



Department of Political Science

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Chair of Geopolitical Scenarios and Political Risk

Balkan Quagmire: An Analysis of the Normalization of Serbian-Kosovar Relations

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Dedicated to Federico Russano

Gone, but never forgotten

Rest easy, buddy.

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Abstract:

The Kosovar-Serbian dispute represents one of the final existing conflicts in the European continent. The echoing cries of its bloody past still ring true to the people living there, as well as the wider Western Balkan region. In this climate, finding a correct *modus operandi* towards reconciliation is anything but easy. The deep-seated ethnic conflict between the various sides date back to the middle ages. Through this, conflicting, and highly nationalistic, narratives have arisen, in which both sides use a mixture of culture, history, religion, and past conflicts in order to justify their claims. Because of this, progress in reconciling Serbia with its former province, Kosovo, has seen more stalemates and collapses in negotiations, than actual tangible results. In addition to the internal inter-ethnic conflict that plagues the region, international actors also exercise their soft power on the matter through economic, cultural, security, and political spheres of influence. These actors exercise their influence so as to carry forth their national interests, which for some of them, they are to profit off of the regional instability, while for others, they are to expedite reconciliation for greater stability and security. As a result, the Western Balkans, and in particular Serbia and Kosovo, have become yet another tug of war between international actors, while the two sides still suffer from open wounds and bouts of escalation. In this thesis, I will focus on three important dimensions: 1) the various tangible milestones taken to progress the Serbian-Kosovar normalization process along, 2) the role and impact on the normalization process by the four major international actors (EU, USA, Russia, and China), and finally 3) provide commentary and insight on the possible future scenarios of both countries as well as the future status of the Serbian-Kosovar Dialogue.

Introduction: Historical Background

I.1: Kosovo During the Middle Ages

Kosovo is one the newest countries to come out of the collapse of the Former Yugoslav Republic. It unilaterally declared independence from Serbia on February 17, 2008 as the culmination of an epoch of struggle against Serbia and, most importantly, its people. Its significance is multifaceted in many dimensions, from the religious, to the historic, and to the geopolitical. This former autonomous region of Serbia has a history shrouded in significance for two important ethnic groups: the Serbs, and the Albanians. For both of them, Kosovo is a cradle to their ethnic identity and a core part of their history. As we will see in this introduction, it will become apparent why Winston Churchill claimed that “[t]he peoples of the Balkans produce more history than they can consume, and the weight of their past lies oppressively on their present”. Every major period since the medieval period has core events that help shape the nationalist sentiments, and thus instilling them with a *raison d’etre* and provides precedence to their own points of view, according to themselves.

It is important to note the deep connections between the Serbian people and the Orthodox church, in which you can’t have one without the other. Their building of famous local churches and monasteries such as Peć/Peja, Gračanica/Gračanica, and Dečani/Dečan¹, by the Nemanjić dynasty, all point to a clear connection between the people and the church. It is thanks to this close relationship between the royals and the building of churches that sedimented the foundation for the identity and roots that Serbians claim to have to the region. So much so that thanks to Nemanja’s third son, Rastko (known today as Saint Sava), the connection between the Serbian royal family and the church can be felt until now. It was thanks to him that, in 1219, he secured autonomy for the church and thus founded the Serbian Orthodox Church, whose headquarters lie in the monastery of Peć in western Kosovo.

Thanks to the Nemanjić dynasty, the Serbian people have been able to carve out a piece of the Balkan territory and call it their own. From a divided group of quarrelling lords, throughout the coming century they evolved into an enormous and consolidated state, culminating with the crowing of Tsar Dušan as “Emperor of the Serbs and the Greeks”. This

¹ This Monastery in particular, is of such high value to the Serbian Orthodox Church, as well as in danger, to make it the only monastery in Kosovo whose first responder is still KFOR, rather than the police.

empire spanned far and wide, from Dubrovnik to Thessaloniki and all the way into Albania and Bulgaria, with the Byzantine empire as their historical enemy. This, however, was not meant to last, as the death of Tsar Dušan in 1355 began the process of dissolution of everything that was built until that point, from a centralized empire, to a slow and steady collapse between quarrelling lords once again fighting over governance of the land. At the same time, the rise of the Ottoman Turks from the Byzantine, took over the reins in the feud against the Balkan region. In 1389, the Battle of Kosovo Polje would go down in history as another main pillar to the unshakably resilient identity of the Serbian people, with Prince Lazar, as the hero of this tale. This battle saw the unification of the Serbian people under the banner of Prince Lazar, to fight against the Ottoman Sultan Murad and result in a pyrrhic draw. The word ‘pyrrhic’ is used here as both armies were wiped out, including both Lazar and Murad. However, the fractured Serbian manpower was depleted, whereas the Ottoman Empire could boast a well-supplied chain of wealth, manpower, and reserves, which allowed Sultan Murad’s son, Bayezid, to continue the invasion and thus turn Serbia into an Ottoman vassal state.

I.2: Under Ottoman Rule

According to many historians, it is fairly agreed on the fact that Kosovo was in fact Serbian for the majority of the region until the arrival of the Ottoman Turks. It is agreed that thanks to the Ottoman dominion of Serbia, the demographic sphere of the region began to shift, from a Serbian majority to an Albanian one. This was due to different factors, including on the one hand, the great migration of Albanians into the region, and on the other, the emigration of the Serbs northward towards Hungary, present day Vojvodina, Bosnia, and Croatia. At the same time, as the final Serbian resistance to the Ottoman rule fell in 1459, the authority of the Serbian Orthodox Patriarchate of Peć was abolished. Thus, tearing the foundation of the Serbian identity, which, as we found out, is tied to the church. Were it not for Mehmed Sokollu, grand vizier to Suleiman the Magnificent, who restored the authority of Peć a hundred years later in 1557 and thus “allowed to revive and preserve ‘Serbdom, over the centuries, the history of Kosovo and the region would [without a doubt] have been very different.”²

Furthermore, another salient factor is the conversion campaign brought forward by the Ottomans in the region which bolstered the gradual shift in demographics, from a majority Serbian Orthodox, to a Muslim Albanian one. It is important to note however, that at that time,

² Judah, Tim. Kosovo: What Everyone Needs to Know. Oxford University Press, 2008. p. 32

the ethnic Albanian identity was not as entrenched as the Serbian one in religion. Moreover, the religious influence of the Albanians was steered more towards Catholicism, albeit much less adamant than their Croat counterpart, and thus were easy to convert. It is because of this, that the conversion of Albanians to Islam went smoother than the Serbian counterpart. While some Serbian and Slavic families decided to convert to Islam³, many chose to emigrate outside of Kosovo and preserve their religious identity. Albanians on the other hand, gladly converted to Islam, earning them the respect of the Ottoman empire.⁴

Ultimately, these factors alone were not responsible for the massive change in demographics of the region but were only a part of it. The final straw was the defeat of the Hapsburgs by the Ottomans in 1690 which led to, according to some historians, The Great Migration. This was due, argues Tim Judah, to the incitation by the Hapsburgs and Count Eneo Piccolomini, to mobilize the Serbians and the Albanian Catholics to strike back against the Ottoman rulers in 1688 after Piccolomini took control of Belgrade. However, by 1690, the tide of battle was once again⁵ turned in favor of the Ottomans after the Austrian defeat at the battle of Kačanik/Kaçanik. This was the beginning of the Great Migration. The Habsburg emperor invited the Serbian Patriarch to lead his people to safety northwards, towards the militarized frontier between the Hapsburgs and the Ottoman, in what is today Croatia and Vojvodina. This great exodus encompassed tens of thousands of Serbs, who left their homes in Kosovo and other areas, and left enormous parts of the region depopulated. These areas were then repopulated, with Ottoman efforts, by loyal Albanian Muslims. This is widely accepted as the reason behind the massive change in demography in the region.

Shifting towards the 19th century, the status quo of Kosovo is consolidated within the Ottoman Empire, with Albanian Muslim aristocrats, or *beys*, as the leaders of the region. However, two factors were shattering the fine balance secured after the rise of Albanian Kosovars, those being the decline of the Ottoman empire with their poorly received *Tanzimat* reforms, as well as the resurgence of the Serbian identity in the region through armed struggle. By the beginning of the 1800s, Serbian revolts drove a renewed sense of *reconquista* of their land, and by the end of the Serbian-Turkish war in 1878, saw the southward expansion of the Serbians towards Niš. At the same time, old states like Serbia, Greece, Montenegro, and

³ We can contrast the Serbian defiance to conversion with the Bosnian experience which, without a sound and entrenched religious identity like the Serbs, easily fell prey to the conversion pressures of the Ottoman Empire, and thus gave birth to the Bosniak people, or Bosnian Muslims.

⁴ Loi, Maruo. "La questione Kosovo – Dalle origini all'era Milošević." *Europae - Rivista di Affari Europei*, 2013

⁵ Once again is used here as the Ottomans were the ones halted first in 1683 by the Hapsburgs from entering into Europe, and then they were halted in 1690.

Bulgaria saw a return into the European maps, prompting feelings of impending encroachment by the new Balkan states to the Kosovar Albanians.⁶ Coupled with instances of Serbian acts of aggression towards Albanian villages prompted a stark reaction by the Albanian *beys*, demanding their autonomous state, so as to not fall prey to incorporation of their region in other Balkan states, especially Serbia.

The answer to these fears was twofold in the form of the creation of the League of Prizren in 1878, comprising of all Albanian leaders fighting together, and the direct support of the Austro-Hungarian empire, funneling help and nationalist sentiment to the Albanians in order to prevent further enlargement of the Serbian nationalists, which were their main threat. Through the Albanians, the empire of Austria-Hungary sought to contain the Serbian conquest by instilling nationalist sentiments for a unified Albanian state in the region, possibly blocking the coast to the sea from the Serbians and, consequently, the Russians as well⁷.

The rise of the First Balkan War in 1912 marked the beginning of the end for Ottoman control in the Balkan region, with Serbia, Greece, Montenegro, and Bulgaria declaring war on the Turks and gaining massive swathes of former Ottoman territory. For Kosovo, however, this spelled disaster. During both Balkan Wars and the First World War, the region was ravaged with violence and devastated from the continuous wars. At the same time, the Serbian reclaiming of the region led to more than just territorial gains, but active measures put in place to try and cull the Kosovar Albanian population. For Serbs, this period was regarded as the culmination of a dream that lasted centuries for the Serbians, so much so that Serbian nationalists would tear up romanticizing the “reclaiming of the lands of Prince Lazar”⁸. For the Albanians in the region, this was seen as a decimation of their people by the hands of the Serbian invaders.

I.3: Kosovo as Part of Yugoslavia

With the end of the First World War and the disintegration of the Ottoman Empire, what rose from the Balkan ashes was a new Kingdom of the Serbs, Croats, and Slovenes, also known already by its more famous name, the Kingdom of Yugoslavia. With the creation of this new kingdom, Albanian resistance was instantly armed so as to stop the Serbian invaders and drive them out their land. This period of armed resistance carried well into the first half of the

⁶ Judah, Tim. Kosovo: What Everyone Needs to Know. Oxford University Press, 2008.

⁷ Ibid p. 39

⁸ Emmert, Thomas A. Serbian Golgotha: Kosovo, 1389. East European Monographs, 1990. p. 133

1920s, although it faded as the years went on. The threat, however, was still present, as Kosovar nationalists exploited the border disputes and demilitarized zone between Serbia and the new Albanian state, “as a haven for Albanian guerrillas to launch attacks into Kosovo”.⁹

Meanwhile, on the other side of the border, the political atmosphere in Albania proper was shifting, with an internal conflict between Ahmed Zogolli, Hasan Prishtina, and Bajram Curri. Zogolli began in the first half of the 1920s to seize control for himself, capturing full control by 1922. Zog’s struggle against his enemies would continue however until the death of Bajram Curri in 1924. The rise of Zog as the new leader of Albania marked a change in the policy towards Kosovo, with Zog being disinterested in continuing futile undersupplied armed resistance against the endless waves of Serbian forces. He was rather focused in consolidating not only his power, but creating an actual country out of his territory, with a functioning system and good quality of life, with the slogan being ‘Albania, not Albanians, first’¹⁰.

Albania’s new policy saw Kosovo without support, left to its own devices. It is important to note two important elements before continuing, those are the importance placed in the history of this region in both religion and education. As shown above, the matter regarding nationalist sentiments in the area are deeply entrenched and span as far back as the middle ages, and the way to propagate this national pride and identity through the generations was through education and religion. This is exactly why there is a huge emphasis put on both of these elements for both Serbians and Albanians. The propagation of these epics and songs keep the fire alive in the hearts of the people and inspire future generations to continue the struggle and not concede to the opposition. On this note, the Serbians put forward education limiting policies on the Kosovar Albanian population so as to limit their nationalist pride and fade their ethnic identity. These policies were continued by the new Kingdom of Yugoslavia but were also seen during the Ottoman dominion of the area, the Turks banning Albanian schools and education so as to cull their nationalist sense. A peculiar point however arises. As Denisa Kostovicova states, while the emphasis on curbing Albanian secular schools was enforced in the region, the same was not implemented when dealing with religious schools. In fact, Muslim schools in Kosovo were hardly touched and allowed to continue their operations. The reason behind this, argues Kostovicova, was “to undermine the feeling of Albanian national identity by stimulating the supremacy of collective identification based on religion.”¹¹ In other words, the goal of the new state was to abolish national identities based on ethnic

⁹ Judah, Tim. Kosovo: What Everyone Needs to Know. Oxford University Press, 2008. p. 43

¹⁰ Ibid

¹¹ Ibid

background and personal history, and rather collectivize each group into aligned communities centered around religion, as a way to simplify the process and eliminate nationalist identities, which has always been a seed for future armed resistance and secession movements. Nevertheless, these social policies turned out to be failures as the immunity given to religious Muslim schools in the area fostered underground networks of Albanian education in those same schools. Albanian teachings of both language and history as well as the wider education as a whole was moved through underground methods where even in Serbian schools, “many underground *mullahs* began to stealthily teach ‘national awakening’ during religious classes while Albanian students secretly circulated Albanian books in Serbian schools.”¹²

The last piece of the puzzle were land reforms put forward by Yugoslavia in an attempt to reshape regional demography. Due to the stark resistance and aggression by the Albanian population towards especially the Serbian one, the aim was to dilute the Albanian population and scatter them in a way where they would remain a minority. Thus, as a result, these new land reforms put forward by Yugoslavia were predominantly favoring Serbs and Montenegrins, even though the reforms were advertised as benefiting everyone equally.¹³ Estimates show that out of the 14,000 families who benefited from such reforms, only 4,000 of those were Albanians. Coincidentally, at the same time, housing projects supported by British and American charities, sprung in the area, using the names of the actors in Serbian epic poems and stories to name various villages.¹⁴ Thanks to this, by 1939, around 60,000 colonists lived in the region.¹⁵

I.4: Under Milošević and the War

Starting from the beginning, Milošević, was the right man at simply the right time. His timing, as well as his ability to read the current political situation of the time period, coupled with strategic events at the beginning of his career, projected him forward into the infamous person he came to be. His meeting of his future friend, Stambolić, led him to find himself in a political situation, of which he could take advantage of. Thanks to his friendship with

¹² Ibid p. 162

¹³ Judah, Tim. Kosovo: What Everyone Needs to Know. Oxford University Press, 2008. p. 45

¹⁴ Dérens, Jean-Arnault. Le Piège Du Kosovo: Nouvelle Édition De Kosovo, Année Zéro. Paris: Non lieu, 2008. p. 64

One such place is Obilić, close to Pristina, which was given after the supposed man who killed Sultan Murad in the Battle of Kosovo in 1389; Miloš Obilić.

¹⁵ Ibid p. 65

Stambolić, he was able to rise through the ranks. By 1984, Stambolić was head of the Serbian Communist Party, thus allowing Milošević to be the leader of the Belgrade Party. Afterwards, in 1986, Stambolić became President of Serbia, and as a result, appointed Milošević as the leader of the Serbian Communist Party.¹⁶

By then however, the cracks were beginning to show, and according to Milošević, the era of the Communist Yugoslavia would not continue for much longer. As a result, by choosing to rise up through the ranks taking a nationalist approach within the Yugoslav political structure, this would have allowed Milošević to not only withstand the storm of the collapse of Communism when it was to come, but at the same time, hope for him to be still standing politically, and possibly seize control of the entire state of Yugoslavia for himself.¹⁷

However, his hardline stance was also what had begun to cost him his future. By trying to remove Kosovo's autonomous regional status, he bit off more than he could chew. This action, and the means used to achieve it, was going to oversteer Milošević's trajectory towards future internal struggle. Nevertheless, his popularity was immense, but after removing Kosovo's autonomous status, and using tanks and violence to do so, instilled something else along with nationalism, fear. This fear would soon spread to other parts of the country and give rise to another type of nationalist sentiment. Thus, those who argue that the end of Yugoslavia started in Kosovo, are correct.¹⁸

The next step towards Milošević's rise to power came from a distorted report of a quadruple murder-suicide done by an Albanian madman on Serbians, Slovenes, and Croats in the town of Paraćin. This incident was heavily distorted by the Serbian press was made to look like a plot by the Albanians. Riding on the oncoming wave of anti-Albanian sentiment in the country, Milošević chose to take hardline stances towards the government and turn on his old friend, Stambolić, who resigned. With his former friend out of the picture, Milošević moved towards consolidation of his power in the various regions of Yugoslavia. He secured popular support through his campaign of portraying the Serbian people as oppressed. His followers were seen chanting the famous words of "Who betrays Kosovo, betrays the people" in the streets. By 1989, Milošević was able to secure the fall of the governments of Vojvodina and Montenegro. When the Kosovar Albanian leaders were finally removed from office, Milošević quickly turned to installing his own yes men in the Kosovar structure. At the same time, he held a rally in Belgrade, where he delivered a compelling nationalist speech to his listeners:

¹⁶ Judah, Tim. Kosovo: What Everyone Needs to Know. Oxford University Press, 2008. p. 64

¹⁷ Ibid

¹⁸ Ibid

“Every nation has a love which eternally warms its heart. For Serbia it is Kosovo. That is why Kosovo will remain Serbian.”¹⁹

By March 1989, despite rigorous protests against it, the Kosovar assembly voted in favor of the revocation of Kosovo’s autonomous status, placing the region solidly back under Belgrade’s control. Now with Serbia, Vojvodina, Kosovo, and Montenegro solidly under Milošević’s control, the time had almost arrived to secure his position as master of Yugoslavia. He only needed one final vote. Yet, that vote would never come to be. Milošević’s ironclad leadership and actions spurred nationalist sentiments all over Yugoslavia and pushed both Croatia and Slovenia to opt out of the federation. The protests that arose were nevertheless culled by an enormous influx of police assets from outside Kosovo, brutalizing the protesters into submission. What followed was a persecution through “widespread repression, arrests, and imprisonments [...] coupled with hundreds of new laws and regulations that needed to be passed to integrate Kosovo back into Serbia.”²⁰ On June 28, 1989, 600 years after the famous Battle of Kosovo, in the same plain where it was played out, close to Pristina, Milošević celebrated his victory. There, Milošević delivered yet another one of his famous speeches. For the occasion, he commemorated the Serbian struggle through history and called upon his fallen Serbian brothers who fell in the name of the Serbian people throughout history. There he uttered the famous ominous phrase: “Six Centuries later, again we are in battles and quarrels. They are not armed battles, though such things should not be excluded yet.”²¹

By 1991, Yugoslavia proper had collapsed, with the declaration of independence by both Slovenia and Croatia. One year later, in 1992, Bosnia would collapse as well. The wars that followed the independence of these three emerging states was nothing short of brutal. Yugoslav troops massacred the opposing army. For Slovenia, the war was fairly short, with 10 days of open conflict and the withdrawal of Yugoslav forces to focus on the Croatian front. Comparatively, Croatia suffered substantially, with Serbian troops leveling entire towns and casting sieges as far deep as the port city of Dubrovnik. However, this dims in comparison to the atrocities Serbian troops acted upon in Bosnia. Its capital, Sarajevo, had been sieged for a total of 3 years until 1995, during which the Serbian troops laid waste to the country through innumerable massacres and war crimes. Throughout the war, around 100,000 people lost their lives in the various massacres carried, the most notorious of which is the infamous massacre in the eastern Bosnian town of Srebrenica. Here, more than 7,000 men and boys of Bosniak

¹⁹ Silber, Laura, and Allan Little. *Yugoslavia: Death of a Nation*. New York: Penguin Books, 1997. p. 66

²⁰ Judah, Tim. *Kosovo: What Everyone Needs to Know*. Oxford University Press, 2008. p. 67

²¹ Silber, Laura, and Allan Little. *Yugoslavia: Death of a Nation*. New York: Penguin Books, 1997. p. 77

descent were killed. Following the atrocities in Bosnia, it is important to point out the international community's responsibility in these events, which can better explain the actions taken by NATO in the Kosovo War of 1998. This stems from the fact that the area in which the atrocities happened, was supposed to be protected under the UN Security Council. This failure to contain the war crimes in Srebrenica were engraved into the conscious minds of the West, which goes a long way to explain the rapid course of action taken in 1999.

