

PERMANENT SOLUTION OR PERMANENT DEAD-END?

The dialogue between Belgrade and Priština , out of which European Union (EU) and the leading western countries expect much, entered the final phase in which either it is going to be agreed the first long-term and compromising solution which can be the introduction into the permanent solution of the problem of Kosovo or the negotiations are going to enter a dead-end and Kosovo is going to remain „ frozen conflict“ like the one in Cyprus.

When on February 20th in Brussels was finished the fifth round of Belgrade and Priština negotiations, which central theme was the question of the north of Kosovo , it was clear that the negotiations entered in quite delicate phase. It was confirmed by the fact that after the meeting only the High Representative of the European Union for foreign policy Catherine Ashton under whose patronage the dialogue was made addressed to the media and not Serbian or Kosovo's Prime Ministers. Mrs Ashton only marked that „ serious progress was made“ as well as that the continuing of the dialogue was determined on March 4th.

Media still, a bit later, indirectly found out what „the serious progress“ meant. These were the steps that were taken in order to be solved the question of Serbian institutions on the north of Kosovo which Priština addresses as „ parallel“ because they were not elected at Kosovo's elections and according to the Kosovo's laws and Serbia addresses them as state ones, and the only legitimate, because it does not admit the independence of Kosovo, as well as Serbs who live on the north of this province. A bit earlier, Serbia agreed to withdraw its state presence on the north of Kosovo but under a condition to be created a community of Serbian municipalities which would have the executive jurisdictions , which would include the jurisdictions for the police, judiciary, health care system, educational system and other jurisdictions. As a crucial movement towards the agreement ,Serbia agreed that this kind of community of Serbian municipalities became the part of Kosovo's institutional authority. It is notable that the Prime Minister of Kosovo Hashim Tachi accepted to negotiate on that question but did not accept that the community of Serbian municipalities had a political role in the government on the territory of whole Kosovo, meaning that it had got the executive jurisdictions. At the negotiations Tachi offered that „ all parallel structures of Serbia (on the north of Kosovo) immediately dismiss“ and then promised to , together with Serbia, „ search for other possibilities concerning the educational system, health care system, civil office workers, either to ajust or to get transformed“. Thus the Brussel's meeting ended with great progress and the agreement to Prime Ministers do the additional consultances with the main authorities in Belgrade and Priština, in order to try , at the next round of negotiations , maybe to come to the final solution.

Sudden constructiveness of Belgrade and Priština which started solving the problems that they had not done in the previous thirteen years has got its background in the pressure of the European Union to the both sides. Serbia is looking forward to receiving the date of the beginning the negotiations about the membership in the European Union, and it depends on the mark of the European Commission (EK) , among other things how progressive the judiciary reforms have been, is there and how much of the success there is in the struggle with organized criminal and how far went the normalisation of relations with Kosovo in which Germany specially insists on the abolishing of Serbian security forces on the north of Kosovo. On the other hand Priština is hoping to receive the date of the negotiations about the Stabilization and Joining the Union Agreement (SSP). The Prime Minister Tachi confirmed before beginning of the fifth round of negotiations that it was quite important to Priština. Beginning of negotiations about the Stabilization and Joining Agreement with the Union would be a great success for Tachi's Government which is not managing to solve other most important problems of Kosovo's citizens. Serbian Prime Minister Ivica Dačić is facing the similar situation and he said to the press before the beginning of the fifth round that „ not receiving the date of the negotiations could destroy the dialogue because it would create a pressure with Serbs that we are simply never going to receive anything from the European Union and that this dialogue should not be led at all.“ Dačić added that it was most important that Serbia and Kosovo made an agreement and found a fair solution.

The Prime Minister of Kosovo Hashim Tachi informed his citizens after returning to Priština that „ the negotiations with Serbia were difficult“, for him personally as well as for citizens and the institutions of Kosovo. These conversations were about to bring, he added, „ difficult decisions“, but he also added that those decisions „ were not going to be in any way in opposition to the Constitution and the laws of Kosovo“. Kosovo's Prime Minister said that he was not going to let the municipalities with Serbian majority to form mechanisms which can do the executive and constitutive authority, that ,as he said, „on Kosovo was never going to be the „Republic of Srpska“, nor the autonomy, nor special status, nor the separation. Those credits of his he named „ the red line“. All of this Hashim Tachi tried to explain to the representatives in the Parliament of Kosovo but he was stopped in that idea by the representatives of ultra-nationalistic movement „Self-determination“ who surrounded the stage he was addressing from. Kosovo's Prime Minister did not miss to emphasize that for „ the difficult decisions“ his Government expects that the perspective of Kosovo is going to be opened for the joining the United Nations, European Union and NATO. Kosovo's Government also took another steps so Kosovo's media announced that „Tachi is preparing a ground for the collective amnesty of the citizens of Kosovo who live on the north of the country“ and that he spoke about that with the President of Kosovo Atifete Jahjaga and the leader of the greatest oppositional party, Democratic Union of Kosovo, Iso Mustafa. The amnesty is going to refer only to the deeds that are not serious, mostly to the offences, but is going to contribute that the citizens of the north achieve other benefits in a way that their debts towards Kosovo's energetic corporations, water supply, and all obligations towards communal services would be written-down. It is the first offer that Tachi attends to do towards Serbs and which is not provided by Martti Ahtisaari's plan according to which Kosovo announced the independence in 2008. The other two offers are increasing the number of representatives in the Assembly of Kosovo from Serbian community which are going to be elected on the north of the country and the naming of four officials for the communication between the Government and the north of Kosovo.

