROSU and the Serbian population. In this conflict, which was preceded by ROSU's attempt to take over border crossings, a policeman was killed and the border crossing Jarinje was burned and destroyed. The agreement by which the forces of KFOR controlled the crossings expired on September 15. Belgrade and Pristina, meanwhile, on September 2 in Brussels reached an agreement regarding customs seals, that is, agreed to the compromise proposal of the EU. The problem about not recognizing Kosovo customs stamps by Serbia led to the decision of the government in Pristina in July to ban imports from Serbia into Kosovo. Since that decision was not respected at the two crossings in northern Kosovo, the Kosovo government has decided to take them by force. Police action ended in a fiasco, policeman's death, conflicts with the local Serbian population and burning of customs crossings while KFOR had to take responsibility for the control of the crossing to stop the unrest. The agreement on customs seals allowed the Serbian goods to be re-imported to Kosovo and that Kosovo goods for the first time after the 2008 can pass through Serbia. But as it usually happens, when a conflict breaks out all the problems come to the surface, so that solving of the conflict does not imply peace.

The economic cooperation between Serbia and Kosovo was restored in, but the problems and other roadblocks remained. The reason is that the Brussels' agreement has not solved the key problem. Belgrade considers the crossings between Kosovo and Serbia as administrative transitions while Pristina as international crossings between the two countries. Accordingly, Belgrade accepts the presence of only EULEX members at the crossings while Pristina wants to see their customs and police officers.

Those are the conditions of a new absurdity that resembles that of twenty years ago. Over EULEX the European Union has taken two border crossings, but, in order to satisfy the government in Pristina and obtain their support for the action, provided symbolical presence of a Kosovo police officer and tax collector!? The EU expected that this and the fact that the operational work of customs clearance and control "performed by" members of EULEX police and customs will be enough that the local Serbs and Belgrade accept this solution. The presence of Kosovo customs and police allowed the government of **Hashim Thaci** to almost imperceptibly revoke the ban on the entry of Serbian goods into the territory. Unlike the situation in July, when the Kosovo Prime Minister at a press conference triumphantly announced the ban for goods from Serbia to Kosovo, now nobody would know that the ban was revoked hadn't it been for journalists who have noticed that the trucks from Serbia began to enter Kosovo. Local Serbs, as well as Belgrade, weren't prepared to accept even a symbolic presence of the Kosovo police and customs at two border crossings in northern Kosovo.

Their answer was - the crossing and all roads in northern Kosovo will be blocked until the Kosovo customs and the police leave the crossing. KFOR has accepted the blockade surprisingly peaceful, immediately announcing they would not do anything against this action as long as there's no violence. International military forces have found a solution - their forces at the two border crossings that are surrounded by Serbs, they supply from the air - by helicopters. Thus, the local Serbs for the first time since the withdrawal of Serbian army and police in 1999 can say they control the north of Kosovo. Communication with Serbia was never an issue for the local Serbs - it goes smoothly through alternative border crossings. The Serbian government said to its citizens they "controlled the situation in Kosovo" (?) and returned the north of Kosovo in the Serbian tax system.

The public hasn't almost noticed that the Serbian government and local Serbs accepted customs payment at the border crossings, even at those in the north. Their request is no longer not to charge customs, but that it shouldn't be charged by Kosovo police and customs officers and that customs revenue should be used in the north of Kosovo for municipal development.

The consequences of accepting to pay customs duties are manifold. This does not necessarily mean that local Serbs and Serbian government recognize Kosovo's independence because there are countries in the world with different customs and tax systems.



The requirement that the money collected from customs remains in northern Kosovo means that the local Serbs want substantial autonomy, greater than by the Ahtisaari plan (the plan of UN mediator and former Finnish President Martti Ahtisaari on the basis of which Kosovo declared independence and adopted the Constitution) in relation to Pristina, in order to decide on their own destiny. Finally, if the government of Kosovo accepted the request, it could legitimately ask the question to which local governments the money collected from customs in northern Kosovo will be paid? Simply put, the Kosovo government could seek local elections in the north of Kosovo organized by Pristina and that is the way to the abolition "parallel structures" of local Serbs in the north, which is a precondition for Serbia by Germany to continue its path of European integrations.