The first blow to spark the Kosovo war was the Dayton Peace Agreements 3 years prior. The results of this agreement were that with the two wars now ended, the European Union quickly pushed to recognize the new Yugoslav Republic and the new Balkan countries as legitimate. This lit a fuse in Kosovo for one main reason, it was a show for the Kosovar people that results would not come without armed conflict.²² These actions tie in with the wider complex of the decades prior, in which actors such as Ibrahim Rugova moved towards the creation of a shadow government in Kosovo whilst following a Ghandian policy of non-armed defiance. The opposition of this came from the People's Movement of Kosovo, or LPK, which preached the mobilization of armed conflict against Serbia to push for an independent region.

The final nail in the coffin came from the arrest and subsequent murder of Adem Jashari in Prekaz on February 28, along with 20 of his extended family members, and others, which amounted to a total of 51 victims. This meant war, and there was no going back. Jashari became the martyr the Kosovars needed, and he is now regarded as the Father of the KLA and has been awarded the title Hero of Kosovo. The bombing campaign began on March 24, with NATO striking key strategic locations in Serbia, Montenegro, and Kosovo. This major aerial bombardment was to continue for 78 days, in which key areas such as weapons stockpiles and military buildings were targeted.²³ By June 10 1999, UN Resolution 1244 was passed, stating that the Serbian forces were to withdraw immediately from the region, and give way to the administration of a UN mission in Kosovo, under a NATO force occupation.²⁴ Following the occupation by the UNMIK and NATO forces, the remaining Serbian communities pooled together and fled to Serbian enclaves such as Gračanica/Graçanica.

²² Judah, Tim. *Kosovo: What Everyone Needs to Know*. Oxford University Press, 2008 p. 79

²³ *Ibid* p. 87

²⁴ United Nation Security Council (UNSC), Res 1244 (10 June 1999), UN Doc S/RES/1244

I.5: Unilateral Independence and Present Day

On February 17, 2008, Kosovo unilaterally declared independence from Serbia. According to Serbia, the declaration of independence by Kosovo was null as it was deemed unlawful, however, at the same time, the power and influence exerted by Belgrade over Kosovo is minimal. Kosovo is currently recognized by 117 countries, as well as having the declaration deemed by the International Court of Justice as lawful, through an advisory opinion brought forward.²⁵ Serbia, however, continues to lay claims on the region, citing Resolution 1244 as their legal paperwork. Kosovo, however, does not pay attention to his and constructed its own institutions and legal framework to lay legislative, executive, and judiciary power over its territory and its people. It is important to note here the importance that the NATO KFOR units provide to the political environment. Thanks to them, the situation was able to be maintained under control, but another interpretation of this is rather sedated than peaceful.

Nevertheless, since 2011, there have been efforts, made by external actors, to reconcile the two countries, through a path of normalization of relations. To call this process sporadic, however, would be an understatement. Dialogue options are limited between the two countries, as at the core of the issue, no side is willing to give in to their core demands: Serbia's being the recognition of Kosovo as a Serbian region under the same state, while the Kosovar demanding complete recognition from the other party. As a result, progress has been scarce and oscillating, between periods of progression, followed by periods of deadlock in diplomatic relations.

Following the declaration of independence, a number of agreements and diplomatic initiatives have been brought forward as to progress the process of normalization. The first being the Brussels Dialogue, started in 2011, which sought to restart diplomatic relations between the two countries. This dialogue culminated in 2013 with the signing of the Brussels Agreement. This agreement, however, has been the one big step forward which is still yet to be implemented by either side. External Actors such as the EU have made it abundantly clear that there will be no further Accession into the EU by either country, if the issue of normalization is not resolved first. Lastly, the Washington Agreement of 2020 is the final agreement signed by both countries thanks the US' mediation and Trump's administration. Results, however, have been lackluster, with the agreement focusing primarily on economic normalization, while blindly overlooking the need of a political normalization between them.

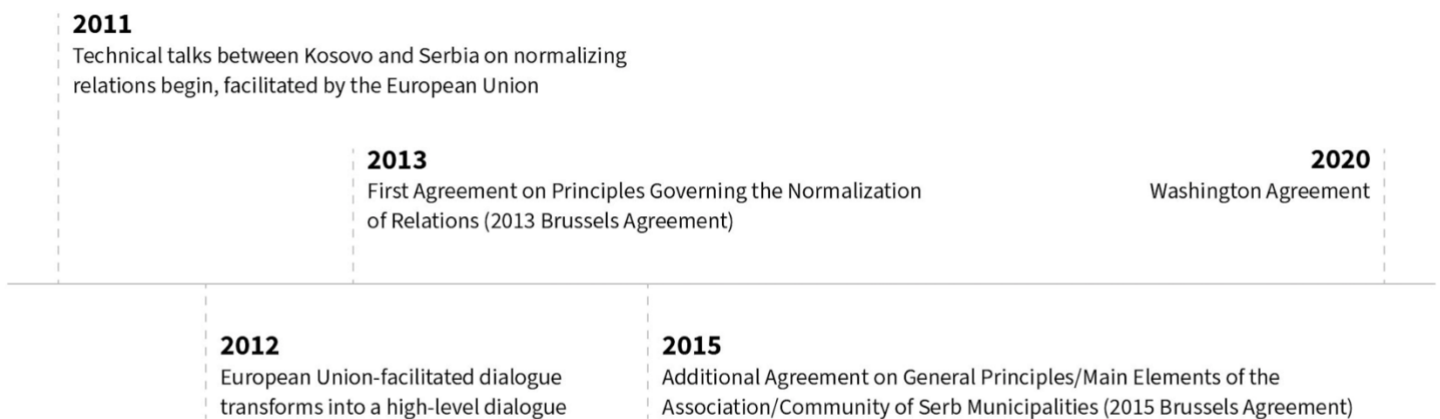
²⁵ Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo (Advisory Opinion) [2010] ICJ Rep 403

In conjunction with these agreements, there have been a number of periods of stall, including diplomatic deadlock and periods of heightened alert. These will be discussed further in the coming chapters.

Chapter 1: Inching Towards Normalization

1.1: Just War Theory and the Birth of a State

The Kosovo case has been fundamental in the creation of new frameworks in regard to just war theory, and also poses new precedents on the legality of the wider secessionist movements in the world. Considering the absence of a clear and unitary framework by the international community on the law of secession, the case of Kosovo makes for a good precedent to which future frameworks may be created, so as to uphold fairness in regard to future rulings. In the next sections, I will discuss the principles that Just War Theory elaborated by authors such as Walzer, to analyze the righteousness of whether the international intervention in Kosovo can be considered to fall under Humanitarian Intervention, whilst upholding the ideas of Just War Theory and international law. The principles of self-determination and non-intervention will be touched upon as well, and finally, humanitarian intervention. Afterwards, I will touch upon the birth of this state after secession. As it will be discussed further below, the case of Kosovo is quite unique in its reliance on the international community and the political situation of the new country at the time of independence.



Source: Donika Emini and Isidora Stakić, "Belgrade and Pristina: Lost in Normalisation?" European Union Institute for Security Studies, April 20, 2018, <https://www.iss.europa.eu/content/belgrade-and-pristina-lost-normalisation>.

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Figure 1: Milestones in the Kosovo-Serbia Dialogue

1.1.1: Just War and Humanitarian Intervention

Up until the breakout of the Kosovo War, the common ideology regarding humanitarian intervention was still not fully developed. The overall wider conflict in Yugoslavia throughout the 90s have been a key hallmark in the push towards a new framework from which to base intervention on, but there was still plenty of work to be done. Until then, the main ideology revolved around preserving the sovereignty of the state in question and upholding the creed of non-intervention, as envisaged by the international community at the time in Article 2 of the Charter. This of course, does not entail the complete absence at the time of humanitarian intervention regarding gross violations of human rights. The problem arose when trying to give a definitive framework with sound criteria from which to base judgement on and conclude whether military intervention was warranted or not. As such, humanitarian intervention is difficult to codify and implement homogenously, as it is malleable in interpretation and subjectivity. Hence, when considering this kind of intervention, the decision must not be taken lightly, as the final verdict must be the product of ample reflection.

Before tackling the legal aspect of the humanitarian intervention in Kosovo, I would like to focus on the arguments taken before the advent of the war, when the line between just and unjust intervention was more obfuscated, and certain points were raised that can still hold up today (with some reservations). The main point in question, is the argument of intervention leading to an undermined sense of self-determination within the population, and thus raising the point that non-intervention is paramount in order to preserve self-determination and the unaltered development of a certain country. One such political theorist supporting this argument, albeit recognizing at the same time exceptions to the argument such as violation of human rights, is Michael Walzer. In his famous book *Just and Unjust Wars*, Walzer underscores the importance of preserving the freedom of choice within the confines of the state in question, albeit with some exceptions. This is due to the fact that state sovereignty and self-determination are core components that lead to the development of a state, and when conflicts arise within said nation, it is their duty to resolve the internal conflict without outside influence.²⁶ The successes and failures that come out of internal affairs are to be dealt internally. Consequently, “the state is presumptively, though by no means always in practice, the arena

²⁶ Walzer, Michael. *Just and Unjust Wars a Moral Argument with Historical Illustrations*. Basic Books, 2015.

within which self-determination is worked out and from which, therefore, foreign armies have to be excluded.”²⁷

It is the duty of the people to allow or protest the status quo of their nation. Extrapolating from this idea, the option of protest, conflict, and resistance, lays in the hands of the people. As a result, the lack of these actions by the people, which may be considered crucial by foreign observers, may not be enforced by the international community unless that initiative is taken from within. The people are free to rebel, just as they are free not to rebel. This freedom of choice is exclusive to the national sphere and does not transfer to the international community easily²⁸. This is due to the process of internal change. From the inside, there may have been a choice to choose aversion to armed resistance and instead opt for slow gradual change of the institution through different means.²⁹ In this sense, the choice of international intervention will speed up their natural course of events where “their prudential calculations have been rejected all in favor of someone else's conceptions of political justice and political prudence”.³⁰

On this note, it is also important to mention how international intervention in an internal conflict shapes the future legitimacy of the resistance movement if it “wins” the armed struggle against its oppressors/tyrants. While Walzer argues that there are instances of justified intervention, of which secessionist movements may fall under this category, he stresses the importance of the consequences of intervention in the post conflict period. By relying too much on the help from outside forces, the internal mass mobilization that spurred from internal self-determination, will erode the legitimacy of the political structures that arise at the end of the war. The presence of a foreign actor, with its own personal moral views and ethics, as well as political history and structure, will shape the future of the country in question. As a result, future issues of legitimacy of the new status quo can arise.³¹

However, in *Just and Unjust Wars*, Walzer listed the exceptions to his rationale, which are centered around the violation of human rights within a state, or the persecution of a specific group of people within the nation. At the same time, while he gives grounds for humanitarian intervention, he also distinguishes intervention as a result of human rights violations from intervention of protecting one’s nationals, intervention in civil wars to protect the dynamics of

²⁷ Walzer, Michael. “The Moral Standing of States: A Response to Four Critics.” *Philosophy & Public Affairs*, 1980, 209–29. p. 210

²⁸ at least not at the time of the wars in Yugoslavia in our case

²⁹ Walzer, Michael. “The Moral Standing of States: A Response to Four Critics.” *Philosophy & Public Affairs*, 1980, 209–29. p. 214

³⁰ *Ibid* p. 215

³¹ Walzer, Michael. *Just and Unjust Wars a Moral Argument with Historical Illustrations*. Basic Books, 2015. p. 87-91

the local forces from a third party intervention, and (most importantly for our argument) intervention to assist a national community in gaining independence from a state whose secessionist movement regards as oppressive.³²

Thus, a question arises; what constitutes grounds for legitimate and just humanitarian intervention? The difference lies in the violation of human rights. Humanitarian intervention in cases of secessionist movements gain their legitimacy from the abhorrent violations of human rights, rather than the presence of armed conflict. Humanitarian intervention is thus defined as intervention to prevent the continuation of crimes against humanity, rather than as a way to free the people from home-grown tyranny.³³ In the case of the Kosovo war then, the legitimization of international intervention, per the arguments discussed above, gains traction from the gross violations of human rights done by the Serbs towards the Albanian population. In fact, this case constituted not an internal conflict between secessionist movements and the status quo, but a proper ethnic cleansing perpetuated by the Serbian army as the conflict was not reduced to conflict between armed forces but used as an excuse to decimate Albanian civilians in the process. This warranted humanitarian intervention as the State lost its claim to sovereignty in that moment, as the State has an implicit responsibility to protect its civilians. In that situation, the State could no longer be considered a sovereign body with legitimacy but as an aggressor towards its own people, to which intervention is justified. In fact, this point was highlighted by the UN in Resolution 1674 of 2006, regarding the Protection of Civilians, where it stated that the deliberate undertaking of civilian targeting in situation of armed conflict is a flagrant violation of International Humanitarian Law.³⁴

Unfortunately, however, with regard to the Kosovo War, a problem arises from the rationale at the time which must be considered in order to maintain an unbiased analysis. As discussed in the historical background as well, the reason behind the swift bombing campaign by NATO was not due solely to the events of the war, but the guilty conscience felt by the Western powers towards the failed duty to protect the Bosnian population during the war a few years prior. As a result, in fear of witnessing Bosnia 2.0, NATO quickly reacted to put an end to the conflict. While in hindsight, the swift intervention allowed for the prevention of further bloodshed, it did not bode well in regard to the legitimacy of the campaign, to which Serbians

³² Ibid p. 106

³³ Nardin, T. "From Right to Intervene to Duty to Protect: Michael Walzer on Humanitarian Intervention." *European Journal of International Law* 24, no. 1 (2013). p. 69

³⁴ United Nation Security Council (UNSC), Res 1674 (28 April 2006), UN Doc S/RES/1674

regard to this day as unlawful.³⁵ The Independent International Commission for Kosovo agrees on this assessment as well, concluding that the intervention was “illegal but legitimate”³⁶. The illegality, according to the IICK, stems from the fact that NATO did not receive permission by the UN Security Council to intervene. Yet, the Commission deemed it legitimate because “all diplomatic avenues had been exhausted and there was no other way to stop the killings and atrocities in Kosovo”.³⁷ Having said this, the Commission continues by criticizing the way in which the intervention was carried out, mentioning how the air campaign did not take into consideration the retort of the Serbian army towards the Kosovar Albanians, as well as failing to have appropriate plans in place for receiving refugees.³⁸

Lastly, it is important to point out that the majority of the literature focuses on the Albanian side as the victims, with the Serbian army as the aggressors. However, there is not enough literature pointing to the fact that the war crimes that happened in Kosovo came from the Kosovo Liberation Army (KLA) as well, or at least they are not discussed as deeply as the counterpart. In light of this, the question of legitimacy of humanitarian intervention is questioned, as the campaign focused on the targeting of Serbian strategic assets and bases, without considering the war crimes perpetuated by the KLA and its leaders towards Serbians. According to Human Rights Watch “The KLA was responsible for serious abuses [...] including abductions and murders of Serbs and ethnic Albanians considered collaborators with the state. Elements of the KLA are also responsible for post-conflict attacks on Serbs, Roma, and other non-Albanians, as well as ethnic Albanian political rivals”³⁹. Moreover, while there has been some progress in the indictment of former Serbian leaders in the war crimes committed during the war, there is a far fewer number of Albanian leaders faced with indictments for war crimes and crimes against humanity carried through the KLA. In fact, according to Human Rights Watch, these former KLA members can also be found within the new Kosovar political structure. Progress on this front has improved recently, with the indictment of former Prime Minister Ramush Haradinaj, and the preliminary indictment of former President of Kosovo, Hashim Thaçi, in 2020.

³⁵ This explains the vast difference in support ratings for NATO when interviewing both ethnic groups. There is a stark difference in how Serbians view NATO, compared to how Kosovar Albanians see NATO.

³⁶ “The Kosovo Report: Conflict, International Response, Lessons Learned.” Independent International Commission on Kosovo, 2000.

³⁷ Ibid

³⁸ Ibid

³⁹ “UNDER ORDERS: War Crimes in Kosovo.” Human Rights Watch, 2001. p. 13-14

1.1.2: Birth of a State After Secession

When it comes to the state that arose after the war in 1998, and its declaration of independence 10 years later, it is regarded as a unique case study. Specifically, the role that the international community had in its genesis and survival during not only the post-conflict period, but also the post-independence period, create a particular situation in which the birth of the state and its development is closely tied to its international helpers. Since the period of decolonization, no new country arose from “self-determination” quite like Kosovo, nor without this many external actors playing a role in its development. The close relationship derived from the NATO intervention and the subsequent UNMIK administration, allowed for Kosovo to get back on its feet following the end of the Kosovo War (a war which was won thanks to the international community) and, at the same time, guarantee its border security through the occupation of KFOR. Subsequently, the International Steering Group has worked closely with Kosovo to implement its final status and exercise its sovereignty since its declaration of independence in 2008.

This is where the first issue begins. Normally, the legitimacy of a new state’s authority is derived from its internal components. From its ability to maintain security and claim the 4 elements of a sovereign state: territory, population, a government, and the ability to engage in international relations. This state building process is agreed by scholars to be an internal one, with a very limited role by international actors who act more as facilitators than providers. This is done so as to prevent the risk of outside influences (which are usually bigger international actors with a lot of hard and soft power as in the case of the US and the EU) undermining the local ownership of the freedom of association that the people in the new seceded state can benefit from. Thus, the new institutions that will arise from a period of secession must learn to put themselves together and learn how to walk, with minimal help from outside actors. However, this is not the case in Kosovo, where the international community has not only acted as facilitator but at times as provider and captain to the steering of its future. This was seen through the reliance by the newfound state on external Actors such as the UN and KFOR to uphold their legitimacy in the region. As a result, an argument can be made that Kosovo did not in fact possess the necessary conditions for it to be considered a sovereign state at the time of its independence.

Moreover, the role of international recognition is an important one, albeit not vital to the legitimacy of a sovereign state. The act of recognition within the international arena posits

the ability for the state in question to engage in international relations with other sovereign states. While this is not a prerequisite, its recognition by the international community allows the State to engage in international agreements with other states, as well as participate in key forums that grant it access to international funds aimed at development, security, etc. Thus, recognition, while not vital, is extremely enticing as it shows the willingness by other sovereign states to not only engage in discussions, but also respect the boundaries of that State according to international law. Unsurprisingly, states like Serbia, Russia, and China do not yet recognize Kosovo. According to them, Kosovo is an autonomous region of Serbia, and continues to be so even after UN occupation at the end of the war. However, there is a stark difference between theory and practicality. While Serbia continues to claim sovereignty over Kosovo, in practice, it has no control over the region anymore, albeit for some soft power and parallel institutions in the Serb-majority municipalities. Moreover, Serbia engages in conciliatory talks and roadmaps towards normalization of relations with Kosovo and has signed a number of documents⁴⁰ with the Kosovar entity. Due to this, it can be argued that while there is not an explicit recognition by Serbia, there is an implicit one in the form of treating the Pristina government as an entity on equal grounds with the Belgrade one in discussing normalization of relations between the two.

Serbia in this case, weaves out of this narrative by highlighting that its willingness to engage in talks is predicated on the normalization of relations, so as to avoid a second conflict, as well as protect its Serbian population within the region that are isolated and allegedly preyed upon by Albanians. This series of talks does not lead at the end of it all to a formal recognition of Kosovo, claim Serbian officials, but rather aim to increase quality of life through economic reforms and safeguarding of good governance for its people. In addition, the normalization of relations is a key requisite in order to unfreeze the accession process to the EU for both states. What this normalization will look like however is not entirely outlined, hence giving room for interpretation that formal recognition is not necessary for EU accession, but rather, normalization of relations. The EU agrees to this point of view. This however will be talked in more detail in the next chapter.

