

TO BE, OR NOT TO BE

Belgrade and Pristina rather quickly "agreed" on the customs seals for Kosovo, which is no wonder after the European Union (EU) made a solution and sent it to Belgrade and Pristina, together with a warning that the party which does not accept the agreement shall face the consequences. Caution is obviously taken seriously. In Brussels, Serbian and Kosovar negotiators **Borko Stefanovic** and **Edita Tahiri** agreed with what was suggested, posed in front of reporters with a smile and occasional statements, and then travelled to Belgrade and Pristina to explain each to its public that their party "has made success".

The solution for the customs seal proposed by the EU is a compromise between the positions of Belgrade and Pristina. The problem with customs seals for Kosovo dates from February 2008 when Kosovo declared independence, ceased using the stamps of UNMIK Customs and established their own customs with a seal that is read "The Republic of Kosovo". Serbia, which refused to recognize Kosovo's independence, did not recognize the new stamps either, which disabled goods to be imported from Kosovo to Serbia, or passes through Serbia in transit. For Serbia there's no question of Kosovo being a special customs zone. This was confirmed by the signing of Free Trade Agreement - CEFTA in April 2006, when Kosovo under the name "Kosovo - UNMIK" was treated equally with Albania, Bosnia and Herzegovina, Bulgaria, Montenegro, Croatia, Macedonia, Moldova, Romania and Serbia.

The problem arose regarding the customs seal. Belgrade insisted Kosovo customs stamp to be "status neutral", without the name "Republic of Kosovo" and the emblem of Kosovo. On the other side, Kosovo insisted the stamp to have their statehood. The problem couldn't be solved for three years, until the EU eventually cut the "Gordian knot" and decided the stamp to bear the name "Kosovo customs". This was a concession to the Albanian side, because the seal is no longer labeled - UNMIK, and there is the word Kosovo. Nevertheless, it seems that the larger concession was made to the Serbian side, because the future seal of Kosovo has no emblem of Kosovo, nor the inscription "Republic of Kosovo".

Apparently, thus was easily resolved a long-standing crisis in relations between Belgrade and Pristina. Due to the crisis, goods from Kosovo hasn't been imported to Serbia since 2008, and from June this year, after the Kosovo government ban, neither can Serbian goods be imported to Kosovo. The consequence of the customs war was burning of a border crossing and the attempt by the government in Pristina to forcibly occupy the border crossings, which ended in a conflict with the citizens of Serbian nationality in which one policeman was killed. Thus, Kosovo was brought to the brink of war and ten-year efforts of the international community have been nearly annulled. To prevent further conflict intervened international military force - KFOR in charge of security in Kosovo.



The response from the Serbian population to KFOR's military action was the setting up of barricades on the roads in the north. It took a lot of skill to avoid conflict of people of Serbian nationality with and international forces, and to adopt an agreement that would placate the situation.

During the crisis in northern Kosovo, the EU could recall how it's easy to cause a conflict in the Balkans, how war, once it breaks out, is hard to stop, and how in a few days or even hours you can undo all the positive efforts being carried out for years. The power of the Balkans peoples for destruction and conflict should never be underestimated.

Does the way the problem of customs stamp is overcome means that the EU has finally found the formula to solve the problems between Belgrade and Pristina? Or the gravity of the situation and a risk of new conflict in the Balkans forced the EU to more seriously embark on searching for a compromise solutions? Have Belgrade and Pristina, faced with sharp messages from the European Union, have become more cooperative?

It appears that each of those factors to some extent influenced the resolution of the crisis. However, it is essential that the EU, in fear of new conflicts, realized that it must put more effort and authority in resolving the relations between Belgrade and Pristina. The impression is that the EU finally understood that the problem in the Western Balkans is primarily a European problem. After all, it is an economic calculation. Billions of euros have been invested in the Western Balkans by the EU and Brussels will not allow the investment to be lost.

On the example of the crisis in former Yugoslavia, the EU could've learnt that much more economically feasible is to act immediately upon the outbreak of the conflict than to treat the consequences and invest reconstructing the destroyed.

That the EU has a plan according to which it is necessary to resolve open issues in relations between Belgrade and Pristina, with a lot of pressure on both sides, could be seen during the recent visit of German Chancellor **Angela Merkel** to Belgrade. At the press conference she set clear conditions that Belgrade must meet for Serbia to receive candidate status for membership in the European Union. A sudden intense engagement of German politicians in the Western Balkans shows that this region is definitely abandoned by the United States of America (USA), whose foreign policy priorities are the fight against global terrorism and the establishment of a new era in relations with the countries of the "Arab spring", as well as with China. The care for the western Balkans as a "European problem" it being taken over by the European Union that is Germany, as its most important member. That it was so they could see for themselves in Pristina, when German Foreign Minister **Guido Westerwelle** explained to representatives of the Kosovo government what is expected of them, which was evident when the Kosovo Prime Minister Hashim Thaci in just 24 hours first rejected and then accepted the agreement reached by KFOR with Serbs in northern Kosovo.