Wishing to reduce the pressure of the European Union and especially Germany on his Government to provide necessary compromises and make an agreement with Belgrade, the Prime Minister Tachi addressed to the old ally, the USA which are mostly responsible for Kosovo not being under the government of Serbia today. „I am ready to accept the formnig of the Community of Municipalities with Serbian majority on the north of Kosovo, which would enable the cooperation with the south municipalities, but also with the communities in Serbia“, said Kosovo’s Prime Minister Hashim Tachi in the telephone conversation with the Deputy Secretary of the USA State William Burns. Tachi marked that „ there is wide spectre of functions that this community could do“ and that he submitted the list with the acceptable jurisdictions of that Community to the High Representative of the European Union for Foreign Affair and Security Policy Catherine Ashton. „ But I have to inform you that the Community or Union can not be the elected authority and can not have the executive jurisdictions“, said Tachi. He was precise that it meant that the wide executive authorisations of local Serbian community could not be transeferred to the Community because it would mean the third level of Government which is not in accordance with the Constitution of Kosovo. It remained unknown what Burns said to Tachi, what the fact that he was not in position to speak to the Secretary of State John Kerry or at least with the Vise President Joseph Biden meant, but it is hardly likely that the USA have got different policy concerning this problem compared to the European Union, and especially Germany. Still, the influence of the USA is quite significant and that Serbia is familiar with that showed the fact that Serbian Prime Minister Ivica Dačić , right after finishing of the last round of negotiations in Brussels in cabinet of High Representative of the European Union for foreign policy, met the american diplomat engaged for Balkan, Philip Reeker who found himself in Brussels on another business that day.

That Serbia is not satisfied with the fact that Kosovo’s Prime Minister does not accept the special jurisdictions of Community of Serbian Municipalities could be seen out of the reaction of Serbian Prime Minister Dačić. He said that he did not know which direction further negotiations with Priština could be led at all because its representatives did not even want to talk about giving the executive jurisdictions to the Community of Serbian municipalities on Kosovo and Metohija. „ We are going to be exposed to great pressures and manipulations. Serbia showed correctness. I do not know what else can we suggest exept to admit the independence of Kosovo and to say: „ Nothing has been accepted what we suggested, do whatever you want to do. But, then, what is going to happened with our people?“ , asked the Serbian Prime Minister. He repeated that he was going to continue the negotiations in Brussels but that he did not know what Kosovo’s Prime Minister Hashim Tachi and he could agree about at all. „ Do not ask me what I am going to do there (in Brussels). It is very difficult and I do not know.“, said Dačić and added that Serbian and Kosovo’s sides agreed that the problem of parallelism of institutions could be solved by forming the Community of municipalities. „ However, they do not want to talk at all about the executive jurisdictions for that community. For them that theme is completely unacceptable, just like some other themes being unacceptable to us“, said Dačić. Serbian Prime Minister also reacted on mentioning the „ Republic of Srpska“ by Kosovo’s Prime Minister. „ They keep talking all the time that they do not want Republic of Srpska on Kosovo but we do not know who is anyway mentioning Republic of Srpska. The jurisdictions of the community of municipalities that we foreseen would be much lower than those of Republic of Srpska but there are also other examples of regional authorities in Europe.“ , said Dačić.

