



# Turning a Blind Eye

The long-awaited dialogue between Belgrade and Pristina that started in the European Union headquarters in Brussels is welcomed by the European public as good news. This is understandable, given that relations between Pristina and Belgrade are so bad that the mere fact that the dialogue was initiated on any matter – is a positive change.

After the European public received the news with relief, it was also announced that the talks were conducted in a correct atmosphere, and that both sides approached them constructively, seeking solutions to practical problems that burden the lives of citizens. It was found that the agenda were telecommunications, air transport, customs seals, and registers. According to the head of the Serbian delegation, **Borislav Stefanovic**, the two-day talks were held in a constructive atmosphere and consequently the two sides are near the solutions on some issues. Deputy Prime Minister and Head of the Kosovo delegation, **Edita Tahiri**, also said she was pleased with the meeting. Despite these optimistic statements, neither European sources, nor Stefanovic, nor Tahiri, have indicated on which issue Belgrade and Pristina reached an agreement. However, the leaders of the two teams haven't agreed about the nature of the conversation, because Tahiri insisted on "**technical talks**", while Stefanovic said that the issues discussed during the past two days were "**really important and have**

**great political weight and therefore cannot be called technical, because, if nothing else, they affect people's lives**".

No doubt that these negotiations will be completed successfully. The European diplomacy has invested a lot of effort to bring Belgrade and Pristina to the negotiating table, and both sides were sent a clear message that they are expected to be constructive - so a positive result cannot fail.

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Therefore, the negotiations are being conducted under the watchful eye of agent **Robert Cooper**, adviser of the High Representative of the European Union for foreign affairs and security policy **Catherine Ashton**, as well as Principal Deputy Assistant Secretary at the U.S. State Department **Thomas Countryman**. That the intermediaries cared to reached some kind of agreement in the first round of talks already, is evidenced by the fact that the second day talks lasted about five and a half hours, considerably longer than anticipated. European diplomatic sources say the meeting lasted that much due to expectations that any tangible result could be achieved.

British daily *The Independent* assessed that beginning of the first direct talks between Serbia and Kosovo in Brussels was undoubtedly the triumph of a "**soft**



power" of the European Union. **"Under normal circumstances, neither side would want to have anything to do with the other, hadn't there been for the persistent diplomacy of the EU in recent years,"** said the newspaper in an editorial, adding that **"a common desire that the Serbs and Kosovo Albanians join the European club exceeds almost all other aspects"**.

Thus, the keyword that triggers all the processes between Belgrade and Pristina is Europe. Now it is obvious how much was been lost until last fall in the European diplomacy won the stream that advocated for the simultaneous pressure on Belgrade and Pristina as well as rewarding Serbia for the constructive Euro-integration process in resolving the Kosovo problem. While it was believed that pressure should be exerted on Belgrade only, while at the same time turning a blind eye to Kosovo authorities' doings and while the process of Serbia's EU accession was frozen because of it - no progress was made. After the September agreement between the EU and Serbia regarding the submission of a joint resolution to the General Assembly of the United Nations, European diplomacy changed its conditioning policy towards Serbia and results soon followed. The creator of this new approach is the European Commissioner Catherine Ashton and, as reported by the Independent, it's a "moderate EU force".

Therefore, the relations between Belgrade and Pristina revolve around Europe. This was also pointed out by Catherine Ashton. **"Solving problems through dialogue and negotiations is the European way. One of the objectives of the**

**negotiations is to bring Pristina and Belgrade closer to Europe"**, Ashton said, adding **"that the talks will be about three main issues - regional cooperation, freedom of moving and rule of law, which are all vital for the region's European perspective"**. Conspicuously the Commissioner Ashton avoided using the terms such as "technical talks", "status", "independence", not wanting to burden the fragile start of negotiations with issues on which there is no agreement. U.S. State Secretary Thomas Countryman wasn't that tactful. Before the meeting he said **"it is important that both sides talk about things that are important to citizens' everyday life "** and stressed that **"the International Court of Justice confirmed the independence of Kosovo"**, adding that the **"status will not and cannot be changed through dialogue."** However, with respect to the importance that the U.S. has in today's world, the problem of relations between Belgrade and Pristina is a European problem. In addition, both Belgrade and Pristina want to join the EU, rather than to become the new federal states of the USA. This does mean that EU's attitude is much more important in this dialogue. This is probably the reason why the EU is more tactful, cautious and responsible.