The U.S. will remain the most important international factor of support for Kosovo independence, but Kosovo's government will no longer be able to hide behind Washington when not liking the EU requirements. Simply put, Kosovo is instructed to solve its problems in Europe.

The request by German Chancellor Merkel set out in Belgrade to **"abolish Serbian parallel institutions in northern Kosovo"**, provoked a stormy reaction from the Serbian public. Power is brought into an unpleasant situation to publicly reject this request because it would breach his fulfilling the Serbian Constitution. The impression is that the Serbian government hasn't been that reluctant to compromise with the EU about "parallel institutions", but that it expected it to be a process that would take place far from the public eye so it would not compromise its rating before the elections in Serbia. The fact that Chancellor Merkel has decided to announce publicly what conditions Serbia should meet to continue with the process of joining the EU – is a clear message to the Serbian authorities. Europeans had have enough of their messages being spun in the local public, why the citizens of both Serbia and Kosovo still do not know what the EU expects of them and therefore get a false hope that the problems can be solved by meeting unrealistic expectations. The Union is fed up by very long and exhausting negotiations between Belgrade and Pristina in which the past is discussed but there's no solution. In addition, experience with negotiations shows that agreements on even minor issues have been achieved by the EU pressuring both sides.

That is why the EU decided for a different strategy, and brought Germany to the stage of the Western Balkans whose politicians set the diagnosis with surgical precision and offered a solution, by principle - take it or leave it.

The Merkel's request that Serbian abandons its institutions in Kosovo surprised the Serbian public to the extent that almost no one has dealt with other messages she brought to Belgrade. For instance, in other capitals of the Western Balkan countries the visit of German Chancellor and her messages have been interpreted as "pro-Serbian". Never before has any German chancellor so clearly expounded that Serbia would join the EU, that there would be no new conditions other than those mentioned, and that Serbia wouldn't be requested to formally recognize Kosovo's independence.

Simply put, Serbia has been given a chance that Germany stands behind its candidacy for EU membership. Serbia of course, may decide whether it wants to become an EU member by the conditions put forward by Chancellor Merkel or not. If yes, it is much better to have the support of the most powerful country in Europe, but to gather the support of smaller countries that are friends of Serbia, but which will sooner or later conform to the requirements of Germany.

The reason why the EU has changed the strategy is probably because Brussels is convinced that the majority of political forces both in Serbia and Kosovo are European-oriented, and that European integration became a social commitment that has nothing to do with individual parties. That is correct.



In the last few years Serbian society has accepted European integration as a goal supported by majority of relevant political parties. For such a change was crucial 2008 when the Socialist Party of Serbia (SPS), the party of former Serbian President Slobodan Milosevic, was reformed, became part of the European coalition and accepted membership of Serbia in the EU as a programming task. That year marked the brake up of the ultranationalist Serbian Radical Party (SRS), which having been the strongest and most popular opposition party was the biggest opponent of European integration of Serbia. From this party emerged the Serbian Progressive Party (SNS), which took over most of the former SRS infrastructure and voters. Since its founding, SNS has been the strongest opposition party that has found its place at the right center of the political scene and which also accepted the EU as a political goal. Up to that time, European integration in Serbia had been perceived as a political goal of primarily the ruling Democratic Party (DS) of President Boris Tadic and several smaller parties including the Liberal Democratic Party (LDP) of **Cedomir Jovanovic** and G17 Plus of **Mladjan Dinkic**.

By the embracing of European integration by the SPS and SNS, the Democrats have lost their monopoly on European integration. The issue of EU membership has become a general social objective, which is good for Serbia. The calculation of Tadic was not without grounds. The Democrats won elections for years advocating for European Integration (coalition electoral list of the party in the last election was named "For a European Serbia")

and it was quite clear that would not be so forever, or that the story needed a change. Therefore it was logical to turn the story of European integration into a general one, because every success in this process, no matter what it is now embraced by the majority of parties, would be mostly attributed to the DS. It was also logical that in such circumstances the DS turns to a new story - the economy. The expertise in economy is usually ascribed to DS and it was quite natural that the party sought a chance right there. Preparations for it began during the campaign for the 2008 elections by giving campaign promises such as "one hundred thousand new jobs", new investments, growth in living standards, subsidies of 100 euros per hectare of agricultural land etc. The problem for the DS arose in 2008 when the global economic crisis began to beset Serbia. The country almost lost foreign investment; there was a decline in living standard and according to the workers' union almost 400 thousand people lost their jobs. Thus the DS in the forthcoming elections remained dependent on the story of European integration, which was no longer only theirs.