Regarding the legal aspect of secession in international law, there is no general framework according to the literature regarding what constitutes a lawful and unlawful secession. What it does show however, is the problem that this creates since the lack of a

⁴⁰ The word document here is used because all the agreements signed between Serbia and Kosovo have not been ratified by the Serbian state and they continue to be referred to as memorandums or political documents, so as to not lose popular opinion back home and be labeled a traitor of the Serbian people

general framework forces international law to proceed case by case. During the 20th century, the main reason behind the separation of states into new ones was dictated by a period of decolonization. This theme allowed the independence of these countries to benefit from the full legality of self-determination through the concept of its population taking back control of their future from the European colonizers. In a 2010 Advisory Opinion by the ICJ, this is confirmed by stating that self-determination is “a right to independence for the peoples of non-self-governing territories and peoples subject to alien subjugation, domination and exploitation”.⁴¹

When it comes to cases such as Kosovo, the same framework cannot be used and thus the factors that consider a declaration of independence legal or not have to be found in other mediums. One such way could be to look at the process of secession rather than the legality of secession per se. In this case, then, an argument can be made that the ICJ would consider the Kosovo case more legal than other secessionist cases (like Northern Cyprus) on the fact that the international community has kept a close connection to the newfound state and has helped guide it into a self-sufficient entity exercising sovereignty over its territory.⁴²

Moreover, the ICJ continues by postulating that Kosovo finds the legality of its independence “either as a manifestation of a right to self-determination or pursuant to what they described as a right of ‘remedial secession’ in the face of the situation in Kosovo.”⁴³ This case can be brought forward as the Kosovar war was the theater of a number of war crimes and atrocities, to which the act of remedial secession can be warranted as a path towards liberalization of the oppressed Kosovar Albanian population under Serbia. What undermines the argument, at least in part, is the timing behind the declaration. Remedial secession can be justified as a way to end hostilities of a country that no longer represents a percentage of its population, thus warranting the right to self-determination, armed struggle, and ultimately independence. However, the fact that this declaration was posed 9 years after the end of the Kosovar war undermines its legitimacy, as the international intervention was able to cease hostilities and maintain a sedated environment, while at the same time promote the reacquisition of autonomy of the region.

Ultimately, the declaration of independence was regarded as in accordance with international law and, just like the claims of NATO’s military intervention being ‘illegal but

⁴¹ Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo (Advisory Opinion) [2010] ICJ Rep 403 point 79

⁴² This is true up to a point, as the Kosovar government cannot claim to have complete control over its territory as Serbian majority enclaves in the state still continue to function independently of Kosovo’s government and with the help of Serbia’s soft power.

⁴³ Ibid point 83

legitimate’, the declaration of independence can be considered a grey area in which the pendulum swings towards the Kosovar secession as being the “right thing to do”. Moreover, as postulated above, the right to national liberation arises internally rather than externally, through sometimes slow processes which take time to develop. Because of this, while the argument of remedial secession is not as strong a case as it would have been if Kosovo declared independence in 1999, ultimately it is the will of the people and the government that arose from it, to take the reins and steer the country towards self-determination, whatever that may be. Finally, the presence of *sui generis* cases and opinions regarding secession underscore the importance for the international community to come up with a general framework from which future secessions can be judged fairly and on the same basis, thus eliminating the possibility of political influences in the rulings as well as cease dissenting opinions regarding the new seceded state, which can only help it in its mission to gain international legal recognition by other sovereign states.

1.2: The Brussels Agreement

When discussing the process of normalization of relations between Kosovo and Serbia, it is impossible to not discuss the Brussels Agreement of 2013. Officially titled “First Agreement of Principles Governing the Normalisation of Relations”, this 15 point bilateral agreement was the first effective step towards a possible future of reconciliation, by tackling issues important to both parties, in particular, the Serbian majority enclaves in Norther Kosovo. The aim of this agreement was not one of a single definitive international agreement between the two parties, which would cease hostilities and secure reconciliation, but rather, a steppingstone from which to build on. In fact, 12 out of the 15 points in the agreement focus on the integration of the Serbian dominant northern Kosovo into the political structure of Pristina, while at the same time securing some degree of autonomy for the communities there, so as to preserve their right to association and freedom of local representation. This first step was under the hopes that seeing the ratification of this agreement would put Serbia at ease regarding the safety of its ethnic minority in Kosovo, and not see them as being left at the mercy of it.⁴⁴

⁴⁴ Guzina, Dejan, and Branka Marijan. "A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations." The Centre for International Governance Innovation, 2014. p. 5

The acceptance by Serbia to partake in this agreement is also important to point out. Until that point, the post-war wounds were still fresh in everyone's memory, and the idea of achieving an agreement between the two countries was inconceivable as neither entity could stand being in the same room as one another. This changed in 2011 with the beginning of the EU-led Brussels Dialogue which culminated in the Agreement two years later.⁴⁵ Hence, it is evident to see how Serbia's shift in foreign policy towards Kosovo has warranted for some scholars defining this agreement as "a momentous first step"⁴⁶. By agreeing to this bilateral agreement, Serbia has implicitly and indirectly acknowledged the legal entity and legitimacy of the Kosovar state, and has given it control over the territory in question. While this point of view is still not confirmed by Serbia, who still refers to Kosovo as an autonomous part of itself, it is evident as being a first step towards a future recognition. To add to this point, it is interesting to point out how Serbian officials today argue about the recognition of Kosovo's independence in light of it being something that is of "high value" and thus must be traded for something of equal value in return. This is a stark difference in narrative between the post-war period and now, whereas 15 years ago, such a statement would have been unheard of.⁴⁷

The arrival of the Brussels Agreement was made possible through the EU-led Brussels Dialogue starting in 2011. Thanks to this, both parties were able to meet halfway in a negotiating table by focusing on retying some relational elements. Some of these elements have still not been implemented but are nonetheless important in the symbolic value that an attempt to return to the negotiating table was made. Some of the areas focused on these negotiations include topics such as:⁴⁸

- **Exchange of Liaison Officers:** no clear objective or mandate, but symbolic in the willingness to establish dialogue.
- **Recognition of Kosovo's Custom Stamps:** ensured the freedom of movement of goods between the two countries. Yet, still more symbolic than practical.

⁴⁵ Shpetim, Gashi, and Igor Novakovic. "From Technical Negotiations to Comprehensive Normalization Relations Between Belgrade and Pristina." Friedrich-Ebert-Stiftung, September 2017. p. 4

⁴⁶ Guzina, Dejan, and Branka Marijan. "A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations." The Centre for International Governance Innovation, 2014. p. 5

⁴⁷ Shpetim, Gashi, and Igor Novakovic. "Brussels Agreements Between Kosovo and Serbia: A Quantitative Implementation Assessment." Friedrich-Ebert-Stiftung, December 2020. p. 6

⁴⁸ Guzina, Dejan, and Branka Marijan. "A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations." The Centre for International Governance Innovation, 2014. p. 5

- **Cadastral Records:** while not handing over Kosovo’s cadastral records, Serbia agreed to give certified copies which can be used to better divide the country’s cadaster.
- **Recognition of University Diplomas:** While still not recognizing each other’s diplomas per se, both countries agreed to validate them through an international education institution.
- **Integrated Border/Boundary Agreements:** Aimed at resolving the issue regarding policing of borders/boundaries.⁴⁹ The issue of border control was one that was hurting both countries’ economy by allowing a great amount of goods to pass borders illegally and contributed to the flourishing of organized crime.

The contents of the Brussels Agreement were aimed to get a foot in the door of normalization by focusing on the biggest source of practical tension between the two countries: what to do with the Serbian minority in northern Kosovo. Thus, the implementation of the Brussels Agreement stipulated the creation of an Association/Community of Serb Municipalities, to which the Serbian population would benefit a substantial amount of autonomy under Pristina. The rest of the subjects tackled in the agreement complement that main issue, by focusing on the integration of the parallel structures into the Kosovar framework, the providing of amnesty law for Serbs who resisted Kosovar police in the past, as well as the set-up of municipal elections and police reforms.

The various points are shown below:

- **Establishment of the ASM:** The bulk of the agreement focuses on the creation of this entity. 6 of the 15 points focus on the set-up and structure of the Association/Community. The wording however is misleading at times, which cause confusion. Point 4 argues that the ASM shall “have full overview of the areas of economic development, education, health, urban and rural planning”⁵⁰ but there is confusion regarding this kind of language. Kosovar politicians interpret it as it being merely an association with no executive power, while

⁴⁹ The slash is used intentionally here due to the nature of the technical negotiations, as well as the Brussels Agreement, being reliant on the concept of Creative Ambiguity as a way to push negotiations forward.

⁵⁰ Srbija.gov.rs. “Brussels Agreement.” Brussels Agreement, <https://www.srbija.gov.rs/cinjenice/en/120394>. Point 4

Serbia interprets it as being substituting to Kosovar municipalities, with full executive power over northern Kosovo.

- **Integration of the Serbian Security Personnel into the Kosovar Police Structure:** this declares the dismantling of the Serbian parallel structures and seeks to integrate the Serb security into the new Kosovo police. Furthermore, it declares that there “shall be one security force in Kosovo, called the Kosovo Police, under one salary”.⁵¹
- **Judicial Integration into the Kosovo Legal Structure.**
- **Organization of Local Elections for the Serbian Municipalities:** This was to make the election process under the Kosovar state rather than a parallel institution. These elections were to be undertaken in the 4 northern Kosovar Municipalities. Elections for the other 6 Serb Municipalities have not been discussed in the agreement.
- **Telecommunication and Energy**
- **Commitment to not Block each other’s Progress in EU Accession:** This commitment to not block EU Accession does not help the Kosovar fears however that Serbia may choose to veto once it enters the Union, to which it is projected to enter before Kosovo for now. Some talks have been discussed regarding the Serbian Accession plan to involve a clause of non-veto towards Kosovo, but nothing has yet been agreed upon.
- **Implementation Committee:** a committee will be established with the facilitation of the EU in order to bring about concrete methods of implementation of the agreement.⁵²

In its language choice, the agreement incentivized the creation of a future rounds of negotiations in order to work out the kinks, as well as specify certain points in order to follow a more detailed approach regarding practical actions. This would focus on the implementation of the biggest issue brought forward in the Brussels Agreement, the integration of the Serb minority in the political structure, and the securing of an Association/Community of Serb Municipalities (ASM). This was detailed in the “Additional Agreement on General Principles/Main Elements of the Association/Community of Serb Municipalities” in 2015. The

⁵¹ Ibid point 5

⁵² Ibid point 15

extent of implementation, however, is the issue here. As it will be shown in the coming sections, the level of implementation of the Brussels Agreement, the technical negotiations beforehand, and the second agreement stipulated in 2015, have a long way to go. Implementation has been stagnant and lackluster at times as diplomatic channels have frequently halted and restarted.

Furthermore, the lack of results given by the Brussels Agreement in the years that followed, stirred a sentiment of mistrust between the politicians and the population. This was also seen in the low voter turnout to the local Serb municipal elections in the north, with less than 20% voter turnout.⁵³ In addition, both actors find extreme pressures at home, where actions such as the opposition by the *Vetëvendosje* party regarding amnesty law has helped with the hesitance of the people to believe in change. Another example is the treating of the Brussels Agreement by Serbia. While Kosovo quickly pushed for ratification by Parliament of the international agreement, Serbia has not yet ratified it, stating it is not a legally binding agreement, but rather “a political document”.⁵⁴ This is detrimental to the good intentions of normalization, where both parties seem to agree on certain areas, but either do not implement their promises or go back on their word.

1.2.1: “Creative” or “Destructive” Ambiguity

It is important to note the high stakes of the normalization process for the European Union. By 2010, the United States decreasingly sought to continue the process of normalization and gave the reins to the EU, of which the new European External Action Service (EEAS) desperately needed to take a win.⁵⁵ As a result, one of the tools used by the EEAS in order to reconcile and bring the two differing parties to a negotiating table, was through the use of incomplete or purposefully ambiguous language so as to allow room for interpretation, with which both sides could have a degree of movement and make them less resistant towards negotiations. At the same time, the use of ‘*creative ambiguity*’ allows a certain amount of breathing space to both sides when bringing the discussion to the national sphere. Both sides find extreme nationalist pressures back home when discussing the normalization of relations, with the opposition (as well as the population at large) not believing in the concept of a win-

⁵³ Guzina, Dejan, and Branka Marijan. "A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations." The Centre for International Governance Innovation, 2014. p. 8

⁵⁴ Shpetim, Gashi, and Igor Novakovic. "From Technical Negotiations to Comprehensive Normalization Relations Between Belgrade and Pristina." Friedrich-Ebert-Stiftung, September 2017. p. 6

⁵⁵ Bieber, Florian. "The Serbia-Kosovo Agreements: An Eu Success Story?" Review of Central and East European Law 40, no. 3-4 (2015) p. 297

win strategy. Thus, any concessions given to the opposite side will result in a defeat politically. Serbian officials have been accused of “selling off Kosovo for promise of EU Accession”⁵⁶, while Kosovar officials have been accused of betraying the people by allowing concessions⁵⁷ (one such example is the implementation of the ASM as a governmental body rather than a simple association with no executive power). Moreover, there are diverging opinions within the EU itself regarding the status of Kosovo. 5 of its 27 member states do not recognize Kosovo as an independent state. As a result, the language that must be used by the EEAS cannot reflect a biased view and pushed the EU to take a position of state neutrality towards Serbian-Kosovar relations.⁵⁸

According to David Mitchell, there are two motives that explain the intentional use of ambiguous language in negotiating talks, especially ones that are politically sensitive. One motive has ‘objective capacity’ which refers to the use of ambiguous language as beneficial to both parties for the overall progress of technical negotiations through the compartmentalization of certain issues and use them to further the negotiating agenda. By allowing the negotiations to not focus on a single series of controversial points, but rather choose ambiguous language so as to temporarily resolve the impasse, there is a higher possibility of progressing the dialogue and move towards a preliminary draft of a general agreement. The second motive has ‘subjective capacity’, in which is beneficial for both parties as the textual ambiguity allows for two benefits. Firstly, it gives an opportunity for either side to return to their national assembly with concrete results in the form of progressing dialogue and a possible general agreement, as well as being able to push a rhetoric of diplomatic victory as their side is gaining more in the agreement than the other. Thus, this is a form of political “saving face”. Secondly, it allows the parties to save themselves from accusations of treason against the state back home, invoked by the opposition party when mentioning the negotiation ‘with the enemy’.⁵⁹

The use of creative ambiguity can also be seen before the beginning of the Brussels Dialogue. In October 2010, a UN General Assembly resolution stated the welcoming of the EU into the mediating sphere for the Kosovo-Serbia dialogue. In the resolution, the UN welcomed the EU into taking the reins as well as emphasizing that “the dialogue would be to promote

⁵⁶ Guzina, Dejan, and Branka Marijan. "A Fine Balance: The EU and the Process of Normalizing Kosovo-Serbia Relations." *The Centre for International Governance Innovation*, 2014. p. 7

⁵⁷ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." *Center for Strategic and International Studies*, May 2021. p. 6

⁵⁸ Bashota, Bardhok, and Bujar Dugolli. "Kosovo- Serbia Agreements between Creative and Destructive Ambiguity" *UNISCI Journal* 17, no. 50 (May 2019) p. 127

⁵⁹ Mitchell, David. "Cooking the Fudge: Constructive Ambiguity and the Implementation of the Northern Ireland Agreement, 1998–2007." *Irish Political Studies* 24, no. 3 (2009) p. 323

cooperation, to make progress on the path to the EU and to improve the lives of the people”.⁶⁰ What is peculiar in this resolution is the use of ambiguous language. In the text, the mediating mandate was given to the EU but did not specify what topics would be discussed, what the layout of the normalization process would be, and what the final outcome would be.⁶¹ As a result, the EU has been given a sort of *carte blanche* in regard to the steering of the dialogue, as well as what the final outcome would stem out of this normalization process. This freedom of choice has allowed the EU to shape the dialogue in whatever dimension it deemed fit, whilst at the same time, allowing for both the internal conflict regarding the recognition of Kosovo (the 5 MS that don't recognize it) in the EU to not hamper in the final objective of the normalization agreements. In fact, the final goal for the EU is not to arrive at a recognition of Kosovo from Serbia, but rather, resolve their diverging issues, reconcile the two sides, and push for economic prosperity, so as to make them fit for future EU Accession. The last point, however, is more speculative than actual policy, considering many EU citizens do not seem inclined towards the further expansion of the Common Market.⁶²

As stated before, the first six points of the Brussels Agreement focus on the creation and the functioning of an Association/Community of Serb Municipalities (ASM). Within these 6 points, the use of ambiguous language has been the driving factor behind the agreement by either side to sign the document. Even the title of the Agreement, calling it the “First Agreement” was used with the intention to implicitly push for a second agreement later, which would clear up the ambiguity of the first agreement, when both sides were more invested in pushing normalization forward.

This ambiguous language will be looked at now:

- **Point 1:** regarding the name of both Association and Community was intentional and crucial to the agreement of either side to sign the document. The slash saved the agreement by allowing a wide margin of operability for either negotiating party, similarly to the IBM issue raised in the Brussels Dialogue in 2011.⁶³ At the same time, the slash contradicts itself, as either side claims its

⁶⁰ “Request for an Advisory Opinion of the International Court of Justice on Whether the Unilateral Declaration of Independence of Kosovo Is in Accordance with International Law” UN General Assembly Resolution, 13 October 2010, A/RES/64/298

⁶¹ Bashota, Bardhok, and Bujar Dugolli. “Kosovo- Serbia Agreements between Creative and Destructive Ambiguity” UNISCI Journal 17, no. 50 (May 2019) p. 129

⁶² Weiss, Stefani. “Pushing on a String? An Evaluation of Regional Economic Cooperation in the Western Balkans.” Bertelsmann Stiftung, 2020. See Figure 3 on p. 16

⁶³ IBM stands for Integrated Border/Boundary Management. By calling it both boundary and border, both sides can argue that the dividing line is what they want it to be, for Serbia a boundary line delineating the autonomous region of Kosovo, and for Kosovo, and international border line dividing two sovereign states.

own version. Serbia claims it to be a Community with executive powers, while Kosovo claims it to be an Association, similar to an NGO.

- **Point 2:** the ASM will be based on a statute, and its structure will be similar to the Association of Kosovo's Municipalities. The ambiguity here is regarding what institution will give the statute legal power and what its powers will be.
- **Point 3:** on the structure of the ASM, there will be a President, an Assembly, and a Council. There is no specification regarding what each of these actors' job is.
- **Point 4:** the ASM will have "full overview of the areas of economic development, education, health, and urban and rural planning"⁶⁴. The use of the words full overview however cause ambiguity regarding what exactly is going to be authorized, what is going to be mandated, and to what extent will the ASM have authorization over these topics.
- **Point 5:** "the Association/Community will exercise other additional competences as may be delegated by the central authorities"⁶⁵. This does not specify what other additional competences will be mandatory under the ASM, and what will be optional, if any of them will be optional in the first place.
- **Point 6:** regarding the representation of the ASM with other authorities, it states that the ASM "shall have" a seat in the communities consultative. Similarly, the ambiguous usage of 'shall have' does not specify whether this seat is something that is mandatory or optional.

The use of such a language has allowed for a temporary sedation of these critical points and allowed for the arrival at the signing of the Brussels Agreement. However, the consequences of this ambiguous language have been seen in the signing of the following agreement in 2015, aimed at clarifying the various points of the Brussels Agreement. It is here however, where the problems began. With the signing of the 2015 Agreement, there has been a considerable slowing down of implementation of the Brussels Agreement. This is due to the fact that the Agreement was hanging on the fact that it was a signed agreement that allowed for both parties to envisage two distinct futures, of which reality caught up with, resulting in many rounds of negotiations without any clear progress. The clarification of the various points in the

⁶⁴ Srbija.gov.rs. "Brussels Agreement." Brussels Agreement, <https://www.srbija.gov.rs/cinjenice/en/120394>.

Point 4

⁶⁵ Ibid Point 5

new Agreement in 2015, consisting of 22 points, resulted in the breaking of the fragile relation that was built with the Brussels Agreement. With the clarification of the six points, the carefully built sedation of resistance internally by both parties resulted in parties such as *Vetëvendosje* to amass support in resisting the government and the new Agreement. Hence, whilst at first the use of creative ambiguity was lauded by all as a diplomatic ice breaker, it showed its defects, with some referring to it as “destructive ambiguity” which creates a “spiral of insecurity”.⁶⁶

1.2.2: Implementation Assessment

In regard to implementation, a few observations must be made. As mentioned above, the implementation of the Brussels Agreement, along with its extension in 2015, have encountered implementation issues deriving from a lack of commitment by both sides to concrete progress. The internal pressures to maintain a narrative of winning over the other side has led to ambiguous agreements without any actual inclination towards actual ratification. The same agreements instead, turn into heated debating points with which either side uses as ammo to exercise their power over the other, thus resulting in multiple stalls in dialogue and even backtracking. With the advent of the new *Vetëvendosje* government, there are few indications that normalization talks will continue. Actions such as sending the question of implementation of the ASM to the Kosovar Constitutional Court and ruling it unconstitutional,⁶⁷ sends signals of unwillingness to both respect agreements committed to with the Kosovar Old Guard, but also shows lack in the wish to continue in the normalization process started. Another clear indication of this is seen in Kurti’s statements that the normalization with Serbia is not in his government’s “list of priorities”.⁶⁸ On the same note, Kurti has also wished to opt for a reset of normalization talks with Serbia, thus starting the process all over again.⁶⁹ All of these actions point to there being yet another stall in the normalization process which does not seem to invoke confidence in both countries. The other side, however, does not show particular willingness to cooperate either. The Serbian government is not anywhere closer to show intention of

⁶⁶ Bashota, Bardhok, and Bujar Dugolli. “Kosovo- Serbia Agreements between Creative and Destructive Ambiguity” UNISCI Journal 17, no. 50 (May 2019) p. 135

⁶⁷ Conley, Heather A., and Dejana Saric. “The Serbia Kosovo Normalisation Process: A Temporary US Decoupling.” Center for Strategic and International Studies, May 2021. p. 7

⁶⁸ Service, RFE/RL's Balkan. “Leftist-Nationalist Party Set for Huge Win in Kosovo's Parliamentary Elections.” RadioFreeEurope/RadioLiberty. Leftist-Nationalist Party Set For Huge Win In Kosovo's Parliamentary Elections, February 14, 2021. <https://www.rferl.org/a/kosovo-parliamentary-elections-kurti-wins-hoti-serbia-dialogue-economic-downturn/31102053.html>.