Serbia came fully prepared for the Brussels talks, determined to be constructive. In contrast to Pristina, which has only recently formed the Government, the Serbian side has had the entire fall to prepare for negotiations. The impression is that the Serbian side doesn't want to lose the advantage in the international public, acquired last fall when a joint resolution was filed to the UN General Assembly, as and when the Council of Europe



rapporteur **Dick Marty** accused the Kosovo Albanian leader **Hashim Thaci** of human organs trade.

Belgrade has accurately assessed that the technical dialogue with Pristina is a chance to continue the constructive policy that will lead Serbia to obtaining candidate status for EU membership this fall. Therefore, the Serbian delegation came prepared for the talks and immediately presented concrete proposals to solve the problem.

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**"For each of the discussed issues, we have offered access and solutions, in the European way, which allow to come to legal and financial security, in the interests of all people in Kosovo,"** said Stefanovic. That Belgrade negotiates with Pristina while thinking of Brussels, is recognized in a Stefanovic's statement after the talks. **"What we see is that there is a capacity and willingness to solve specific problems and issues in the days ahead and to bring Western Balkans closer to the European Union,"** said Stefanovic.

Serbia can afford itself to be constructive. The key solution to the Kosovo problem is nevertheless in Belgrade. Kosovo is fully oriented towards Serbia in the economic, transportation, energy, and in every other way.

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If Kosovo is viewed in isolation from Serbia, it can easily be established that Serbia has a huge surplus from exports of goods to Kosovo. Serbian community lives on Kosovo. It is linked to Serbia, while, under the Constitution of Kosovo, it enjoys a large autonomy. Serbs are mostly concentrated in the north and do not recognize the government in Pristina. After all, the Kosovo government at this point depends on the Serbian MPs. The government in Belgrade does not have contact with the Serbian MPs, but that does not mean that in future it won't have a more pragmatic approach. We should not forget that the deputy prime minister of Kosovo – is a Serb. In Kosovo there is a large Serbian cultural and religious heritage under UNESCO protection, which is, even by the Kosovo regulations, managed by the Serbian Orthodox Church. Therefore, Belgrade has many ways to influence the Kosovo society, unlike the authorities in Pristina.

Whatever Belgrade agrees with Pristina, there is always the last question - independence. It is clear that Belgrade will not recognize Kosovo's independence in the way that has been declared. It is also clear that of all recognitions Kosovo is granted, the most important and crucial is one - the recognition of Serbia. Serbia is very well aware of this fact. On the other hand, the Serbian political elite is well aware that Serbia cannot govern Kosovo in the way as before the conflicts in 1999. So the compromise is being sought to save reputation of the both sides. The approach chosen by the EU, which consists of small steps, guarantees a possible solution to the biggest problem in relations between Belgrade and Pristina - Kosovo's independence. It will have to be a compromise that would satisfy and



dissatisfy both parties. It is obvious that Belgrade set the ultimate goal of this process.

The Serbian President Boris Tadic in an interview with the Pristina Television "Clan of Kosovo," said that **"the solution of Serb-Albanian historical conflict must be found so that one side doesn't get everything and the other loses everything"**, and added that **"the solution cannot be a scenario in which Serbia would recognize the unilaterally proclaimed independence of Kosovo"**. The Serbian President expressed his hope that **"after the introductory phase of dialogue between representatives of Belgrade and Pristina, or finding solutions on some technical issues, we will see the solving of the core of the historic conflict."** **"Historical agreement between Albanians and Serbs must be legalized by acceptance of both Albanians and Serbs. Representatives of the people cannot reach an agreement that is not accepted by their people. That does not mean that legitimate representatives of the people cannot boldly come forward with ideas and solutions that are not very visible to all representatives of the people but which can eventually be adopted by referendum"**, Tadic said.