Therefore, in this Kosovo play there is seemingly tense situation, barricades, citizens and KFOR in the streets - which at first glance seems as a war should break out any moment. On the other hand, in recent days all sides have made more compromises than in years back. All the players in this play declared victory in the local public. The government of Hashim Thaci said that Kosovo police and customs officials are present at the border crossings in northern Kosovo for the first time since independence in Kosovo. The fact that they're doing nothing there, that only one tax collector and policeman is present and completely surrounded by the local Serbs is irrelevant. Thaci needs a "winning atmosphere" so that it would pass unnoticed the decision of his government to lift ban on trade of goods from Serbia by which Serbia earns nearly \$ 500 million

a year and Kosovo only a few dozen million dollars. Serbs in northern Kosovo say they have prevented the arrival of the Kosovo police and customs officers to border crossings and that they fully control the part of Kosovo where they live. The fact that they cannot use the main roads is irrelevant because their communication with Serbia is flowing regularly through alternative crossings. The European Union says it controls the two border crossings not allowing any "illegal" traffic. The EU is not interested in the trade between Serbia and Kosovo in the north in addition to the two "controlled". Serbian government says it actively stood by its citizens in the north and prevented the north crossings to become international. Finally, KFOR can say that it has protected border crossings and secured the peace and safety in Kosovo even though in the north it is moving only in the air. So, it seems that everyone has won. Only ordinary people, both Serbs and Albanians, are at a loss.

All parties in this play take very much care not to cross "red lines" after which there's no coming back.

The Kosovo government has given up trying to take the north of Kosovo by force hoping the EU would do that by putting pressure on Serbia regarding the process of European integration. Local Serbs in northern Kosovo carefully keep their protest peaceful and nonviolent because any use of force and weapons would give rise to KFOR to take action against them. KFOR is careful not to enter into conflict with the peaceful and unarmed civilian Serbian population in Kosovo.



A conflict with civilians would cause irreparable damage to NATO not taking into account that the army never has a chance with the civilian population that uses the methods of nonviolent resistance. In addition, we shouldn't forget that the KFOR commander is a German General and that the majority of troops in the north make the German soldiers. The German public is very sensitive to deploying of its troops outside the borders of Germany so that any conflict that would endanger the German soldiers could easily become an election issue, inconvenient for the government. Serbia is trying to stand behind their compatriots in the north but without spoiling relations with the European Union from which it expects candidacy for EU membership in October and a date for starting EU accession negotiations before the elections.

At this point no one can assess how the Kosovo crisis will develop. The problem with crises of this kind is that one unforeseen event or an incident can trigger an unstoppable wave of violence and conflict. Simply put, all actors of the Kosovo crisis are sitting on a powder keg with a match in their hands.

Another problem is that the crisis has raised expectations among the population in Kosovo, both Albanians and Serbs. When compromises are achieved, the politicians who are the bearers of such events can very easily become political victims because the public will be assessing whether they had been too lenient. The Serbian side has one additional problem. It is unclear in what extent Belgrade actually controls leaders in northern Kosovo.

In relation to the crisis in July when Belgrade negotiator **Borko Stefanovic** played a major role both in the media and on the barricades or in talks with KFOR, now the main role is played by local leaders - the presidents of Serbian municipalities in northern Kosovo. The fact is that the crisis that broke out in July this year has brought closer the official Belgrade and leaders of local Serbs in northern Kosovo, so any solution supported by Belgrade without the consent of the Serbs from the north could lead to accusations against the Serbian government that it "betrayed" the Serbs in Kosovo. Government doesn't need such accusations during the election campaign.

The crisis that is still going on shows that Kosovo will not be able to live as during the last three years. Many processes have been initiated and some facts are already clear:

First, Kosovo has failed to take root as an independent state which is a member of all international organizations. The government in Pristina is under international protectorate, does not fully control its territory and the Serbian minority in Kosovo does not accept the fact that they live in an independent state. None of these problems Pristina cannot solve without the agreement with Serbia.