⁶⁹ Isufi, Perparim. “Kosovo Seeks 'Reset' of Decade-Old Dialogue with Serbia.” Balkan Insight, March 18, 2021. <https://balkaninsight.com/2021/03/16/kosovo-seeks-reset-of-decade-old-dialogue-with-serbia/>.

cooperation, especially after the 2020 elections, seeing Vučić's party obtain a smashing victory, and renewing intentions to not concede on the normalization front. Furthermore, external factors such as Chinese investments⁷⁰ and renewed Russian presence in Serbian politics show substantial incentives to continue the policy of “normalization without recognition”.⁷¹ At the same time however, the cracks in both countries are beginning to show and, while both countries continue steadfastly on their commitments to not give in to concessions, they also realize the enormous costs that this conflict brings to their national economies.⁷² Economically speaking, both countries would benefit significantly from a normalization of relations, which would allow either sides' export sector to significantly improve. For Serbia, normalization would result in higher imports by Kosovo, which takes up a larger slice of Serbia's current account compared to Russia. At the same time, Kosovo's growing wine and brandy industry would be perfect for the Serbian market. Therefore, the possibility of a breakthrough in the future may become inevitable from an economic point of view.

Focusing on implementation assessment, the technical negotiations begun in 2011, the Brussels Agreement of 2013, and the additional agreement of 2015, will be examined. This section will be aided from the assessment made by Shpetim Gashi and Igor Novaković focusing on the implementation of all Brussels Documents signed since 2011 until 2020. In addition, the European Commission's 2021 Kosovo Report will be used as well in detailing the implementation assessment. For this section, I will focus on the ones regarding the technical negotiations, and the two Brussels Agreements. While this thesis will not touch on the entire assessment by Gashi and Novaković, this report, along with the Commission's 2021 Report, have been included in the bibliography below for further reading if wanted. As it will be seen, certain areas of the Brussels Agreements have been fully implemented, while there is still a majority of the agreements that have yet to be fully implemented, falling under the category of “partly implemented” or largely implemented”. The sections are shown below:

⁷⁰ Rankovic, Rade. “China Grows Balkan Investments by Asking Less than EU, Say Experts.” VOA. China Grows Balkan Investments by Asking Less Than EU, Say Experts, December 12, 2021. <https://www.voanews.com/a/china-grows-balkan-investments-by-asking-less-than-eu-say-experts-/6349558.html>.

⁷¹ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." Center for Strategic and International Studies, May 2021. p. 4

⁷² Shpetim, Gashi, and Igor Novakovic. "Brussels Agreements Between Kosovo and Serbia: A Quantitative Implementation Assessment." Friedrich-Ebert-Stiftung, December 2020. p. 6

1. **Civil Registry (2011):** The entire section on civil registry books from the technical negotiations have been completely implemented
2. **Cadastral Records (2011):** This section has been partly implemented as there is yet to establish a full reliable cadaster. Moreover, Serbia has yet to send complete scanned copies of its cadastral records.
3. **Integrated Boundary/Border Management (2011):** Largely implemented. There has been limited progress in the establishment of the Six permanent IBM crossing points. Serbia took possession of the new EU funded facilities in Mardare crossing point but has yet to start the construction of the crossing point on the Serbian side in Jarinje, Mucibabe, and Konculj, which led to suspension of EU funds for now.⁷³
4. **Custom Stamps (2011):** Fully implemented.
5. **Recognition University Diplomas (2011):** Largely implemented. Further implementation must be made towards accommodating the agreement provisions in their respective legislature.
6. **Establishment of ASM (2013, 2015):** Not implemented. There is no progress made on any of the points put forward by both Brussels Agreements (2013, 2015). No initiative has been taken as both sides continue their stalemate on this point.
7. **Integration of Northern Security Structure in the Kosovar System:** Fully Implemented.
8. **Collection of Customs Revenue in the North (2013):** Fully implemented.
9. **Integration of Judicial Authorities in the North into Kosovo's legal framework (2013, 2015):** Fully implemented.
10. **Kosovo's 2013 Municipal Elections:** Fully implemented.
11. **Belgrade Pristina Will Not Block One Another in EU Talks:** Partly implemented. While the level of hindrance has dropped since 2013, there is still some hindrance by Serbia in Kosovo's pre-accession talks with the EU. Furthermore, Serbia's influence on this matter spans further than just EU talks, by applying pressure to member states of international organizations to not vote

⁷³ European Union: European Commission, Kosovo 2021 Report, 19 October 2021, SWD(2021) 292 final/2 p. 71

for Kosovo's entrance. This must be tackled to resecure some level of trust between both sides.

12. **Telecommunications (2013): Largely implemented**. While Kosovo has been given their own telephone code, there is still no progress done on the telecom license issues between Kosovo and Serbia. Serbian telecommunication companies have yet to be registered under the Kosovar legal framework through subsidiary companies. Furthermore, there is no progress on Kosovo's auction of new telecommunication licenses for the territory. Further effort must be put here to resolve some economic normalcy. Postal services between the two countries have also seen no results or implementation.⁷⁴
13. **Energy (2013): Revised and Implemented**. A new connection agreement has come into effect between the Kosovo Transmission System Operator and the European Network of Transmission System Operators. Serbia has filed a licensing application for its company Elektrosever, which is currently under review by the Kosovo Energy Regulatory Office.⁷⁵
14. **Exchange of Liaison Officers (2013): Fully implemented**.
15. **Mitrovica Bridge (2015): Partly implemented**. While there was some progress done on the revitalization of the Mitrovica bridge which separates Albanian south from Serbian North, there is not enough work done on either side as well as the EU. The works have long been completed but the bridge has yet to be opened to traffic.⁷⁶

As seen in these implementation reports, while there has been some progress in the sphere of technical matters, the most crucial diverging point, the ASM, has still not even begun partial implementation.⁷⁷ This failure has been the reason behind the stall of relations between Serbia and Kosovo. Although other areas need their ratification as well, in order to fully implement the Agreements, they still weigh significantly less, in diplomatic terms, compared to the establishment of the ASM. More focused efforts must be made by both sides, and some concessions must be made in order to resolve this impasse, otherwise, normalization is unreachable. Furthermore, it is important to note the gravity of stagnation. The more time

⁷⁴ Ibid

⁷⁵ Ibid p. 70

⁷⁶ Ibid

⁷⁷ Shpetim, Gashi, and Igor Novakovic. "Brussels Agreements Between Kosovo and Serbia: A Quantitative Implementation Assessment." Friedrich-Ebert-Stiftung, December 2020. p. 6

passes without any sign of conciliation in this regard, the more effort will be needed to show willingness to arrive at a conclusion, as stagnation results in malcontent from the international sphere, the political sphere, and the popular sphere. The EU Commission Report continued by encouraging the “new Kosovo government to engage constructively and resume negotiations on the comprehensive normalization agreement”.⁷⁸

1.3 Trump and the Washington Agreement

On the 4th of September 2020, the seated Kosovar Prime Minister Avdullah Hoti, and the Serbian President Aleksandar Vučić met in the Oval Office in Washington to sign a normalization agreement brokered by the Trump administration towards the end of its mandate. This agreement was composed of not one single agreement, but rather two separate documents that were signed individually by Kosovo and Serbia regarding a number of topics that were aimed at economic normalization of the two countries. The mindset behind this mediation process was derived from the idea that there cannot be political vicinity when their respective economies are suffering. Thus, aiming to resolve economic issues for both parties would allow either side to have more breathing space in order to accept concession regarding more sensitive political topic. As it will be shown below, however, the agreement cannot even be called an agreement, and its material does not concur completely with the name of *Serbian-Kosovar Economic Normalization*. Nevertheless, this was not seen as such by the standing Trump administration, who praised the signing as a momentous step towards normalization, using words such as “historic commitment” and “major breakthrough”.⁷⁹ The aftermath, however, does not seem to show these adjectives as suitable.

Before exploring the contents of the Washington Agreement, it is salient to touch upon what exactly is the legal nature of this Washington Agreement. This is where the claims of a “major breakthrough” start to unravel. One possible perspective regarding the nature of this agreement is that it is a trilateral agreement between Serbia, Kosovo, and the US. This perspective, however, has quickly been rejected by Serbia, whose President Vučić denies the agreement to be signed directly with Kosovo. The reason behind this is similar to the legal

⁷⁸ European Union: European Commission, Kosovo 2021 Report, 19 October 2021, SWD(2021) 292 final/2 p. 70

⁷⁹ Mason, Jeff, Andrea Shalal, and Jonathan Landay. “Trump Lauds Economic Steps between Serbia and Kosovo.” Reuters. Thomson Reuters, September 15, 2020. <https://www.reuters.com/article/usa-serbia-kosovo-int-idUSKBN25V2LX>

nature of all previous agreements such as the Brussels Agreements of 2013 and 2015. Serbia does not recognize any normalization agreement between itself and Kosovo as an international agreement that is legally binding, as recognition of this would imply the recognition of the state of Kosovo as a sovereign state separate from Serbia, thus warranting the need to sign an official international agreement. Vučić in this regard, pushes for a second interpretation, that is the signing of two separate bilateral agreements with the US, one for Serbian-US commitments, and another for Kosovar-US.⁸⁰ A third point of view, the most realistic of the three, argues that the Washington Agreement has no legal basis and that it is not in fact an agreement, but a mere political document that shows commitment to undertake these provisions, but for which they are not legally binding in any way under international law.⁸¹ With no legal obligations under international law, the weight of this agreement is severely lowered, as it may still be chosen to be implemented, but will probably not result in any changes to the status of relations.

Moreover, it may be argued that the Washington Agreement was intended to not be binding from the beginning. Providing legal obligations to both parties may have discouraged both sides from coming to the Oval Office in the first place, as Serbia would not have signed an agreement which would indirectly recognize Kosovo as an international entity. Thus, it can be concluded that the Washington Agreement would not have been needed to serve as a legally binding document, but rather, as a memorandum of commitment of both sides towards certain economic aspects, which will put them in better standing on American investment funds and banking loans for development projects. In addition, neither Serbia nor Kosovo have ratified the commitments or even sent the respective Agreements to parliament to begin implementation procedures.⁸²

The contents of the Washington Agreement are almost entirely equal in wording, with the only exception pertaining to the commitments of relations towards Israel.⁸³ The full text of the Washington Agreement can be found below⁸⁴, as well as in the bibliography. The following commitments were signed in the agreement:

⁸⁰ On this note, an argument can be made still, that the recognition of this point of view by Serbia could implicitly state that Serbia recognizes Kosovo as a sovereign state, thus explaining why Kosovo, allegedly still an autonomous Serbian region, would conduct international agreements with an international actor. This view is still rejected by Serbian officials.

⁸¹ Maksimović, Sandra, Ewb, and Tanjug. "What Did Serbia and Kosovo Sign in Washington?" European Western Balkans, September 17, 2020. <https://europeanwesternbalkans.com/2020/09/17/what-did-serbia-and-kosovo-sign-in-washington/>.

⁸² Muharremi, Robert. "The 'Washington Agreement' Between Kosovo and Serbia." ASIL Insights, March 12, 2021. p. 4

⁸³ Ibid p. 2

⁸⁴ See <https://www.new-perspektiva.com/wp-content/uploads/2020/09/Washington-Agreement-Kosova-Serbia.pdf>

- Implementation of the Belgrade-Pristina highway as well as the Belgrade-Pristina railway agreements, both signed in February 2020. In addition, a “joint feasibility study” will be placed overseeing the possible options to link the railway infrastructure to a deep-sea port in the Adriatic Sea.
- Both parties will work with the US International Development Finance Corporation as well as EXIM (US Export-Import Banking) on memorandums of understanding on the operationalization of various infrastructure projects such as the Peace Highway, the rail link between Pristina-Niš and Pristina-Merdare as well as provide financial support loans for Small to Medium Enterprises (SMEs)
- Open the Merdare Crossing point. This was talked about previously in the previous section, however implementation as stated before was in part overlooked, and thus was brought back in this new agreement.⁸⁵
- Both parties will join the ‘Mini-Schengen Zone’ with Albania and North Macedonia. This point however is null as there is still is no such thing as a ‘Mini-Schengen’ zone. There have only been ideas thrown around but no results yet.⁸⁶
- Both parties will mutually recognize university diplomas and professional certificates. This point was also brought up in the past, in the technical negotiations of 2011.
- Prepare, along with the US Department of Energy, on the feasibility study regarding the usage and sharing of the artificial lake on the border between Serbia and Kosovo, the Gazivoda/Ujman Lake. This, however, is a source of controversy, as the majority of the lake resides in the Kosovar side, with a minimal portion in the Serbian one.
- Both sides will pledge to protect and promote freedom of religion and renewing interfaith efforts. There will also be renewed efforts in the protection of religious sites and the “implementation of judicial decisions pertaining to the Serbian

⁸⁵ Muharremi, Robert. “The ‘Washington Agreement’ Between Kosovo and Serbia.” ASIL Insights, March 12, 2021. p. 2

⁸⁶ "ANALYSIS - Kosovo-Serbia Agreement: Lots of Noise, Little Substance." Anadolu Ajansi. <https://www.aa.com.tr/en/analysis/analysis-kosovo-serbia-agreement-lots-of-noise-little-substance/1972892>.

Orthodox Church, and continued restitution of Holocaust-era unclaimed Jewish property”.⁸⁷

- Renewed efforts on resolving missing persons cases from the Kosovar War period as well as implementing long-term solutions regarding internally displaced persons and refugees. This category will also see further integration between the two countries regarding exchange of information on these cases and provide annual updates on the number of cases resolved and still pending. This point, along with the establishment of an ASM, are the two biggest controversial points which need absolute attention and renewed efforts on their resolution so as to advance in the normalization roadmap.
- Both parties will also work to help in the efforts to dissuade the 69 countries that still criminalize homosexuality, by applying pressures to pursue decriminalization.
- Both parties will implement a one-year moratorium, in which Serbia commits to not pursue Kosovar de-recognition campaigns by pressuring other Member States or International Organizations to not recognize Kosovo.⁸⁸ Kosovo instead will commit to not seeking new memberships into International Organizations for the one-year timeframe. This is a source of confusion as Serbian de-recognition campaigns have been the reason behind stalls in dialogue (as it will be discussed further below) but it is unclear the effect produced from this moratorium.
- Both parties agree to designate Hezbollah as a full-fledged terrorist organization and commit to undertaking measures that restrict Hezbollah’s operational and financial activities that occur in their respective jurisdiction.
- Both parties will commit to not implement 5G equipment supplied by “untrusted vendors” in their telecommunication infrastructure. If this equipment was already present, both sides commit to the dismantling of this equipment as soon

⁸⁷ <https://www.new-perspektiva.com/wp-content/uploads/2020/09/Washington-Agreement-Kosova-Serbia.pdf>
Point 11

⁸⁸ In result of Serbia’s de-recognition campaign, around 15 States have revoked their recognition of Kosovo. Palickova, Agata. “15 Countries, and Counting, Revoke Recognition of Kosovo, Serbia Says.” www.euractiv.com. EURACTIV.com, August 27, 2019. <https://www.euractiv.com/section/enlargement/news/15-countries-and-counting-revoke-recognition-of-kosovo-serbia-says/>.

as possible. This point is aimed directly at thwarting the selling of China's 5G towers through Huawei.

- Lastly, Kosovo and Israel agree to mutually recognize each other. Serbia will move its embassy to Jerusalem by July 2021. On this point, Serbia did not maintain its commitment.

1.3.1 “Lots of Noise, Little Substance”

As seen by the points outlined above, while the Washington Agreement had economic normalization in mind, it is evident that it was not its main objective, as other points stand out clearly and highlight the true intentions that the Trump Administration was pursuing. The eclectic choice of topics in this agreement show that while some attempt at economic normalization was put forward, the secondary motives of aligning both parties with US Foreign Policy was the main objective of the Trump administration. The meaning behind this agreement is evident once the time period of its stipulation is taken into account. By September 2020, the race for presidential elections in the US drove the writing of this agreement as the administration was desperate to bring concrete results to the table, in order to secure Trump's second 4-years mandate. The goal was to give the Trump administration a win in the international sphere as well as the national one, by thus publicizing the agreement as a “historic commitment”, which in reality was not.

In addition, the aftermath of the agreement further showed Trump's diplomatic ineptitude. In his typical fashion, Trump's tweets were designed to portray an outcome as far greater than what was effectively agreed on. In addition, the diplomatic insensitivity towards ethnic populations and the difference between ethnicity and religion resulted in a political *gaffe* by Trump that upset various actors. Firstly, Trump's celebratory tweet for the signing of the Washington Agreement said: “Another great day for peace with Middle East – Muslim-majority Kosovo and Israel have agreed to normalize ties and establish diplomatic relations. Well done! More Islamic and Arab nations will follow soon!”⁸⁹. While at first, the tweet may seem a simple celebratory statement without further repercussions, the portrayal of Kosovo in this tweet resulted in political backlash from Kosovar officials, in particular the socialist *Vetëvendosje* and other extreme right wing groups. Legally, Kosovo is not a “Muslim country”

⁸⁹ "ANALYSIS - Kosovo-Serbia Agreement: Lots of Noise, Little Substance." Anadolu Ajansi. <https://www.aa.com.tr/en/analysis/analysis-kosovo-serbia-agreement-lots-of-noise-little-substance/1972892>.

- while it does have a Muslim majority, its government does not recognize Kosovo as being Muslim but rather a secular state. In addition, Trump's language in the tweet resulted in the insinuation that Kosovo was an Arab nation, which it absolutely is not.

This political blunder, along with *Vetëvendosje*'s resistance on the agreement, resulted in an empty agreement on the Kosovar side. Furthermore, it is important to point to Albin Kurti's antagonism towards Trump at this point in time. According to Kurti, the toppling of his government in June 2020 was a result of Trump's strongarm tactic to force him into lifting the 100% import duties placed on Serbian goods following a de-recognition campaign to join Interpol. By threatening to freeze investments and withdraw NATO troops from KFOR, Trump was successful in dissolving the government and elect a new one (led by Avdullah Hoti) that would be inclined to lift the tariffs and resume the normalization talks with Serbia, claims Kurti.⁹⁰ Furthermore, Kurti's reelection into government in March 2021 shows a substantial inclination to not follow along with the Washington Agreement signed by his preceding Prime Minister. Moreover, the undertaking of this economic normalization agreement has placed further strain in EU-US relations, as the former does not condone the direction taken in the agreements with the movement of their embassies in Jerusalem, in fear that it may further destabilize the region, as the Israeli-Palestinian conflict is even more delicate than the Serbian-Kosovar one, and needs a very capable mediating presence.

More importantly, another damaging effect of this agreement was seen in Kosovar-Turkish relations. With the latter being a passionate supporter of Kosovar independence and sovereignty, the agreement to recognize Israel and even establish an embassy in Jerusalem, was a source of concern for Turkish officials, with the Turkish Foreign Ministry expressing "grave concerns" and calling upon Kosovo to reconsider its decision and refrain from taking acts "that would prevent it from being recognized by other states in the future".⁹¹ In accordance with this stance, Brussels agreed that the ratification of this decision would be deeply concerning, and asked both parties to realign themselves with the political stance taken by the EU on the Israeli-Palestinian conflict.⁹² Fortunately for both Turkey and the EU, the new Kosovar government led by Kurti was adamant in reconsidering the position taken by his predecessor Hoti, and allowed for a lessening of tensions between Kosovo and both the EU and Turkey. In a similar

⁹⁰ "Kosovo's Kurti Accuses U.S. Envoy of 'Direct Involvement' in Collapse of His Government." RadioFreeEurope/RadioLiberty. Kosovo's Kurti Accuses U.S. Envoy Of 'Direct Involvement' In Collapse Of His Government, April 21, 2020. <https://www.rferl.org/a/kurti-accuses-us-envoy-of-direct-involvement-in-his-government-collapse/30566615.html>.

⁹¹ "ANALYSIS - Kosovo-Serbia Agreement: Lots of Noise, Little Substance." Anadolu Ajansi. <https://www.aa.com.tr/en/analysis/analysis-kosovo-serbia-agreement-lots-of-noise-little-substance/1972892>.