Unlike Belgrade, which sees talks as an important step in obtaining candidate status for EU membership, to Pristina, the negotiations are not the most important thing on the Government's agenda. Government in Pristina has a number of other things that must be taken into account, above all, the issues around the strongest party - Democratic Party of Kosovo (PDK) of Prime Minister **Hashim Thaci**. The party has recently been

under pressure by the international community to "clean" its ranks of officials associated with war crimes and organized crime. Thaci is safe for now, regardless of the investigation into the trafficking of human organs of captured Serbs during the Kosovo conflict, initiated by the Council of Europe rapporteur **Dick Marty**. For the U.S. and the international community, Thaci is a factor of stability on Kosovo and his position, for now, is not compromised. However, among the top ten candidates from the electoral list of Thaci's PDK, at least seven of them are not acceptable to the United States and the international community. Thaci's problem is that according to Kosovo's electoral system people vote at the same time for the party and for the candidates, which means that the "undesirable candidates" in some way are directly elected by voters. These people have a reputation in the party and the great strength and power in Kosovo society. Most problematic Thaci's official **Fatmir Limaj**, indicted by the Hague war crimes and who has repeatedly arrested by the police mission EULEX on organized crime charges, won the elections with more than 70 thousand votes. How it looks when problematic Thaci's officials start to rebel was best seen during the election of **Behgjet Pacolli** for the President of Kosovo. Pacolli was elected in the third round after Thaci drew the last move - he threatened to resign on all functions unless his party made coalition agreement and vote for Pacolli. In addition, the government in Pristina has to deal with serious economic problems, including unemployment in the first place, with the percentage of almost 70 percent unemployed. Further, Kosovo needs money, investments, new jobs ...



Therefore, the negotiations with Belgrade are not among the priorities of the Thaci's government. It could be seen when one evening German Foreign Minister **Guido Westerwelle** asked Kosovo politicians how they see the negotiations with Serbia?. "As a concession we all together make for Serbia", answered Kosovo officials.

The Kosovo Government is convinced that sooner or later, with the help of U.S. and international community, it acquire full legitimacy, and that Serbia in the process of European integration will have to gradually reconcile with the independence of Kosovo.

Therefore, for Pristina, these negotiations are something that must be done under pressure from the international community.

This of course doesn't mean that Thaci and his government won't do everything to make negotiations with Belgrade succeed. After all, they undertook this as an obligation towards their Western friends and they will do it in the best possible way. Also, it suits them to have the problems regarding traffic, tables, and cadastre documents resolved and removed from the agenda. At the same time, they are aware of the fact that each of these issues resolved, in some way, even indirectly, confirms Kosovo as a state.

It can be expected that in negotiations Thaci will give space to the Serbian Independent Liberal Party (SLS). The Serbian Party is part of the ruling coalition and has a deputy premier and three

ministers in the Kosovo Government. Thaci needs a strong ally in the Serbian community and we can expect him to give over SLS enough credit for concessions he would make for the Serbian side, and the good results of the negotiations. Thaci needs good relation with community, inter alia, because of serious allegations by the Council of Europe rapporteur Dick Marty for the trade in human organs. Strengthening of SLS, which in America is called "the golden child of Kosovo," for Thaci is the good way to prove that in practice he is committed to the values he is, after all, bounded by the Ahtisaari plan and the Constitution of Kosovo.

For the Kosovo authorities the question remains whether the space that the SLS gets will be used by Serbia? The government in Belgrade at the moment does not have any contact with the Serbian party and sees it as "**Thaci's outpost**" among the Serbs in Kosovo. It is forgotten that there is a Serbian political party which is an important factor in Kosovo's reality, and without whose members there can be no government majority in the Kosovo parliament. For this to happen, Belgrade would first have to give up the idea that all Serbian political factors in Kosovo must be completely controlled and to accept the idea of co-operating on the principle of respect for mutual interests and finding common solutions. If this are understood like this, then any success of Serbian political forces in Kosovo, including the SLS, will be at the same time Belgrade's success.

So started negotiations between Belgrade and Pristina for which all actors, as well as intermediaries, know will succeed. However, as



they say - the devil is in the details. It will require much effort, negotiations and patience to resolve by mutual agreement the centuries-long conflict between Serbs and Albanians. Every detail, if neglected, can cause the problem that would disannul all previously agreed. What is encouraging is the fact that both Belgrade and Pristina know how the deal must be completed and there are less and less "advisors" to convince them that the conflict is better than the dialogue or peace than war. Therefore, the moment Serbian and Kosovar negotiators sat at the negotiation table in Brussels is historic, no matter it seemed at first that the talk was about small and trivial things.