In short, it is irrelevant how many countries will recognize Kosovo's independence. While this is not done by Serbia - Kosovo is not a true state.

Second, the Serbs living in Kosovo do not accept the independence of this Serbian province. The crisis has united the Serbian population and enabled them to grow into a strong political force.



The government in Pristina missed the opportunity to show the Serbs that they are part of Kosovo society. In places where Serbs live little has been invested, the Serbs do not get employed in public enterprises, even to the extent guaranteed by the Constitution and laws of Kosovo; the safety of movement and employment throughout the province is not secured. Serbian minority is not equal to the Albanian majority and this is very uncomfortable fact for the government of Hashim Thaci. The Kosovo government has missed an opportunity to establish good relations with Serbs living outside Kosovo's north, who account for more than half of the Serbian population in Kosovo. Additionally, the Kosovo government has almost done nothing to return to Kosovo over two hundred thousand Serbs who live in exile in Serbia since 1999. Therefore, the Kosovo government encountered this crisis unprepared and got as partner the leaders of Serbs in northern Kosovo who are now speaking on behalf of all Serbs in Kosovo.

Serbs in northern Kosovo are committed to nonviolent resistance and refusal to accept the new state institutions. They grew up into an independent political force that demonstrates independence in relation to Belgrade. Without an agreement with them, there is no solution in Kosovo.

Third, the international community, particularly countries that are "sponsors of Kosovo's independence" as the United States (U.S.), Great Britain, Germany and France must recognize the fact that Kosovo can begin to live as an independent state only if the Serbs accept that.

Presently these countries are trying to solve this problem by exerting strong pressure on Serbia - by conditioning its European integration process by the abolition of parallel Serbian institutions in Kosovo. It turned out that this type of pressure on Serbia cannot give results expected by the great powers. The government in Belgrade wants to continue the European integration but it cannot "commit a political suicide" in election campaign and deny the Serbs in Kosovo. During the crisis, Kosovo had once again become an important issue in Serbia.

It seems that it's high time the most important countries in the international community realized that the Serbs living in Kosovo cannot be forcibly made to accept Kosovo as an independent state.

They protest in the same way that Kosovo Albanians boycotted Serbia in the period 1989 - 1999 by not participating in the elections in Serbia and even refusing to send their children to Serbian schools. If that Albanian protest against Serbia was a democratic act and expressed will of the people then the present Serbian refusal to participate in Kosovo elections must be understood in the same way. Therefore, a new agreement on Kosovo will have to take into account the demands of the Serbs in terms of greater autonomy and independence. It will be necessary to recognize that the Ahtisaari plan, especially in the domain of the protection of Serbs, is not completed and that it needs further work. Maybe it's time to organize an international conference on Kosovo that would be modeled on the Dayton conference to solve the existing problems?



Fourth, the government in Pristina will have to understand that if it really wants to have their independent state then the problems in their country have to be solved independently, considering each of its citizens regardless of whether s/he is a Serb or an Albanian and not to wait for the U.S. or EU to solve every problem. If Kosovo Albanians want Kosovo Serbs to accept Kosovo as an independent state, they ought to do a lot of concrete steps that would restore the confidence of Serbs. This of course raises the question whether such a role is suitable for the current Kosovo Prime Minister Thaci, whom the Serbs accused of war crimes and trade of captured Serbs' bodies during the Kosovo conflict.

Fifth, the government in Belgrade will have to enable Serbs in Kosovo to self-organize and to make decisions in their best interest. Use of the Kosovo Serb and Kosovo in the daily politics will not help to permanently solve the problems of Serbs in Kosovo.

If all actors in the Kosovo play understood what is happening in Kosovo and are ready to correct their policy and mistakes and work hard to stabilize the situation, then we can expect the ongoing Kosovo crisis to be the last in the former Yugoslavia. In this case, there is hope for a European future of Serbia, Kosovo and the entire Western Balkans and for the historic agreement and reconciliation between Serbs and Albanians.