So far, the pro-European parties in Serbia have always been supported by the EU over the elections. That is why the messages of the German chancellor were very surprising for the Serbian public, because they in no way help the DS in the following elections. It was even stranger when just a week after Merkel's visit, leaders of the SNS **Tomislav Nikolic** and **Aleksandar Vucic** went to Brussels to meet the European Commissioner for Enlargement **Stefan Fule**.



This is a clear message that the EU does not consider the next elections in Serbia decisive, that is, it is convinced that Serbia will continue its path of European integration whoever forms the ruling majority.

The ruling Democrats have thus found themselves "neither in heaven nor on earth". As the authority, they bear the responsibility for everything happening in the country from the economy to Kosovo, all the while they are publicly faced with demands which, if they accept, they risk entering an election campaign on charges of having betrayed the Serbian people in Kosovo. On the other hand, a natural topic for the DS is European integration and the party cannot so quickly find another topic in which it would be credible to voters. Democrats' biggest problem is that they have to try to find a solution with the EU, while at the same time every sign of giving in would be interpreted as a defeat or weakness. In addition, DS has no control over the Serbs in northern Kosovo, whose major political disposition is radical and their elected political representatives are mostly members of opposition parties in Serbia. Serbs in northern Kosovo are particularly concerned about the messages of German Chancellor that they even interpreted the agreement on customs seals, which is status neutral, as a defeat of Serbia and demanded the resignation of Serbian negotiator Borko Stefanovic. It's a bad atmosphere for DS as it is forced to seek solutions with the EU, while constantly under pressure of possible accusations of betraying Kosovo.

Latest news about barricades set up in the north Kosovo due to the blockade of an alternative crossing between Serbia and Kosovo by KFOR, show that the conflict in the north of Kosovo could escalate.

Any escalation of the conflict in northern Kosovo is a potential problem for the Democratic Party in the election campaign. The number of Serbs in northern Kosovo in the total electorate of Serbia is not so great, but their impact on other voters is very strong in such a sensitive issue as Kosovo.

It is clear that Tadic's Democrats are frantically trying to find a solution for their situation. The time is not on DS's side and if the party will have to "swallow the bitter pill" it's better now than during the election campaign. Thus, the Serbian Minister for Kosovo and a prominent member of the DS, **Goran Bogdanovic** went public with a new idea **"that the Serbs in northern Kosovo are willing to pay the excise and tax, but that the money should remain in that part of the province for the development of a local self-government"**. This is the first public statement in which a Serbian official acknowledges the tariffs to be charged in Kosovo, albeit on condition that the revenue is used by local governments. Yet the idea of the duty being charged in the north Kosovo is a sign of compromise and concession by Serbia. In addition, a distinguished Serbian daily Danas published the news that Serbia is ready to accept EULEX to take over the courts in northern Kosovo and that EULEX customs officers will be at two disputed border crossings between Kosovo and Serbia.



If this news proves to be true, it will be a first step towards the abolition of the Serbian institutions in northern Kosovo. Serbs in northern Kosovo do not recognize Pristina's authority and thus neither Kosovo's judiciary. Therefore, in the north there are Serbian courts within the judicial system of Serbia. By abolishing those courts and giving the power to EULEX to control the courts, one of the Serbian institutions in the north would be abolished. Still it would not come into the hands of Albanians, but EULEX and that precisely could be a "compromise" acceptable for the Serbs. Employees of the Serbian courts in the north Kosovo have already reacted to the announcement of this decision by protesting.

It is now crystal clear that the German Chancellor Merkel for a few weeks has done more to start the process in the Western Balkans than it had been done for the last few years.

Will the robust German tactics produce results expected by the EU - no one at the moment can not know. The fact is that the problems began to be addressed. Perhaps the most important result of the new approach is that in the Serbian and Kosovo society have been opened problematic question, conditions that are expected to be met by Serbia and Kosovo, and that the citizens know exactly what is required of their authorities. Simply put, demagoguery is abolished, which is otherwise very present in the Western Balkans policy, especially in election campaigns. The conditions have been created for the Serbian and Kosovo society to make responsible decisions about their future. That is a huge improvement.