⁹² Ibid

fashion, Aleksandar Vučić reconsidered his position as well, and opted for maintaining the Serbian embassy in Tel Aviv.

In essence, the policy of economic normalization first, in order to deepen interdependence between two conflicting parties, is in theory a good prospect. The timing was also adequate in order to push such a process. By 2020, the EU led dialogue stalled numerous times, and the number of unilateral decisions leading to newfound tensions between the two sides instilled a lack of faith in the EU's ability to conduct both parties to any form of normalization of relations. In this regard, the EU should have done a better job in dividing the steps needed to maintain an active Accession prospect. By allowing for intermediary rewards, it would have warranted the continuation of progress in other areas, as some level of results could have been seen every time some progress was made. In this way, both sides would have been able to use the reward as legitimacy for both concessions and attenuate tensions regarding harder political topics, such as ultimate recognition. Examples of this would have been to unlock specific development funds kept only for full members after some concessions were made on either front. Similarly, the possibility of allowing both sides to enter just the single market, and thus enjoy the benefits of free movement of goods, would have allowed for economic revitalization, and enhanced efforts in progressing on the roadmap.

Unfortunately, the vision of future EU Accession for both, began to fade as a viable mediation option. As time went on and Accession talks continued being suspended, the trust in the people as well as the government in envisaging a future EU integration began to erode, and thus weaken the EU's bargaining position. Both sides, especially Serbia, placed a lot of trust in the future of their countries with accession to the EU. The problem being that the economic crisis in both countries, coupled with high levels of corruption,⁹³ deeply rooted organized crime, decreasing freedom scores in Serbia⁹⁴, and a massive brain drain of the youth,⁹⁵ who struggle to find work in their respective countries, have put either side on the ropes. The accession to the Common Market was the hope for both countries to solve their economic problems and finally increase their standards of living. This failure, while damaging to both sides, resonates with the international standing of the EU, who need this win in order to cement their position as a strong mediating power. The more time passes without any concrete results towards

⁹³ Kosovo has a score of 39/100 while Serbia 38/100. Information found on Transparency.org: <https://www.transparency.org/en/cpi/2021/index/srb>

⁹⁴ Serbia has a score of 48/100, making it a "Transitional or Hybrid Regime" by Freedom House. Last year it was at 49/100. <https://freedomhouse.org/country/serbia/nations-transit/2021>

⁹⁵ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." Center for Strategic and International Studies, May 2021. p. 9

normalization, it reverberates into lower and lower levels of trust in the EEAS and the Union as a whole.

By contrast, the failure to progress in normalization for the EU, results in soft power benefits to external Actors such as China and Russia, who both seek to gain a substantial foothold in the region, with China offering investments with less strings attached than the EU,⁹⁶ while Russia benefits from the Serbian-Kosovar instability in maintaining a strong influence over Serbian politics by disrupting Euro-Atlantic integration.⁹⁷

1.4 Political Obstacles

1.4.1 Creation of the Kosovo Armed Forces

In December 2018, the Kosovar Parliament passed a legislation to transform the previously known Kosovo Security Force (KSF) into a full-fledged armed force with military capabilities. As expected, this move by the Kosovar government greatly concerned Belgrade considering it still retains Kosovo under its authority, and thus the creation of the army of a state within a state is seen as an act of aggression. For Kosovo, the aim of the army is not only a practical one, but a figurative one as well. A sovereign state must have authority and monopoly of use of force within its territory, something that Kosovo has longed for many years, citing the feeling of impotence regarding international presence and inability to keep Serb majority areas under its authority. As a result, it can be argued that the creation of the Kosovar Armed Forces had more to do with recognition than threat mitigation.⁹⁸ However, the presence of an army poses a new security balance in the region. While the strength and relative size of the army is not particularly significant, it does put Kosovo in a new light, one that does not display it as a helpless entity guarded by NATO, but one that has self-defense capabilities.

It is important to note one detail. The Kosovar Armed Forces are not exactly an army, but rather, the Kosovo Security Forces with upgraded equipment and strength. Until now, the KSF's responsibilities have mainly been centered around humanitarian aid, search and rescue

⁹⁶ Rankovic, Rade. "China Grows Balkan Investments by Asking Less than EU, Say Experts." VOA. China Grows Balkan Investments by Asking Less Than EU, Say Experts, December 12, 2021. <https://www.voanews.com/a/china-grows-balkan-investments-by-asking-less-than-eu-say-experts-/6349558.html>.

⁹⁷ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." Center for Strategic and International Studies, May 2021. p. 4

⁹⁸ Tanner, Marcus. "Kosovo's Tough-Guy Tactics Won't Get It Far." Balkan Insight, January 15, 2019. <https://balkaninsight.com/2018/12/17/kosovo-s-tough-guy-tactics-won-t-get-it-far-12-14-2018/>.

operations, and response to natural disasters.⁹⁹ More similar to a civil protection entity than an armed force. This is derived from Kosovar Constitutional law, in which its constitution does not talk about the establishment of an army. As a result, a constitutional amendment must be agreed upon to include the creation of an army. This however requires a two-thirds majority vote both in the wider Parliament, but also a two-thirds majority from the MPs representing ethnic majorities, which would have never been allowed. When amendment votes were cast, the Serbian minority politicians willingly chose not to vote so as to stall the amendment. This impasse was bypassed through the passing of a mere legislation amendment, of which a simple majority rule would have sufficed to pass it. The legislation did not point to the creation of an army, but rather greatly increase the powers of the KSF. At the voting of this amendment, the Serbian minority did not show in protest, and thus the legislation was changed.¹⁰⁰

While this does not make the KSF an actual army, its intentions were declared clearly from the politicians that pushed for this amendment. Kadri Veseli, the speaker of the Kosovar Parliament, announced after the passing of the legislation “From this moment, we officially have an army”.¹⁰¹

Reactions to this legislation have not been favorable for Kosovo. Aleksandar Vučić declared this legislation illegal and called for the international community to come to a meeting to discuss the issue, while at the same time urging the UN to be more invested in the Serbian-Kosovar normalization process. Similarly, the reactions by actors such as the UN, the US and the EU have been worrying, with all three regretting the choice to bypass the normal legislation process to arrive to this conclusion. All three urged Kosovo to stick to its constitution and allow for the creation of such entities through the required processes, meaning the two-thirds approval of the Serbian minority. While these three actors do not intend to decrease presence in the territory or establish punitive measures to Kosovo, they have shown concern regarding the future military and security implications of the region. Now, while the possibility of a future armed conflict with Serbia is not likely, the creation of an effective Kosovar Army has increased the odds of a future conflict, albeit still very unlikely. Furthermore, it is important to highlight once again the economic state of Kosovo – with its economy going through a crisis at the moment, the practicality of an army is inexistent, if anything, it will diverge more funds

⁹⁹ “Kosovo: Creating a Full Army out of Its Security Force: GRI.” Global Risk Insights, January 14, 2019. <https://globalriskinsights.com/2019/01/kosovo-creating-army-security-force/>.

¹⁰⁰ Ibid

¹⁰¹ Birn. “Kosovo Votes to Turn Security Force into Army.” Balkan Insight, January 15, 2019. <https://balkaninsight.com/2018/12/14/kosovo-votes-ksf-transformation-into-army-12-14-2018/>.

from the limited budget towards the maintaining of this force, which is something that Kosovo does not have the luxury of doing.

Finally, timing for the push of the creation of this army lends itself to speculations that this legislation was mainly passed as a way to retort against Serbia's constant de-recognition campaign in its attempts to join international organizations such as UNESCO. This seems to be the most likely reason behind this maneuver.

1.4.2 New Import Tariffs

Shortly before the political tensions derived from the creation of the Kosovar Armed Forces, the imposition of new import tariffs on Serbian and Bosnian products entering Kosovo pushed for a major stall in dialogue and halted the entire process of normalization. This is due to the close connection between the economic sector and the political one, where barriers on one side will result in further tensions and losses on the other side as well. In fact, the imposition of import duties was not in fact tied to any protectionist policy brought by Kosovo in order to strengthen national GDP, but rather, a political tool aimed at harming Serbia's export sector in response to these political campaigns in the international arena.

These duties were first imposed after the umpteenth Serbian de-recognition campaign in the international sphere as well as the combined effort by both Bosnia and Herzegovina and Serbia in barring Kosovo's entrance into international organizations such as Interpol.¹⁰² At first, it involved a 10% import tariff on Bosnian and Serbian products, but once the application was rejected by Interpol, Kosovo decided to raise the duties to 100%, threatening to maintain them in place until Serbia will formally recognize Kosovo as an independent state. While this strongarm tactic at first glance can be seen as too haste in the aim of normalizing relations, the means were justified as Serbia and Bosnia repeatedly ran de-recognition campaigns and actively tried to keep Kosovo out of all type of international organizations and forums. While Serbia aimed to portray Kosovo in a defiant light, willingly refusing to carry normalization dialogues forward, it is important to point out Serbia's aggressive campaigns, to block Kosovo from making any type of progress.

While this tactic was sure to harm Serbia's export sector, those who were most affected from these tariffs were the Serbian enclaves in northern Kosovo, who rely on Serbian imported

¹⁰² "Kosovo Hits Serbia with 100% Trade Tariffs amid Interpol Row." BBC News. BBC, November 21, 2018. <https://www.bbc.com/news/world-europe-46287975>.

goods to survive. The close ties that the north shares with Serbia made them particularly vulnerable of these import duties, that saw their cost of living double overnight.

The response of the international community was unanimous in its condemning of the import tariffs, as it literally ground the already sluggish normalization process to a halt and kept it so during the entirety of the time that the duties were in place. In addition, the imposition of these tariffs was not welcomed at all by the EU as they went deliberately against the obligations undertaken by the Central European Free Trade Agreement (CEFTA). Federica Mogherini, the EU High Representative of Foreign Affairs, quickly called these tariffs a clear violation of CEFTA and urged Pristina to “immediately revoke these decisions”.¹⁰³ Eventually the import duties were lifted, but only after more than 2 years of these barriers in place, as Albin Kurti’s successor, Avdullah Hoti, decided to rekindle normalization talks with Serbia. As discussed previously, this lifting can be attributed in part to the Trump Administration, who sought to have Albin Kurti’s government collapse as it agreed to uphold the tariffs imposed by the previous Haradinaj government and continue the normalization deadlock. With Kurti’s reemergence as Prime Minister of Kosovo, it is important to note his choice to not place those duties on Serbia and Bosnia again, signaling that the upholding of the tariffs, and subsequently deadlocking the normalization dialogue, was more harmful than beneficial. Normalization talks resumed since the lifting of the duties in 2020, but progress is still slow and there are no particularly promising prospects in sight.

1.4.3 Flare Up Over License Plates

The recent flare up of tensions regarding license plates, stems from the deep seated mistrust between both countries, and shows that time in their case, does not heal wounds. Zahir Tanin, Special Representative of the Secretary-General and Head of UNMIK has stated in his report to the UN that “History in the region has tragically and repeatedly shown that ostensibly small incidents, misreading of intentions and outright mistakes can trigger an unstable security escalation that puts lives at risk and benefits no one”.¹⁰⁴ The issue of normalizing license plates dates as far back as the 2016 round of negotiation between Serbia and Kosovo but failed to produce concrete results regarding any sort of implementation of a normalized system for

¹⁰³ Ibid

¹⁰⁴ “Flare-up over License Plates Threatens Progress between Serbia, Kosovo, Special Representative Tells Security Council amid Debate on Future of Interim Mission | Meetings Coverage and Press Releases.” United Nations. United Nations, October 15, 2021. <https://www.un.org/press/en/2021/sc14663.doc.htm>.

border crossing. Until the outbreak of tensions, Serbia was the only one imposing special license plate validity regimes on Kosovar vehicles entering Serbia. When in September 2021, Kosovo decided to send his police to the northern Kosovo to enforce their own version of license plate validity regimes, the Serb population began protests against the police, while setting up trucks to establish roadblocks to prevent the border crossing at key areas.

The protests heightened at the border, in the administrative boundary line, in which Kosovar police, armed with armored vehicle and non-lethal weapons including tear gas grenades, engaged in a stand-off. Serbia's reaction was swift, with the deployment of a Serbian Army platoon reactionary force in the vicinity of the boundary line, with air assets providing overwatch.¹⁰⁵ At the same time, the heightened tensions brought to arson attacks of government offices in Pristina. The offices in question were two vehicle registration offices in different areas, one was set on fire deliberately according to Prime Minister Kurti, while the other was attacked by protesters who launched two hand grenades inside but failed to detonate.¹⁰⁶

This escalation of tensions lasted for 10 days, with the UN and the EU swiftly acting in order to bring both sides to a negotiating table in order to place temporary solutions to de-escalate the situation and move towards a definitive solution to the border crossing issue.¹⁰⁷ Following these discussions facilitated by Miroslav Lajčák, EU Special Representative to the Belgrade-Pristina Dialogue, both sides agreed to a temporary solution while opting for the de-escalation of tensions in the area. Both sides agreed to place temporary stickers over the vehicles' license plates in order to remove the state symbol. In conjunction to this, Kosovo agreed to withdraw its special police unit deployed at the border while simultaneously removing the roadblocks at the border crossing points. NATO's KFOR will take over the security detail of the area by deploying a contingent at the Jarinje/Jarinjë and Brnjak/Bërnjakë crossing points for a period of two weeks, in order to maintain security in the area, while also guaranteeing freedom of movement between the two countries.¹⁰⁸

As a result of this flare-up, an EU Working Group was set to be established in Brussels with representatives of both Belgrade and Pristina working along with EU representatives to find permanent solutions to the issue. The beginning of this Working Group was set to take

¹⁰⁵ Ibid

¹⁰⁶ Armstrong, Mark. "Kosovo Government Offices Attacked over License Plates Row with Serbia." euronews, September 26, 2021. <https://www.euronews.com/2021/09/26/kosovo-government-offices-set-on-fire-over-license-plates-row-with-serbia>.

¹⁰⁷ "Belgrade-Pristina Dialogue: Chief Negotiators Reach Arrangement to Resolve Tension in North of Kosovo." EEAS, September 30, 2021. https://eeas.europa.eu/headquarters/headquarters-homepage/104902/belgrade-pristina-dialogue-chief-negotiators-reach-arrangement-resolve-tension-north-kosovo_en.

¹⁰⁸ Ibid

place on October 21, 2021. So far, permanent solutions regarding this border issue have not been found. Nevertheless, the EU commends both parties for accepting to join in the Working Group and urged both parties to engage constructively towards the creation of a permanent solution that is satisfactory for either side.

So far, the detonation of this newfound tension between Serbia and Kosovo does not bode well for the near future of the normalization of relations. As it stands, it is evident that both sides are ones to “shoot first and ask questions later” by following knee jerk reactions on unilateral actions taken by either side. Under this climate of tension, prospects for progress in the implementation of a normalization agreement seems far-fetched, even though the EU maintains a positive outlook, arguing that positive outcomes will arrive from negotiations. From what it seems however, the outlook is different. As argued above in previous sections, the more time passes between agreements and tangible implementations show an entrenchment of both sides to commit to not giving in to concessions. Both sides believe that they have already conceded too much to the other side and demand the opposing party to show willingness to cooperate through concrete and tangible concessions. Moreover, the polarization found even in “small incidents”, as stated by Zahir Tanin, shows a complete lack of faith and trust between either party, leading to the weaponization of every practical issue as a tug of war in which the loser is the one who gives in to pressures.¹⁰⁹ In this climate, it is almost impossible to see a possible future in normalization of relations.

¹⁰⁹ “Flare-up over License Plates Threatens Progress between Serbia, Kosovo, Special Representative Tells Security Council amid Debate on Future of Interim Mission | Meetings Coverage and Press Releases.” United Nations. United Nations, October 15, 2021. <https://www.un.org/press/en/2021/sc14663.doc.htm>.

Chapter 2: The Role of External Actors

2.1 The European Union

The European Union can be considered to be the most invested actor in the region as an extent of a symbiotic relationship between the two entities. For the EU, the resolution of the Serbian-Kosovar conflict, along with the wider Balkan compatibility quagmire, is essential, not only for the countries in the region, but for the Union itself. The stabilization and assurance of regional security in its last remaining European conflict zone, is of paramount importance for the EU in order to secure its flanks from outside soft power, particularly Russia and China. Geopolitically speaking, the ability to shift the Balkans towards a Euro-centric alignment, would allow for a securing of its eastern region from authoritarian and corruptive influence. In addition, the accession of the Balkans into the Union (with the adequate compatibility measures) would allow the EU to gain a more important foothold in its international presence, by showing its mediation ability to be successful, which is something that the Union desperately needs to show, considering the commitment it has shown towards the ‘fixing’ of the Balkans following the war in the 90s. The cleansing of corruption, misinformation, and market liberalization, would act as a precedent for EU normative power, as would the normalization of Serbian-Kosovar relations prove that the EU is an effective conflict mediator. Furthermore, the alignment of the Balkan region towards EU standards would allow it to better counteract the threats of organized crime and terrorism, both of which are rampant in the region, by exploiting the weak rule of law of the countries there.

2.1.1 European Accession as a Bargaining Chip

When it comes to the European Union’s most important tool in Serbian Kosovar mediation, it is salient to point out the vast effects that Accession prospects have on the direction of normalization talks. For both Serbia and Kosovo, as well as the wider Balkan region, EU accession would result in vast economic improvements, the likes of which would secure any leadership’s reelection and grant them a spot of honorable mention in their respective countries. As such, the EU’s control of who is eligible and how quickly these accession negotiations go on, results in a tremendous bargaining chip, which is incentivizing enough to bring two conflicting sides, such as Kosovo and Serbia, to a negotiating table to

work on a mutually beneficial future.¹¹⁰ The EU's Single Market Accession would allow both sides to see vast improvements in their current account, of which both are in deficit, and allow their economies to shift towards a direction of prosperity.

For countries such as Serbia and Kosovo, this prospect is worth fighting over, not only for the economic benefits that stem from the accession, but for the secondary effects it will produce. Currently, the wider Balkan region suffers from emigration problems derived from the poor quality of life and economic stagnation. The majority of this emigration comes from young workers who seek to not only survive, but live.¹¹¹ With Kosovo having the youngest population in the region, with an average age of 30.5 years, as well as a high level of youth unemployment in the country, it is evident to see that the lack of job opportunities, along with a poor economy, push many students and young workers to countries such as Germany to seek a better life, more in tune with European standards. Moreover, the presence of organized crime as well as high levels of corruption and poor democratic scores, underpin the reason behind leaving the country, the grass is simply greener on the other side. Similarly, Serbia suffers from the same problem. With an ageing population and a stagnating economy, much of the Serbian youth wishes to emigrate in search of more fertile lands. This is seen in a survey by the National Youth Council of Serbia, which found that around 50% of young people want to emigrate, and 25% are in the planning stages of doing so.¹¹² The desire to live a life that offers higher standards of living has pushed around "half a million people [to leave] the country between 2007 and 2019, at a rate of between 30,000 and 60,000 a year".¹¹³ As a result, the prospect of EU Accession creates an incentive for both sides so as to secure their countries from future demographic issues. This demographic drain can't be offset by immigration as there is not enough of it to cover the losses, unlike immigration in Western European countries.

The Accession process to the EU also results in influential power, as both countries have access to specific funds in order to aid them in their conversion into more EU aligned structures. With Serbia being a possible candidate and Kosovo being in the pre-accession phase of negotiations, both sides have access to funds that help their respective countries in the development of infrastructure and upgrading the national framework to modern standards

¹¹⁰ As mentioned before in the previous chapter, before EU mediation, Serbia and Kosovo would not even agree to shake hands nor sit down in front of a negotiating table.

¹¹¹ Mustafa, Artan, and Rronë Kryeziu. "I Want to Live Not Just Survive': Kosovo and Its Brain Drain Problem." euronews, March 18, 2021. <https://www.euronews.com/2021/03/18/i-want-to-live-not-just-survive-kosovo-and-its-chronic-brain-drain-problem>.

¹¹² Taylor, Alice. "Balkan Brain Drain Could Be Costing the Region Its Future." www.euractiv.com. EURACTIV.com, December 13, 2021. <https://www.euractiv.com/section/enlargement/news/balkan-brain-drain-could-be-costing-the-region-its-future/>.