Immediately after that, the highest State representatives met at the President of Serbia Tomislav Nikolić to consider the options in the dialogue with Priština. Certain media published that the highest Serbian representatives determined three options, out of which the third and the last one was that „Serbian Government determine that the date of the beginning of negotiations is too high a price for what is asked from Belgrade concerning Kosovo“. Exactly that option is the strongest thumb of Serbia for the continuing of negotiations. Because if Serbia would announce that it can not accept the demands concerning Kosovo, the date of the beginning of negotiations about its membership in the European Union could not be determined in the year 2013. , which means that Europe would not have any means of pressuring Serbia concening Kosovo. Everything what have been achieved in negotiations so far would be nullified and the problem of Kosovo would become „ a frozen conflict“. Serbia would be forced to turn to closer economic cooperation with Russia, China and other growing world economies. During the last year in Serbia the number of citizens who support the joining the European Union has drastically declined (similar process has been happening in many other countries – members of the European Union) so that it would be easy to the political elite to give up the joining of their countries to the European Union. To the governing parties in Serbia that kind of decision would not make almost any harm at all, and it is clear that the opposition, even if it wins the government, could not make any agreements about Kosovo. It simply means that the problem of Kosovo would become, together with the one of Cyprus, the greatest unsolved problem of Europe. Everyone in the European Union are aware that Kosovo can never become a state if it does not have the acceptance or the approval of Serbia for that. Naturally, this option is the last solution but it is not unreal because the Government of Serbia simply can not accept that the Community of Serbian Municipalities does not have the executive jurisdictions, at least in a measure in which other numerous regions in the countries of Europe have it.

At this moment it is clear that Serbian side still hopes to the agreement with Priština. About that spoke and the advisor of the President of Serbia Marko Djurić when he,after the meeting of Serbian high representatives, messaged that the most influential representatives of the international community should encourage Priština to do some cessions in order to make an agreement at the crucial moment of the negotiations being led in Brussels. „ We are at this kind of moment when Priština needs an encouragement to be prepared for a compromise and cessions without which it is the conversation of the deaf.“ , Djurić said to the journalists during the break in the meeting. He said that Serbia goes to the dialogue to Brussels with the defined strategy and with the honest wish to make an agreement and compromise, and that it is ready to discuss constructively about all the elements of regulating the relations in the province. According to his words Serbia has got a clear concept about the establishing of Community of Serbian municipalities which has got the jurisdictions in many aspects of life and is ready for a serious dialogue.

And that Serbia is preparing in the field for the serious cessions , similar to Kosovo's Prime Minister, could be seen in the change of the government in the biggest Serbian municipality on the north of Kosovo- northern part of Kosovska Mitrovica. The leading parties in Serbia excluded there from the government the representatives of the Democratic Party of Serbia (DSS) of the former president and the Prime Minister Vojislav Koštunica, who are fiery opposing to the every agreement with Priština until Kosovo's side accepts that Kosovo is the part of Serbia.

At the same time until recently the president of the greatest Serbian municipality on Kosovo Krstimir Pantić resigned in order to accept the function of the deputy director of the Office of Serbia for Kosovo. Pantić is the most important functioner of Serbian Progressive Party (SNS) which is the leading and the strongest party from Serbia on Kosovo and probably the first President of the Community of Serbian municipalities. This way Serbian Government is showing to the international community that it is controlling the situation on the north of Kosovo and that it has got strength to provide possible agreements that could be achieved in Priština.

The activities in Belgrade and Priština were intensive even the day before the continuing of the negotiations although it was Sunday. Kosovo's Prime Minister Tachi made a decision to include into the negotiating delegation from Priština the Deputy Prime Minister of Kosovo Slobodan Petrović, the president of the Independent Liberal party (SLS). This Serbian party mostly represents Serbs from the south of Kosovo and takes part into the Government of Kosovo. It is clear the intention of Kosovo's Prime Minister to show by this act that Serbian Prime Minister Dačić does not represent the interests of all Serbs on Kosovo and by that weaken his negotiating position. On the other hand, in Belgrade again met high state representatives at the President of Serbia, for the second time in three days, to determine the final positions of Serbia before today's negotiations. In the last few days both sides lobbied in the most important countries of the European Union as well as the USA, trying to get the support for their attitudes.

That is how the stage for the most important round of Brussels negotiations has been prepared. At this moment nobody can with certainty claim how the negotiations are going to be finished. The point is that the decision about whether the negotiations are going to be successful or not, meaning how much to whom should be abated, is going to be made in Berlin with the approval of Washington. Thus it is clear why the first Deputy of the Prime Minister of the Government of Serbia and the leader of the strongest party Serbian Progressive Party (SNS) Aleksandar Vučić two weeks ago spent several days in German capital.

It would be a great pity for Europe, Balkans, Serbia and Kosovo if today negotiations end in a failure because exactly now all the elements for making an agreement have been fulfilled. In Belgrade and Priština are strong Governments which want the agreement and can achieve it, the international community has got the means to put pressure on both cabinets to find the solution, both administrations see their future in the European Union, there is a tiredness of conflict that has been lasting more than 13 years, and most of the citizens of Serbia and Kosovo want the solution, peace and progress. That is why, if this chance should be missed the question is when it would be possible to make an agreement in the future? Still, it would not be the first time that history turns into another direction. To the Government of Serbia at this moment nobody in Serbia can resent even if it fails to make an agreement. They have done a really great lunge, they have chosen the reality instead of the myth, they have offered a concrete solutions. But for the agreement two are necessary, and in the case of Kosovo three or even four.