¹¹³ Ibid

compatible with the EU Common Market. Under the Instrument for Pre-Accession II, or IPA II, Kosovo has had access to funds worth over €600 million in the time period between 2014 and 2020.¹¹⁴ The usage of these European funds was allowed in order to develop the region and help build the nation up in hopes of making its internal economy and governance strong enough to withstand not only Accession into the EU, but also make it a source of investment and prosperity, rather than a black hole for European funds. In particular, these funds were aimed to develop areas such as democracy and governance, rule of law, energy, competitiveness, education and other social policies, as well as rural development and regional cooperation.¹¹⁵ Out of these categories, the sections that received the most amount of allocated funds was “Reforms in preparation for EU Approximation” (which focused on democracy and rule of law) and “Socio-economic and regional development” (which focused on energy and competitiveness), with around €470 million allocated in the 6 year time frame.¹¹⁶ The access to these funds are of vital importance to Kosovo and the freezing or suspension of these funds would prove a catastrophic backlash for the country as well as the presiding government. This was similarly seen with Albin Kurti’s dissolution of government for Avdullah Hoti, which, as he claims, was due to US strongarm tactics by freezing US aid into the country and push for a vote of no confidence on the Kurti government.¹¹⁷ Meanwhile, Serbia’s dependence on IPA funds far surpasses the dependence seen by Kosovo. Under IPA II, Serbia had an indicative fund allocation of €1.5 billion in order to develop its nation and prepare for Accession. Just as its Kosovar counterpart, the vast majority of the IPA II funds were allocated towards the same categories, totaling €1.1 billion in funds.¹¹⁸ Under the IPA II, which ended in 2020, both countries saw enormous European investment and goodwill in hopes to make both countries compatible for future Accession. As a result, the EU finds itself in a position of power when calling both countries to continue normalization efforts, as not only the future prospect of Accession is very appealing, but also the current benefits enjoyed by both countries, as well as

¹¹⁴ “Kosovo - Financial Assistance under IPA II.” European Neighbourhood Policy and Enlargement Negotiations, n.d. https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/kosovo-financial-assistance-under-ipa-ii_en.

¹¹⁵ European Union: European Commission, Indicative Strategy Paper for Kosovo, Instrument of Pre-Accession Assistance (IPA) II, (2014-2020), Adopted on 20/08/2014 Annex I

¹¹⁶ Ibid

¹¹⁷ “Kosovo's Kurti Accuses U.S. Envoy of 'Direct Involvement' in Collapse of His Government.” RadioFreeEurope/RadioLiberty. Kosovo's Kurti Accuses U.S. Envoy Of 'Direct Involvement' In Collapse Of His Government, April 21, 2020. <https://www.rferl.org/a/kurti-accuses-us-envoy-of-direct-involvement-in-his-government-collapse/30566615.html>.

¹¹⁸ European Union: European Commission, Indicative Strategy Paper for Serbia, Instrument of Pre-Accession Assistance (IPA) II, (2014-2020), Adopted on 19/08/2014 Annex I

the wider Balkan region, allow these countries to continue to make improvements in their national status, or at least, prevent it from declining further.

This trend of economic benefits for the region is renewed still, with the passing of IPA III, which will allocate a total of €14.162 billion (IPA II had a total of €11.7 billion) for its Balkan states seeking Accession.¹¹⁹ Without a doubt, this renewed round of funds for the 2021-2027 timeframe, is sure to continue to give the EU mediating power over both sides. This continued assisting program also signals the Union's continuous commitment in the area, showing that it sees potential in the region, and gladly continues to invest in the Balkans with the assurance that these funds are well spent.

However, it is important to discuss the flip side of the European coin. While accession is still a final objective to work towards. The lack of tangible progress towards European Integration has begun to show its symptoms. Due to the current accession program, there is no tangible reward that both sides can take home to gain political breathing space and prove to their colleagues and people that EU Accession is a prospect in the not too distant future. With the stalling of relations in 2015 that effectively carried on until 2020, the Accession negotiations were suspended as well, with the EU emphasizing that there will be no accession without normalization of relations first. As a result, the prolonged stalling of relations has dimmed the Balkan hopes of European integration, and effectively undermined the EU's mediative power. In addition, the lack of interim goals and rewards, disincentivizes the candidate countries towards undertaking massive radical shifts in their national society, only to not reap any rewards of their hard work. When these changes are not met with adequate results, the country in question loses momentum and signals to the wider population that attempts at European integration may simply be a "spinning hamster wheel".¹²⁰ This lack of interim goals, coupled with rejection from the European internal structure towards further enlargement, effectively enlargement fatigue, combines to sow doubt in both countries' aspirations towards a future accession. Consequently, this doubt allows for other external actors to benefit from the undermined European position and facilitate the implementation of external interests in the wider Balkan region.

A possible solution to this integration conundrum may be to review the accession plan and establish further interim goals and rewards in such a way to allow both countries to boast

¹¹⁹ Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III) Article 4

¹²⁰ Bender, Kristof, Adnan Cerimagic, and Gerald Knaus. "EU Has Turned Enlargement into a Hamster Wheel." *Balkan Insight*, January 22, 2020. <https://balkaninsight.com/2020/01/21/eu-has-turned-enlargement-into-a-hamster-wheel/>.

progress and allow for a taste of a European future. An example of this could be the earlier process of integrating both countries in the Single Market before becoming a full-fledged European Member State.¹²¹ This accession to the Single Market would allow both countries to resolve their current account deficits and allow for an influx of investment and productivity derived from the opening of the European market and the benefit of the four freedoms: the free movement of goods, labor, services, and capital. This accession to the Single Market would place enormous pressure on resolving the most important issues first, such as corruption, rule of law, democratic governance, and respect of human rights in order to meet the conditions necessary to benefit of the market composed of more than 440 million people.¹²²

2.1.2 EULEX as a Normative Power

The European Rule of Law Mission in Kosovo (EULEX) is the largest and longest running European civilian mission undertaken in the history of the EU. Its presence in the country began with the declaration of independence from Serbia, and throughout the years has seen a shift in its competences, mandates, and powers, to accommodate for the times as well as carry forward the ultimate objective of rendering the Kosovo Police the sole law enforcement agency in the territory with its legal framework up to European standards. While differing views on the actual efficacy of EULEX are mixed and at times controversial between one another, with some advocating for its presence and others stipulating that EULEX has undermined local authority,¹²³ it is evident that the mission has achieved a number of objectives that have helped Kosovo implement a more effective law enforcement body as well as an improved judiciary system and customs service.¹²⁴

Since its first implementation, EULEX saw a variety of changes done to its mandate and operational capabilities. The ultimate goal was to dismantle EULEX so as to allow the Kosovo Police to fully take over the areas that the rule of law mission was overseeing. Therefore, while at the beginning EULEX had more powers and capabilities, with every iteration of its mandate, it sought to return its powers to the local force. At first, EULEX's competences ranged from assistance as an advisory body, to an executive one. This executive

¹²¹ Ibid

¹²² Ibid

¹²³ Capussela, Andrea Lorenzo. *State-Building in Kosovo: Democracy, Corruption and the EU in the Balkans*. London: I.B. Tauris, 2020.

¹²⁴ Zupančič, Rok, and Nina Pejič. *Limits to the European Union's Normative Power in a Post-conflict Society: EULEX and Peacebuilding in Kosovo*. Cham, Switzerland: Springer Open, 2018. p. 67

body was focused on crime prevention, crime repression, civil justice, as well as crowd and riot control. In particular, this executive power was residual in nature, making it use its executive capabilities when its normal MMA (Monitoring, Mentoring, Advising) ones were insufficient.¹²⁵ These executive capabilities are particularly prominent when regarding criminal matters such as war crimes, terrorism, organized crime, and inter-ethnic crime to make sure that the cases are properly investigated and prosecuted.

In the later iterations of the EULEX mandate, the operational objectives were redefined yet again (2014) through Council Decision 2014/349, where the composition of the mission was to be scaled back by incorporating more local authority personnel and less international ones, so as to begin the process of handing over certain competences to the rightful law enforcement agency, the Kosovo Police.¹²⁶ In addition to this, the rule of law mission was not to take on new cases, while gradually handing over competences to the Kosovar judicial system. Later iterations of the mandate would continue the trend of handing over responsibilities to the local authority.¹²⁷ EULEX however, still has the role of second responder in the country, with the Kosovo Police being the first responders, and KFOR the third one. As second responders, EULEX acts as a communicating bridge between the Kosovar Police and KFOR, with all incoming information from both sides relying on EULEX to uphold KFOR-Kosovo Police relations. This, in the past, has been somewhat problematic as coordination issues arise between the three entities.¹²⁸

Lastly, it is important to point out the relevance that EULEX has in the normalization of relations between Serbia and Kosovo. One of its operational objectives is the supporting of the implementation of dialogue between Kosovo and Serbia. In essence, this translates to EULEX providing technical assistance in the implementation of rule of law agreements between the two sides, as well as help in the implementation of the wider agreements stipulated between them, such as the integration of the Northern Kosovar parallel security structure into the Kosovar Police institution.¹²⁹ As a result, in the grand scheme of projecting EU normative power over the area, EULEX is an essential element in the functioning, betterment, as well as training of the Kosovar security, judicial, and customs structure. Through EULEX, the EU is

¹²⁵ Capussela, Andrea Lorenzo. *State-Building in Kosovo: Democracy, Corruption and the EU in the Balkans*. London: I.B. Tauris, 2020. p. 107

¹²⁶ Council Decision 2014/349/CFSP of 12 June 2014 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO

¹²⁷ *Ibid*

¹²⁸ Zupančič, Rok, and Nina Pejič. *Limits to the European Union's Normative Power in a Post-conflict Society: EULEX and Peacebuilding in Kosovo*. Cham, Switzerland: Springer Open, 2018. p. 75

¹²⁹ *Ibid* p. 68

able to push forward EU normative standards of equality, inter-ethnic cooperation, democracy, good governance and upholding of the law, while at the same time fighting corruption, terrorist threats, and anti-democratic practices. This is seen in the mission's own wording, where it states that it seeks to "[move] Kosovo's Police [...] from their 'current state' to their 'desirable state' of sustainability, accountability, multi-ethnicity [etc.] and adherence to internationally recognized standards and European best practices".¹³⁰ This desirable state underscores what the EU's normative identity seeks to conclude in this peacebuilding mission. By setting a European standard as the desirable state, the EU assures the implementation of its norms in the legal framework, making sure that the end result (or desired state) results in self-sufficient institutions free from outside influence.¹³¹ On this note, it can be argued that there is no other external actor in the Serbian-Kosovar quagmire that pushes for Kosovar stability quite like EULEX, pushing its peacebuilding mission in order to create a peaceful working society.

As a mediator, EULEX's substantive role as a middleman in its competences, is cause for both positive and negative impacts. On the positive side, EULEX has aided the normalization of relations by connecting representatives from both sides of the conflict, establishing a line of communication between them, and also assisting in technical cooperation and coordination towards mutual goals, such as combating human trafficking.¹³² Its aims are shown to foster a possibility of reconciliation between the two sides by acting as a neutral broker. Its results in this sector show that there can be a substantial amount of progress done towards normalization without the hindrance of higher authorities pushing their own political agendas. By the same token, as mentioned above, EULEX has played a key role in the integration of the Northern Kosovar security structure into the Kosovo Police, which has allowed for the government to regain some form of authority over the territory in the Serbian enclaves. On the negative side, however, the presence of EULEX as a mediator may be too vital for a potential future of normalization between both sides. As it is seen, technical contacts and exchange of information is fairly dependent on EULEX acting as middleman, so much so that in the absence of it, meetings between Serbian and Kosovar officials are usually cancelled or postponed.¹³³ This is seen especially from the Serbian side, in which its officials prefer to engage in these talks through the EULEX intermediary acting as a bridge between the two

¹³⁰ EULEX. (2009). EULEX programme report 2009. Prishtina: European Union rule of law mission (EULEX) in Kosovo. p. 7

¹³¹ Ibid

¹³² Zupančič, Rok, and Nina Pejič. Limits to the European Union's Normative Power in a Post-conflict Society: EULEX and Peacebuilding in Kosovo. Cham, Switzerland: Springer Open, 2018. p. 73

¹³³ Ibid

countries. This poses a potential threat to future progress, as EULEX is not aimed to remain in the country indefinitely, and with its mandate being extended every two years, there must be a plan in place to make sure that EULEX can leave the arena without destroying the only metaphorical bridge between the two sides.

Another important point of note is the disparity in its mission's effectiveness when comparing the three objectives. While there has been considerable progress in the police sector and the customs sector, the judiciary is still the sector that requires the most attention, and which saw the least amount of progress. Casting aside the possible implications that allowing EULEX to oversee both the executive body and the judiciary under the same system would have on the country, there have been some critical remarks made towards EULEX's results in the effectiveness of the judiciary.¹³⁴ While the police sector is considered to be able to work on its own without needing any international assistance anymore, the judicial sector still lags behind by showing inability to correctly prosecute high profile cases. In addition, the current mandate rules for the procurement of European judges and lawyers to work in the organization show some limitations. The short terms provided by the EULEX contracts along with a slim chance of renewal, prove to work against the EU's interest, as the continuous cycle of new appointed judges and lawyers into the organization by the Member States, means that each year its staff must get accustomed to both EU law as well as Kosovar society. The different judicial backgrounds and traditions between the various Member States poses a challenge for the appointed judges as well, as they must force themselves to remember that in their 12 month contract, they are EU judges following EU law, and must forget their national law background and tradition.¹³⁵

In essence, the EULEX mission is vital for not only its peacebuilding operations, but also for its normative power it exercises over the area, by promoting positive EU standards and push towards the creation of a desired Kosovar state, rooted in pro European norms and values. However, this mission is not perfect, and for the sake of its continuance, must revise its current structure in order to better implement its mission objectives, and provide Kosovo with the tools and structure needed to be a self-sufficient country with EU-level institutions.

¹³⁴ Ibid p. 83

¹³⁵ Ibid p. 85

By judicial tradition it refers to the various sources of law that every country has. Before Brexit, there was a difference between UK judges and Italian judges as their sources of law are derived differently, the former from common law while the later from civil law.

2.2 The United States of America

Out of all countries directly interested in the Serbian-Kosovar quagmire, there is no country that is as respected and liked by the Kosovar population quite like the United States. The US' economic and political support since the country's declaration of independence in 2008, along with the US' interest in having as many UN member states recognize Kosovo, has led the Kosovar population to feel gratitude and respect towards the country. To this day, Kosovo is the most pro-US leadership country in the world. Consequently, the deep connection between the two countries allows the United States to benefit from a certain level of respect that can ease it into having a more influential power when discussing the normalization agenda for the future. Furthermore, the US pledges the most amount of NATO units to the KFOR mission (Italy being the second most country), signaling the invested nature of the US in seeing a future normalization of the two countries and the wider region. Lastly, as we will discuss below, the US in recent years may have placed itself in the background so as to allow the EU-led dialogue to continue under one guidance, but the US has always been interested in the region, and with the new Biden presidency, aims to reattach its weakened ties with the EU and cooperate more directly in encouraging the continuation of the EU-led dialogue. The consequence is two-fold, not only does this signal its EU partner that it is willing to mend its differences exacerbated in the Trump administration, but also it is willing to enhance pro Euro-Atlantic influences in the countries, in order to contrast pro-Russian and pro-Chinese influence.

2.2.1 Biden's Renewed Interest in the Region

With the advent of the new Biden administration, the US position on the Serbian-Kosovar issue has shifted. In contrast with its previous administration, on Biden's list of priority in the foreign policy department includes the reposition of the US as an important influence in the Balkan region. Upon his entrance as incumbent president, Biden weighed in on the long running conflict between the two sides, through letters urging both countries to focus the normalization of relations around "mutual recognition".¹³⁶ This bold move by Biden clearly diverges from the Trump administration, in which policy regarding Kosovo was meek

¹³⁶ Kostreci, Keida. "By Weighing in on Long-Running Serbia-Kosovo Dispute, Biden Signals Interest in Europe." VOA. By Weighing In on Long-running Serbia-Kosovo Dispute, Biden Signals Interest in Europe, February 24, 2021. https://www.voanews.com/a/usa_weighing-long-running-serbia-kosovo-dispute-biden-signals-interest-europe/6202447.html.

at best, and the creation of the Washington Agreement, as discussed above, was predicated on the securing of reelection for a second term, rather than vowing actual interest in the issue. Biden's interest in the political aspect of the conflict is crucial for the future prospects of normalization. Unlike former President Trump, Biden and his cabinet realize the importance revolving around securing political normalization, in order to see its benefits cascade into the economic sector as well. As discussed above, the Washington Agreement's main issue was that it revolved around economic factors that were redundant towards normalization, while not tackling the actual divergences that were hindering progress in the normalization agenda.

Biden's renewed interest is a breath of fresh air for the Western actors, that for the past 10 years have seen an increase in Chinese and Russian influence in the region, seeking to profit from the instability, rather than work towards a final resolution. This special interest from the President is predicated in part from his late son Beau, and his role as a legal adviser in Kosovo. The interest is mutual however, with Kosovo paying its respects on Beau's work through the naming of a street after him in 2016, which Biden attended in the role of US Vice-President at the time.¹³⁷ As a sort of continuation of Beau's work, President Biden showed a clear end goal in its Balkan policy, placing emphasis on Serbian recognition of Kosovo as part of the final settlement, an outcome that is still rejected by Vučić.¹³⁸

However, the renewed commitment by the new US administration signals a change in geopolitical influence in the region, with the return of an important actor seeking to place more soft power in aligning the two countries with Transatlantic values, and ultimately, eliminate anti Euro-Atlantic sentiments in the region. With the US' support, the EU can exercise a more robust influence in the region and pose as a more persuasive mediating actor in the renewal of normalization talks.¹³⁹ Considering the events of the last 5 years in the normalization process, it is evident that EU's power as a mediator was beginning to lack as both sides would entrench themselves in their aggressive unilateral actions and lead to escalations of tensions, further weakening the prospect of reconciliation. The mending of ties with the EU as well as the injection of US support, will prove beneficial in improving the success chances of implementing previously stipulated agreements, whilst pushing for new rounds of negotiations and jot down new checkpoints on the normalization roadmap. Because of this, the EU Special

¹³⁷ Ibid

¹³⁸ Trkanjec, Zeljko. "US Goal Is to See Serbia-Kosovo Agreement Centred on Mutual Recognition." *www.euractiv.com*. EURACTIV, April 1, 2021. https://www.euractiv.com/section/politics/short_news/us-goal-is-to-see-serbia-kosovo-agreement-centred-on-mutual-recognition/.

¹³⁹ Engjellushe Morina, Vessela Tcherneva. "How Biden Can Make a Big Difference in the Western Balkans." *ECFR*, January 11, 2021. <https://ecfr.eu/article/how-biden-can-make-a-big-difference-in-the-western-balkans/>.

Representative for the Belgrade-Pristina Dialogue Miroslav Lajčák, will be able to not only act as a representative of the EU, but also on behalf of the wider Transatlantic community.¹⁴⁰

2.2.2 USA's Kosovo Foreign Policy

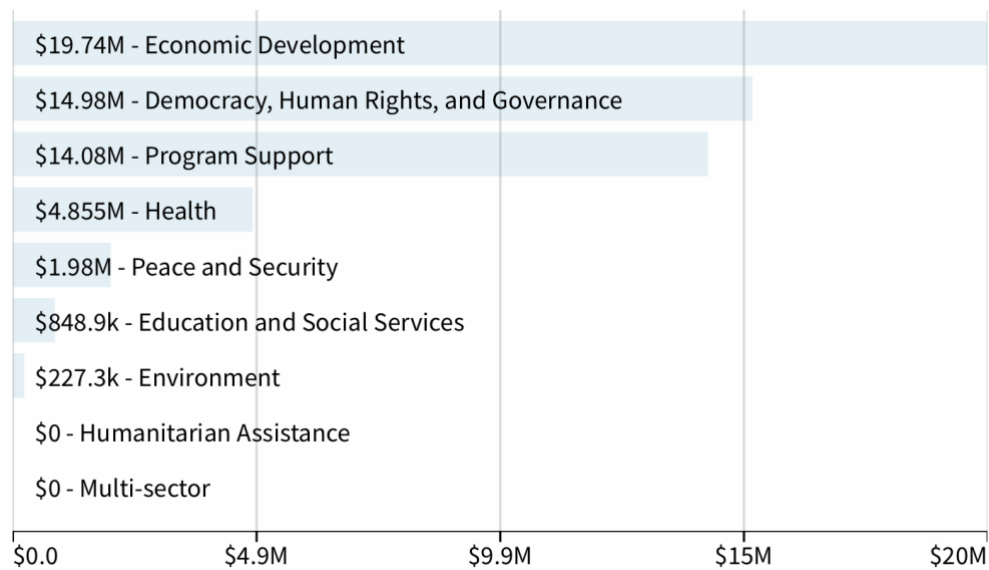
However, it is important to note that while there is a renewed interest by the new administration towards the Serbian-Kosovar dialogue and the wider Balkan region, President Biden's main adversaries and areas of interest will have him focus on domestic policy as much as, if not more than, foreign policy. Following Trump's America First approach, it was evident to the new President that a significant portion of his mandate must focus on the securing and improvement of the US' domestic issues, such as the COVID-19 pandemic and the economic recession it caused.¹⁴¹ This domestic focus, coupled with the reintegration of the US in various international obligations and the tug of war against the highly influential Chinese power, will prove uncertain as to how much US' involvement will be in the region, and especially in the Serbian-Kosovar quagmire. However, the US' attempt at reemerging as a significant western power in the international arena, is seen in the country's wider foreign policy, aimed at restoring USA's standing on the world stage and retake its role as the world's police and the main bastion of democracy in upholding and bolstering international institutions, like it did in past generations.¹⁴²

¹⁴⁰ Ibid

¹⁴¹ King, Charles. "US Foreign Policy in Kosovo: A Brief Introduction from Bush to Biden." Open Society Foundations, November 2021. p. 9

¹⁴² Ibid

Figure 2: US Funding Obligations for Serbia and Kosovo for FY 2021:



Source: Foreignassistance.gov

In regard to Kosovo, the Biden administration has confirmed that it will uphold the promises stipulated in the Washington Agreement and will thus move substantial funds towards the implementation and creation of infrastructural projects in both Serbia and Kosovo. 93% of these funds will be given through the *US Agency for International Development* and will be aimed at replacing Chinese telecommunication infrastructure, as well as institutional and infrastructural projects, such as energy diversification. According to ForeignAssistance.gov, the US foreign aid obligations for the 2021 fiscal year totaled over \$57 million in funds (\$33 million of those for Kosovo, and \$24 million for Serbia) for both countries.¹⁴³ Around \$33 million of those were allocated towards “Economic Development”, and “Democracy, Human Rights, and Governance”. Considering the Washington Agreement promises and President Biden’s claim of renewing US presence in the two countries, it is expected for these funds to continue at least until the end of the administration. Moreover, these funds mainly aimed towards economic development, will be crucial in removing Chinese interference networks such as Huawei, as well as help Serbia to limit its dependence on Russian resources for its energy consumption. Furthermore, US foreign assistance will provide Serbia with a choice to not engage in Chinese debt diplomacy, which may have dark consequences if those debts are not paid back. In fact, Serbia’s reluctance towards US initiatives may disappear, as increased

¹⁴³ Foreignassistance.gov

economic influence by China, and seeing the results it led to in countries such as Sri Lanka,¹⁴⁴ may be crucial in a possible shift of Serbian sentiment towards US assistance, whose funds will not come with strings attached and pose future sovereignty issues or debt entrapment. Nevertheless, Chinese influence as of now remains one of the biggest threats to US' foreign policy, and the wider Transatlantic community's regional interests. Introducing a viable substitution to both energy dependency and investment dependency from Russia and China, will put the EU and the US in the foreground, and allow them to dictate with ease the progress of the normalization agenda.

Finally, combating terrorism and transnational threats in the region is the focal point of US-Kosovo security cooperation. One of the provisions in the Washington Agreement related to the recognition of Hezbollah as a terror organization and committed both countries to the targeting and dismantling of the organization's operations in the territory.¹⁴⁵ Following the US' decision to uphold their end of the Washington Agreement, it is easy to infer that the US foreign policy will focus heavily on deeper joint efforts in the uprooting of terror cells in the area. In these areas, both Kosovo and Serbia are regarded as transit countries, with wider criminal infiltrations including human trafficking, contraband smuggling, and organized crime. The democratic and corruption indexes again show that both countries are breeding grounds for undercover organizations to flourish. Part of the US policy in these areas focuses on improving the legal framework as well as the antiterrorism and organized-crime units. Moreover, while Kosovo is a secular Muslim-majority country with moderate religious traditions, an estimated 400 Kosovar citizens have left the country and traveled to Syria and Iraq to support the Islamic State in the 2010s.¹⁴⁶ As a result, the US actively supported the Kosovar structure in combating terrorism and extremism and continues to do so. The wider Balkan region is still a source for clandestine movements of jihadist threats into Europe, and as such continues to be part of the wider US counter terror policy.

¹⁴⁴ Sri Lanka's inability to pay back its debt (around \$8 billion) led China to force concessions from the Sri Lankan government, threatening to cut off assistance, and resulted in the handing over of its commercial port for 99 years under Chinese tutelage. Similarly, Montenegro has allowed for extensive Chinese investment in infrastructure and development projects and holds around 25% of the Montenegrin total debt. What will happen of this Balkan country may serve as a cautionary tale for its Balkan cousins, just like Sri Lanka was for its neighbors.

Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 97

¹⁴⁵ Washington Agreement (2020) Point 14

¹⁴⁶ Garding, Sarah E. "Kosovo: Background and U.S. Policy." Congressional Research Service, April 8, 2021.

2.3 Russia

Russia's role in the Serbian-Kosovar quagmire can best be described as a disruptive force, seeking to maintain instability and conflict in the region in order to secure its soft power and regional interests. Russia's main objective is to slow down and maintain the current state of affairs between the two countries, showing its support to its long time Slavic little brother, Serbia, and profit from the confusion and stalling to continue to exercise influence over the Serbian population and its political leadership. To Russia, Western meddling in the conflict, as well as the wider Western Balkan region, is seen as a threat, with the West's intentions being to promote pro-Atlantic sentiments and align the region towards a pro-NATO, pro-EU coalition, which will ultimately see Russia's influence wane in the region.¹⁴⁷ The resulting environment would see Serbia's regime change as well as a spread of democracy. Moreover, a successful normalization of relations between Kosovo and Serbia will pose a threat for Russia, as it will mark a precedent which can inspire Russia's own internal separatist movements to increase their secessionist pressures, an example of this would be Chechnya.¹⁴⁸ This last point can be extrapolated to explain in tandem the reason behind why 5 EU Member States still oppose Kosovo's independence.¹⁴⁹ At the same time, it is in Serbia's best interest to maintain good diplomatic and military ties with Russia, as Vučić needs Russia's *veto* in order to block Kosovo's recognition in the UN Security Council, thus highlighting the interdependence between both countries in order to uphold the status quo.¹⁵⁰ On the other hand, if the Kosovar question was to be normalized and its independence recognized, Russia's influence over Serbia would dissolve, as it would no longer be hindered in its EU Accession into the Single Market, which is still appetizing for the Serbian economy.

In addition to Russia's national interests in the region, the religious aspect is also worthy of mentioning. The Russian and Serbian Orthodox Church are closely tied through a sense of Slavic roots, and conservative sentiments of protection of their religious values, of which both of them are interpreted to be under threat from the Muslim majority, ethnic Albanian population in Kosovo. Thus, in a sense, in the wider international arena as well as the Balkan region, while

¹⁴⁷ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." Center for Strategic and International Studies, May 2021. p. 4

¹⁴⁸ Amadio Viceré, Maria Giullia. "The Future Is Back: The EU, Russia and the Kosovo–Serbia Dispute." Istituto Affari Internazionali, 2019. p. 3

¹⁴⁹ Perhaps the most apparent example out of these Member States is Spain with its issue of Catalonia.

¹⁵⁰ Samorukov, Maxim. "A Spoiler in the Balkans? Russia and the Final Resolution of the Kosovo Conflict." Carnegie Moscow Center, November 2019. p. 4

Kosovo can rely on its EU-NATO backing, Serbia can only seem to rely on its Slavic big brother to protect its regime and framework from western ideals. In fact, Russian President Vladimir Putin is regarded as one of the most beloved characters in Serbia, with exceptionally high approval ratings from the Serbian population as well as the Serbian Orthodox Church.¹⁵¹ Moreover, Russia benefits from an important bargaining chip in form of energy diplomacy, with its vast quantities of resources, Russia imposes itself as an energy giant in the region and uses the same bargaining chip to keep the EU at bay. As a result, Russia's influence in the region can best be described as a force of disruption, profiting from polarization and lack of progress in order to maintain its status quo whilst benefiting from its energy, religious, and economic soft power.¹⁵² It is evident that the resolution of the Serbian-Kosovar conflict would not bode well for Russian interests, thus disruptions and stalling in the EU-led Dialogue are key objectives for Russian foreign policy.

2.3.1 Serbia's Biggest Ally

Russia's role as Serbia's biggest ally stems from long running commitments made dating back to the Yugoslav era. During those times, a post-soviet Russia secured a small but effective role in achieving a long running friendship with Serbia and its leadership, by acting as a staunch supporter of Serbia in the UN arena during the Yugoslav wars, especially in condemning NATO's bombing campaign in the Kosovar War of 1998.¹⁵³ This resentment by the population towards the West is still present and is at times weaponized in order to steer political actions towards Russian alignment and away from practical solutions aimed at progressing the Kosovar issue. Through this, Russia secured Serbian ties which grant it benefits in exerting substantial soft power in not only the Serbian population, but also in affecting Serbia's leadership. Through a mixture of pro-Russian media influence and meddling in Serbian politics, Moscow is able to maintain an otherwise anti-west sentiment, portraying a Slavic brotherhood as crucial in its future. The power of this Russian influence is clearly seen in Serbia's internal affairs, where Vučić's far-right and far-left opposition groups constantly attack him on his lenient positions whenever progress in the normalization process is seen.

¹⁵¹ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." Center for Strategic and International Studies, May 2021. p. 4

¹⁵² Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 110

¹⁵³ Ibid

With this constant barrage of opposition in betraying one's own country, it can be inferred the power that the Kremlin wields, if it were to decide that Serbia's course of action is betraying its people, as the opposition claims. All it would take is a single negative public statement, which can sabotage a negotiated settlement.¹⁵⁴ It is important however to note that, while Russian actions and stances with its Serbian ally seem in good faith, hanging from a shared ethnic and religious background, this relationship is upheld as long as Russian influence can secure its main foreign policy objectives, which is disruption and obstruction of EU and pro-Atlantic integration in the region. This assumption is founded on a number of factors.

Firstly, the support of far right and far left groups in Serbia allow for the dissemination of further pro-Russian sentiments in the fringes of the political sphere. Focusing on the already existing good name the Kremlin earned in the past 20 years, it is able to support fringe groups in maintaining Russian influence through the dissemination of Serbian betrayal if Moscow would oppose the political choices made by the Serbian government. By polarizing Serbian society, Russia can secure the disruption of EU and NATO accession through democratic backsliding.¹⁵⁵ The aim of this support, along with the wider use of Russian hybrid tactics, represents a purely selfish motive to continue to uphold the ongoing status quo. In fact, through this support by the Kremlin, as well as playing the role of big brother in the eyes of the Serbian population, it is able to focus on maintaining authority over the country, rather than push it towards some manner of progress. By playing every side of the political spectrum, Russia can benefit from the role of the savior. An example of this is seen in 2019, with Boško Obradović, leader of the Dveri party, addressing Putin in a letter to take action against the alleged anti-Serbian positions the Serbian government was taking, citing national betrayal and selling off of Kosovo. Similarly, a leader actor in the Kosovar Serb community pleaded the same calling, claiming that the Serbian leadership was betraying its people.¹⁵⁶ In reality, the Serbian leadership never faltered in its non-recognition stance. What is important however, is how Russia is seen to play an exceptional role in Serbian guidance, which secures its foreign policy aims by continuing to play the role of big brother.

Secondly, one of the crucial elements of Russian hybrid warfare tactics in purging pro-Western sentiments from the country, lies in the control of media platform and the appointing

¹⁵⁴ Samorukov, Maxim. "A Spoiler in the Balkans? Russia and the Final Resolution of the Kosovo Conflict." Carnegie Moscow Center, November 2019. p. 4

¹⁵⁵ Stronski, Paul, and Annie Himes. "Russia's Game in the Balkans." Carnegie Endowment for International Peace, February 6, 2019.

¹⁵⁶ Samorukov, Maxim. "A Spoiler in the Balkans? Russia and the Final Resolution of the Kosovo Conflict." Carnegie Moscow Center, November 2019. p. 5

of pro-Russian media outlets that circle Russian approved contents. Destabilizing cyber-attacks and disinformation campaigns allow for the molding of the Serbian population's sentiment towards the west, portraying Russia as the only allied external actor while the West acts as a destabilizing force in the wider Balkan region by supporting Kosovo's sovereignty.¹⁵⁷ With the democratic backtracking under Vučić, independent and fair media outlets have been systematically targeted and replaced with government approved state outlets, which funnel Russian approved propaganda aimed at sowing doubt regarding the West's intentions in the normalization roadmap and dissuade from progress in EU accession. In addition, these media outlets aim to underestimate the economic support given by the west in comparison with the aid given by Moscow, resulting in a narrative portraying Russia as a closer ally than the EU and the US.¹⁵⁸ In reality, the EU pledges far more economic assistance than Russia and is a bigger trade partner as well, however, public opinion seems to show the perception that the opposite is true.¹⁵⁹ At the same time, direct accusations made by Moscow regarding Kosovar intentions generate mistrust between the two sides, and pushes for a narrative of imminent danger. One such example is the accusation of Kosovo planning to form a union with Albania in order to fulfil the 'Greater Albania' concept, which would pose as an enormous security threat for Serbia, considering Kosovo's actions in creating a new Armed Force as well. In this way, these media attacks fuel Russia's popularity among the Serbian public while forcing the Serbian leadership, anxious about its approval ratings, to take similar intransigent stances.¹⁶⁰ These media attacks show yet again that the main policy aim is to sow confusion and mistrust between the two actors, such that the Serbian population and leadership will continue to align under the Russian guidance, while effectively resisting and combating further Western integration and economic assistance.

Lastly, the use of the Serbian Orthodox Church (SOC) is instrumental in nature for the furthering of Russian aims. For Serbia, the Church represents a core tenet of Serbian culture and identity, granting it a high standing in the Serbian society and political sphere, making it a perfect candidate for maintaining Russian standing, both politically and in terms of popularity.¹⁶¹ Through the Serbian Orthodox Church, the Kremlin is able to maintain a

¹⁵⁷ Ibid

¹⁵⁸ Amadio Viceré, Maria Giullia. "The Future Is Back: The EU, Russia and the Kosovo–Serbia Dispute." *Istituto Affari Internazionali*, 2019. p. 12

¹⁵⁹ Ibid

¹⁶⁰ Samorukov, Maxim. "A Spoiler in the Balkans? Russia and the Final Resolution of the Kosovo Conflict." *Carnegie Moscow Center*, November 2019. p. 4

¹⁶¹ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." *The Hague Centre for Strategic Studies*, September 30, 2019. p. 120

religious connection with its Serbian people and claim that their objectives consider their Orthodox aims as well, namely the rejection of recognizing Kosovo as independent. The Russian patriarch's reiterated support towards religious unity with its Serbian patriarch underscore an underlying sense of religious brotherhood, bound together in their struggles both against strayed Orthodox branches (such as the Ukrainian and Montenegrin church) but also in the protection of their shared religious heritage.¹⁶² In fact, the SOC's connection to Russia is seen not only in its religious institution, but also in its political leadership. For the Serbian Church, Russia has supported various funding projects for the restoration of its churches in Northern Kosovo, including the restoration of 4 UNESCO Orthodox buildings in 2010.¹⁶³ Similarly, the Russian Church has supported a project for the return of the Serbs in northern Kosovo, with building projects aimed at creating 300 houses, to accommodate around 1500 displaced Serbs.¹⁶⁴ This consolidated connection between both the Russian Orthodox Church and the Russian leadership towards the Serbian Church highlights the possibilities for Russian support by a core institution in Serbian society, which bears incredible political weight as well. The SOC's staunch opposition towards the recognition of Kosovo is in fact one of the most prominent resistance forces swaying the Serbian population and leadership to take intransigent stances towards Kosovar concessions. It can be inferred that, were the SOC's societal influence wane in the future, the opposing forces in the Serbian-Kosovar tug of war may see a shift towards a more normalizing solution. This, however, goes against Russian aims as discussed above, and is reason to suspect that, if the SOC were to falter in its intransigency, the Russian big brother will continue its opposing efforts.

2.3.2 Russian Economic Influence

In regard to economic influence, Russia's main economic tool is derived from the use of its energy sector as a guarantor for upholding its foreign policy objectives. In fact, Russia owns the energy monopoly in Serbia where it controls the Tran Balkan Pipeline (TBP), the only gas route to the country.¹⁶⁵ Consequently, around 75% of the natural gas imported in

¹⁶² Samorukov, Maxim. "A Spoiler in the Balkans? Russia and the Final Resolution of the Kosovo Conflict." Carnegie Moscow Center, November 2019. p. 6

¹⁶³ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 120

¹⁶⁴ Ibid

¹⁶⁵ Ibid p.112

Serbia comes from Russia, giving it a significant footing in the country. Furthermore, Russia's energy influence extends to significant stakes invested in Serbian industries such as Russian Gazprom Neft investing in a percentage of Serbia's biggest oil and gas company, Naftna Industrija Srbije (NIS). This acquisition was criticized by outside viewers as having secondary political motives which aimed at paying back Moscow for its diplomatic support in the Kosovo quagmire.¹⁶⁶ As such, a number of economic/political favors were carried forward between Serbia and Russia, in which the use of economic support was aimed at deepening Russo-Serbian relations and maintain Serbia's alignment with the Kremlin's goals. One such example was seen in Russia's offering a \$300 million bailout during a moment of heightened IMF tensions. Through these economic gestures, Russia maintains its position as a potential substitute to Western investments, while at the same time benefiting from political gains within the Serbian population by presenting Russia as a viable economic partner while simultaneously undermining trust in western institutions.¹⁶⁷

In regard to Kosovo, Russia does not exercise a particular influence over the territory, with Russia's rejection of Kosovo's authority, FDI and assistance has almost disappeared from the country, following the declaration of independence in 2008. However, part of Russia's economic foreign policy in the area aims to establish further economic influence in the Serb majority areas in Kosovo, primarily Northern Kosovo, in which there is still Serbian resistance to Kosovar sovereignty.¹⁶⁸ Aiming to exert further economic influence over the Serb majorities, will aid Russian foreign efforts in resisting the normalization roadmap, by inciting resistance to integration into the wider Kosovar structure. Finally, it is important to note Russia's presence in Kosovo through its energy sector. As the country lacks oil refineries, Kosovo is heavily dependent on diesel imports for its energy needs, the majority of which have been found to come from Russia.¹⁶⁹

What can be inferred from this, is that economic policies and its energy sector form two of the most important and effective soft power tools in the Russian arsenal. Through these, the Kremlin is able to maintain its soft power presence in Serbia, as well as the wider Balkan region, and thus exert a substantial amount of resistance towards western values and ideals for the

¹⁶⁶ Stronski, Paul, and Annie Himes. "Russia's Game in the Balkans." Carnegie Endowment for International Peace, February 6, 2019.

¹⁶⁷ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 113

¹⁶⁸ Ibid

¹⁶⁹ Ibid

future of the region, especially in regard to the Serbian-Kosovar conflict, from which Russia benefits immensely from the protraction of the conflict.

2.4 China

Out of the 4 external Actors discussed in this chapter, China is showing promises to becoming one of the most influential ones in Serbia, as well as the wider Western Balkan region, through its foreign policy plans tied with its Belt and Road Initiative (BRI). The presence of Beijing in the region further complicates the already multipolar Balkan arena, with aims of consolidating its economic influence and position, in order to use the Balkan region as a commercial hub in order to penetrate the distant EU market.¹⁷⁰ It already benefits from a close relationship with Serbia, through its easy-to-acquire loans on infrastructure projects and uses this foot-in-the-door, to exercise its soft power in the region, in order to secure its economic interests with the BRI. In contrast with the other Actors discussed above, for now, China's intentions seem to focus primarily on financial gains, as well as penetrating the very rich European market. Moreover, it is still not clear what the future would hold when the BRI's tendrils will have completely expanded throughout the world. On this note, there is a lot of speculation and various cases can be made, ranging from highly pessimistic – seeing China's meddling in foreign politics increase to dangerous levels, i.e., a new Russia– to optimistic – seeing the BRI as a highway to connecting the two world hemispheres.

Nevertheless, China's underlying intentions can be glimpsed, by analyzing Xi Jinping's use of debt-trap diplomacy in order to coerce foreign powers to shift their alignment towards a more pro-Sino position. This use of economic diplomacy is a main pillar of Chinese foreign policy and is believed to be a continuation of Deng XiaoPing's infrastructure-based investment strategy. Through this strategy, it can be inferred that China's spending spree around the world can be linked to gaining a significant “foothold in some of the world's most strategic places”¹⁷¹ in order to expand its presence in the international arena and envelop new spheres of influence which were previously controlled over by other superpowers, such as the US. Furthermore, the use of fast and highly attractive loans, with seemingly no strings attached, from China is a future potential threat to Serbia and the wider Balkan region. The consequences of South East

¹⁷⁰ Rustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. “Geopolitical Influences of External Powers in the Western Balkans.” The Hague Centre for Strategic Studies, September 30, 2019. p. 91

¹⁷¹ Ibid p. 92

Asian countries adherence to these loans without precautions, such as Sri Lanka, must serve as a cautionary tale to Serbia if it wishes to maintain some modicum of independence.

Similar to Russia, China does not recognize Kosovo's sovereignty, and thus, this section will focus on China's influence on Serbia, and how it can skew potential normalization of relations between the two countries.

2.4.1 Strategy of Economic Diplomacy and Debt Trap

An important pillar of Chinese foreign policy, as mentioned above, is derived from Economic Diplomacy. China's astounding economic miracle in the last 40 years has allowed the country to not only increase its standing as a global economic powerhouse, but also attract many developing countries to seek Chinese loans for infrastructural projects. These projects are easily accepted by Chinese officials and allow China to benefit from close cooperation with countries that are willing to accept these large sums of money without regard for future consequences. Through this foreign policy centered around economic cooperation and dependence between Serbia (as well as the wider Balkan region) and China, it is clear that Beijing is interested in pursuing mercantilist policies aimed purely at completing its One Belt, One Road (OBOR) project. This is done so in order to continue China's economic miracle by expanding its presence in rich markets, such as the EU. China already benefits from a longstanding relationship with Serbia, seeing its trading relationship increase threefold between 2005 and 2016.¹⁷² Furthermore, the close relationship with the Balkan country, allows China to be at the EU's doorstep, whilst having enough economic leeway to not be restricted by the EU's tough risk assessments and overall cautious stance towards Beijing's business methods.

The reason for China's attractiveness in Serbia, as well as the wider Balkan region, stems from three factors: Chinese investments are characterized by 1) low bids, 2) fast loan procedures compared to EU and/or other International Financing Institutions, and 3) focusing on revitalizing lost causes in the country.¹⁷³ An example of these lost causes is the revitalization of the Zelezara Smederevo Steel Mill in Eastern Serbia, which saw the saving of more than

¹⁷² Philippe Le Corre, Vuk Vuksanovic. "Serbia: China's Open Door to the Balkans." Carnegie Endowment for International Peace, n.d. <https://carnegieendowment.org/2019/01/01/serbia-china-s-open-%20door-to-balkans-pub-78054>.

¹⁷³ Rustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 95

5000 local jobs.¹⁷⁴ Because of this, China has been able to secure an important economic position with Serbia and the wider region, with Chinese investments being second only to the economic assistance given by the US. As a result, not only does China benefit from favorable public support in the country's political elite, but also in the public support of its people. In tandem with Russia, China's presence in Serbia is seen as overwhelmingly positive by popular opinion, which plays a part in China presenting itself as an alternate, less resisting path in economic progress, considering the EU's stagnating position in the region.¹⁷⁵

However, it is important to note how China's mercantilist economic policies have fared for other investment partners around the world. In fact, there is a growing concern regarding what the actual price of these Chinese investments will be for the Serbian leadership in the future. Case studies such as Sri Lanka must serve as cautionary tales when assessing the willingness to accept Chinese investments. While they are very attractive, with seemingly no strings attached, it is important to make sure that these future debts will not envelop Serbia. Failure to pay those debts to China will result in political and security leverage derived from debt trap diplomacy. It is important to highlight that China "never cares how and if a country is able to pay its loans, if they cannot pay there [will be] some pressure that things are transferred into their ownership".¹⁷⁶ This is the dark side of the BRI, and this was also the case with Sri Lanka, where the eager approval of more Chinese loans than the Sri Lankan government was able to manage, resulted in an economic hostage situation. The economic activity in the port of Sri Lanka was meant to be a win-win scenario for both countries, with Sri Lanka benefitting from the ports activity, and China securing a strategic maritime location for its BRI project, allowing Chinese ships to reach European markets. However, with the failure by the Sri Lankan government to repay more than \$8 billion in loans, China threatened financial consequences, leading to the transfer of ownership of the port into Chinese hands for 99 years, in exchange for extinguishing the loans. Such drastic and coercive measures are worrisome because they show the dark underbelly of these investments, as possible similar outcomes in Serbia – as well as Montenegro showing a strikingly similar situation with Sri Lanka – can result in significant losses for Serbian infrastructure and may replace Russia as

¹⁷⁴ Banovic, Rebecca. "China in the Balkans: Good or Bad?" *Forbes*. *Forbes Magazine*, January 26, 2019. <https://www.forbes.com/sites/rebeccabanovic/2019/01/26/china-in-the-balkans-good-or-bad/?sh=10b8b8e588a9>.

¹⁷⁵ Rankovic, Rade. "China Grows Balkan Investments by Asking Less than EU, Say Experts." *VOA*. *China Grows Balkan Investments by Asking Less Than EU, Say Experts*, December 12, 2021. <https://www.voanews.com/a/china-grows-balkan-investments-by-asking-less-than-eu-say-experts-/6349558.html>.

¹⁷⁶ Hopkins, Valerie. "Brussels Says EU Has 'Underestimated' China's Reach in Balkans." *Financial Times*. *Financial Times*, March 5, 2019. <https://www.ft.com/content/4ba18efa-377b-11e9-b72b-2c7f526ca5d0>.

the new primary political influence, possibly leading to steps backwards regarding the Serbian-Kosovar normalization process. Considering Vučić's foreign policy is predicated on playing everyone's game to appease every side, there is a substantial possibility that this chameleon-like attitude towards both the East and the West may hinder Serbian development as well as halt EU Accession. Currently Serbia's debt towards China is around 12% of GDP (approximately 9,7 Billion Euros)¹⁷⁷ which is concerning for its future.

Moreover, the Serbian portrayal of Chinese presence compared to the US and the EU is reason for concern. While Chinese investments are quick and easy to access, it is important to point out that the majority of FDI and investment loans in the country still come from the EU and the US. Furthermore, this economic presence is comprised mainly of loans rather than actual FDI, foreign aid, or grants, which is the case with the EU. These loans coming from policy banks, such as China's Exim Bank, usually come with conditions like the mandatory use of Chinese contractors and/or labor, which results in little economic ripple effects in the Serbian economy.¹⁷⁸ At the same time, this skewed perception of reality erodes the EU's footing in Serbian popular opinion as China is seen evermore as a possible alternative to the harsh reforms needed to join the European Single Market. Because of this, coupled with the EU's currently waning position in Serbian society, Chinese economic presence can result in further stalling of normalization processes as well as EU Accession. In addition, China's undertaking of massive infrastructure projects such as the construction of a high speed railway spanning 350 km, connecting the Serbian and Hungarian capitals, is reason for great media coverage and further positive cooperation between the two countries. These projects allow China to consolidate its influential foothold in the country, and also allow it to deflect Serbian criticisms of poor management policies and worker rights abuses in its business ventures, by relying on the Serbian state media to curb these criticisms from reaching wider audiences. An example of this is the exploitative labor practices of Vietnamese migrant workers in the Shandong Linglong Tire Company in Zrenjanin, where Serb leaders such as the Prime Minister Ana Brnabic played down the allegations by claiming them to be Western attacks and bad press coverage.¹⁷⁹

¹⁷⁷ Matura, Tamás. "Chinese Investment in Central and Eastern Europe: A Reality Check." Central and Eastern European Center for Asian Studies, April 2021.

¹⁷⁸ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 99

¹⁷⁹ Rankovic, Rade. "China Grows Balkan Investments by Asking Less than EU, Say Experts." VOA. China Grows Balkan Investments by Asking Less Than EU, Say Experts, December 12, 2021. <https://www.voanews.com/a/china-grows-balkan-investments-by-asking-less-than-eu-say-experts-/6349558.html>.

Lastly, it is important to note that China does not oppose Serbia's accession into the EU, in fact, it is encouraged. A reason for this is due to the unique opportunity for Chinese penetration into the European Single Market through its close economic ties with Serbia. Ultimately, China's economic miracle is slowing down, and with it, it is experiencing the repercussions of slower economic growth, year by year. The COVID pandemic had almost halted China's economic growth, bringing its GDP growth to 2.3%. In 2021, GDP growth in the country was 8.1% due to a strong rebound following the easing of protective measures around the world.¹⁸⁰ Nevertheless, this is a stark difference from its 14.2% annual growth in 2007. It is estimated that China's annual growth will rest around 5% in 2022 and 2023, marking a new chapter in Chinese history, where the country will experience slower rates of economic expansion, and even recession one day. While an annual growth of 5% is still seen as optimal in Western economies, such a drastic change in growth has resulted in serious economic repercussions in the mainland, with millions of citizens moving out of the big cities, to return to their villages. This is China's conundrum, it is extremely rich and economically influential, but it needs a constant, abnormally high, level of economic growth to maintain its position. Because of this, the BRI project was introduced in 2013, as a way to surge the economy and prolong the "miracle" further. China's BRI project is aimed at securing new trade routes and increasing total trade volume with the Single Market, as well as other key economic areas. Because of this, it is possible to infer that this deepening of economic – and potential political – influence in Serbia is due to China's plan to expand into the EU. If the BRI were to ultimately underperform, or even fail, in providing China with the necessary connections to maintain its economy, it is possible that China's influence will decline in the future. This, however, does not seem very realistic for now.

2.4.2 Xi Jinping “Brother of the Serbian People”

The particularly close relationship that China enjoys with Serbia allows for China to maintain not only a strong economic presence, but also a political and social one, as its strategy of making friends is crucial for not only its BRI project, but also for the wider support of its international disputes. By exploiting the gradual disengagement of the West by the United States under the Trump administration, Beijing was able to double down on its commitments to Serbia and showed unwavering loyalty to its friends. This disengagement by Trump,

¹⁸⁰ “China Economic Snapshot.” OECD, n.d. <https://www.oecd.org/economy/china-economic-snapshot/>.

followed with the devastating outbreak of the COVID-19 pandemic, laid the perfect opportunity for China to secure further loyalty and cooperation by providing Serbia with the necessary instruments to deal with the health crisis. At the same time, the EU was facing its own shortages and public health crisis, thus leaving Serbia to question whether its relationship with the West was indeed real or superficial. While it has been shown that both the US and the EU have a very strong incentive to not only help Serbia economically, but also integrate it into the wider European structure, the absence of concrete help in Serbia's time of need has left an important mark on the political class, as well as the popular opinion. This was seen particularly well in Vučić's remark that "European solidarity does not exist. That was a fairy tale on paper" and that he "sent a special letter to the only ones who can help, [which is] China"¹⁸¹, following the EU's ban on export of protective equipment outside the Union. Vučić's concerning comment was also shared by other members of his government, all alluding to it being left to its own devices in its time of need. Furthermore, China continued presenting itself as a trustworthy partner by being the first European country to receive up to a million doses of its Sinopharm vaccine, further tying the two countries together and giving China plenty of leeway in future diplomatic strategies. For China, the vaccine diplomacy bore incredible results, with the two countries tying closer ties with one another and allowing China to secure an important ally in the European continent. A demonstration of this was seen with Vučić kissing the red flag at Belgrade Airport when welcoming Chinese medical aid.¹⁸² A warm gesture, which was not comparable even with the gestures towards its historical Slavic Brother, Russia. Although Vučić has been capable of maintaining both sides close to him, this gesture shows a gradual shift away from Russia, towards China.

Moreover, China's political influence can be observed in its efforts to create and maintain a positive public image towards the Serbian people and its leadership. As stated above, this is fairly easy to begin with as China already enjoys a good reputation with its partner country. Nevertheless, China pushes for the good reception of not only its political image, but also its social one, by promoting 'positive' China coverage in the Serbian state media. Through the close ties with the Serbian leadership, China is able to enjoy media coverage and support

¹⁸¹ Simić, Julija. "Serbia Turns to China Due to 'Lack of EU Solidarity' on Coronavirus." *www.euractiv.com*. EURACTIV.com, March 18, 2020. <https://www.euractiv.com/section/china/news/serbia-turns-to-china-due-to-lack-of-eu-solidarity-on-coronavirus/>.

¹⁸² Ispiseo. "How China's Influence in the Balkans Is Growing." ISPI, June 24, 2021. <https://www.ispionline.it/it/pubblicazione/how-chinas-influence-balkans-growing-29148>.

from Serbia, even including regular opinion pieces by Xi Jinping.¹⁸³ This focus on upholding a positive light for the general population underlines how China understands the importance of information and creation of narratives in order to win not only the territory, but the people as well.¹⁸⁴ In the same way, the implementation and spread of Chinese Confucius Institutes in Serbia, accounts for one of the strategies employed in China's 'external propaganda' apparatus, seeking to close the cultural and social gap between the two people, so as to consolidate further support in the area.¹⁸⁵ This strategy of painting China in a positive light is crucial for Beijing, as it is a way to create and maintain good friends that can help China in the international arena, where it needs all the help possible to deflect international criticisms stemming from territorial disputes, to human rights violations. The two countries reciprocate political support over international issues which allow both of them to stand on better grounds in the international arena. For this reason, China supported Serbia by not recognizing Kosovo's sovereignty, while at the same time providing for support when Serbia faced EU pressures to resolve the conflict. In return, Serbia chose to side with China on issues such as the one-child policy, as well as support Beijing in its territorial disputes in the South China Sea.¹⁸⁶ Considering China's list of human rights violations, aggressive stances towards South East Asian countries, and general shady methodology of conducting international business, it is easy to understand China's reasoning in seeking as many political friends as possible.

Serbia's recent shifts towards authoritarian regimes also plays an important role in maintaining China's political influence over the country. To China, an authoritarian and corrupt regime is more suitable to last in the long term, as well as provide China with guarantees that the status quo will not change drastically and/or quickly. Because of this, it is in China's best interest to help Serbia continue to undertake this gradual shift towards an authoritarian regime. The main weapon used in this case is economic diplomacy. Through economic cooperation, there is a significant possibility for Serbian elites to be vulnerable to corruption, and thus fall deeper into the Chinese sphere of influence. The fast and easy money coming from Chinese investments is very alluring, and can become problematic in the future, when the inability to

¹⁸³ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 100

¹⁸⁴ This is a reference to the Art of War by Sun Tzu which states that in order to completely win, it is not enough to simply gain the territory, it is equally as important to convince the people to want to be under you.

¹⁸⁵ "China's Foreign Propaganda Machine." Wilson Center, n.d. <https://www.wilsoncenter.org/article/chinas-foreign-propaganda-machine>.

¹⁸⁶ Rrustemi, Arlinda, Rob de Wijk, Connor Dunlop, Jovana Petrovska, and Lirije Palushi. "Geopolitical Influences of External Powers in the Western Balkans." The Hague Centre for Strategic Studies, September 30, 2019. p. 101

pay those exorbitant debt will result in Serbian leaders creating concessions and offering political leverage in fear of economic repercussions.¹⁸⁷ This is further exacerbated by China's willingness to create further mediums of networking between Serbian officials and Chinese businessmen, in order to create an environment ripe for political leverage and corruption. This political leverage would then translate into social and security leverage, with China being able to penetrate the European defense market and expand its surveillance network.¹⁸⁸ This is seen clearly with the introduction and expansion of Huawei Telecommunications giant in Serbia. Huawei is implicitly understood to be an instrument of Chinese foreign and security policy. As part of the "Digital Silk Road" related to the BRI, Huawei has been brought forward in Serbia, through the Digitization and Innovation Center in Belgrade, by offering state of the art telecommunications networks, as well as security solutions for information and intelligence gathering. Huawei also offered to provide Serbia with its Smart City solutions, which would pose a cyber security issue, which has been expressed by Western actors such as the US.¹⁸⁹ In addition, Serbia agreed to install more than one thousand Huawei HD surveillance cameras with facial recognition technology. This presence of Chinese security assets in the country will aid the gradual authoritarian shift, by allowing Vučić and his political elites to remain in power by exercising the power of 'Big Brother' to deter protesters and strengthen his likelihood of remaining in power. Through this extension of Chinese foreign policy, China is able to secure its sphere of influence in the future by not only creating solid relations with the Serbian elites, but also providing the foundations, as well as the funding, for them to remain in power in the long run. Thus, effectively halting all forms of progress for Serbia, and securing a strong ally in the European continent, to act as a possible extension of Beijing in the future.

¹⁸⁷ Ibid p. 103

¹⁸⁸ Ibid

¹⁸⁹ Phillips, David L. "China, Not Russia, Is the Greater Threat to Kosovo." *Balkan Insight*, September 29, 2021. <https://balkaninsight.com/2021/09/29/china-not-russia-is-the-greater-threat-to-kosovo/>.

Chapter 3: Possible Futures

3.1 Possible Land Swap Argument

One of the oldest forms of diplomatic initiatives between the two countries has always revolved around some form of border correction, or formally known as ‘land swap’. The premise behind this thought experiment revolves around trying to resolve ethnic conflict between Serbs and Albanians through the concession of pieces of territory in which the minority groups are isolated from the rest of the country, and hand it over to the other country, so as to reunite the ethnic minority with its ethnic state. The ultimate aim of this exchange of territories would be to advance the Serbian-Kosovar normalization process and allow both countries to move further along towards a new status quo, which would either see a formal recognition of Kosovo, or alleviate some of the ethnic tensions experienced by both countries (Serbs in Northern Kosovo, and Albanians in Southern Serbia, east of Kosovo). Succeeding in reigniting the process of normalization of relations would see both countries benefit immensely, with some proponents claiming that the exchange is worthwhile considering the possible future gains.¹⁹⁰ While there has never been any significant progress regarding this possibility, it is an idea that has been present in the political discourse since 2010, with its peak of discussion in 2018, when Kosovo’s President Thaçi and Serbian President Vučić explored this possibility, as a way to jumpstart the stalling normalization process.¹⁹¹ At the time however, this possibility did not go far as it was immediately turned down the second it was no longer a mere conversation between the two Presidents. Many political actors, including primarily members of the Vetëvendosje party, such as Albin Kurti, fiercely opposed this policy, on the basis that Kosovo is a single state that does not need any border correction.

¹⁹⁰ Delauney, Guy. “Kosovo-Serbia Talks: Why Land Swap Could Bridge Divide.” BBC News. BBC, September 5, 2018. <https://www.bbc.com/news/world-europe-45423835>.

¹⁹¹ Conley, Heather A., and Dejana Saric. "The Serbia Kosovo Normalisation Process: A Temporary US Decoupling." *Center for Strategic and International Studies*, May 2021. p. 7

Figure 3: Land Swap Border Modification



Source: Insight Turkey

As seen in the figure above, the possible land acquisition in this scenario would result in Kosovo ceding the unstable northern region in exchange for the assimilation of the Preševo valley to the east. As stated in the first chapter, the issue regarding the unresolved Serbian minority in Kosovo is cause for cleavage between the two countries. By ceding the sovereign rights of Northern Kosovo, the Serbian minority would be able to live under its ethnic state, with which it still shares many parallel institutions with. This notorious resistance by the north to succumb to Kosovo's leadership has allowed the northern municipalities to maintain Serbian institutions, which in this case, would be very helpful in the transition of those municipalities to Serbia. Furthermore, a possible deal in this scenario would see the tying of border modifications to a comprehensive accord regarding mutual recognition, which would pave the way for international recognition, such as the entrance of Kosovo into the UN without Serbian opposition (and as a result, Russia and China as well), and potentially open the door to NATO and EU Accession for Pristina, and EU membership for Belgrade.¹⁹² These future prospects are highly sought after by both parties as their economies are deteriorating, and securing a

¹⁹² International Crisis Group. "Relaunching the Kosovo Serbia Dialogue." *International Crisis Group*, January 25, 2021 p. 18

resounding victory in EU Accession and wider international accession, will guarantee its leadership a prominent role in the foreseeable future. Whichever government or party is able to secure a conciliation of both sides, will enjoy enormous prestige, and may well secure its leadership for many mandates, as both countries will be able to turn over a new leaf and begin their new chapter.

Moreover, such a move will have the added benefit of allowing both sides to seem victorious in the eyes of not only their constituencies, but also in the political elite. For Vučić, securing such a scenario would paint him as the victor against an otherwise impassable international community. Belgrade could push the narrative that it beat the West in diplomatic prowess by forcing their hand in securing a deal on Serbian terms (a la David vs Goliath). At the same time, the added border correction could result in Vučić not losing face towards his steadfast claims that Kosovo is, and will always be, part of Serbia. In fact, this border correction would allow Vučić to slip away from the awkward position of recognizing Kosovo by claiming that the new country is not the same one that declared independence in 2008, thus alleviating the political hit and transforming the situation into a positive narrative.¹⁹³ Furthermore, it has become abundantly clear to both Serbia and the rest of the world, that there is no foreseeable possibility of Kosovo returning back under Serbian sovereignty. As discussed in previous chapters, the cleavage between the two countries and ethnicities is far too protracted and deep to warrant any possibility of reuniting Serbia. Vučić knows this, and because of this, he would not be against the recognition of Kosovo, if the prize is attractive enough.¹⁹⁴ On the other hand, Kosovo would also get out of this scenario boasting victory. Not only would it relieve itself of the political blemish that is the sovereignty issue of Northern Kosovo, but it would also be able to reunite with it the Albanian minorities in the east and add more Albanian-inhabited lands to the country. At the same time, the long-awaited recognition of Kosovo would propel the country into new heights, and finally put the Serbian-Kosovar dispute to rest by securing Kosovo's independence and sovereignty on the international arena.

It is also important to note that the possibility of a land swap arrangement between the two countries would tacitly be accepted by Western powers, believing that it is a worthwhile sacrifice in order to resolve the dispute. While this view is not unanimously supported by all western powers, such as Germany, the prospect of a possible breaking of the stalemate in regard to normalization of relations would be viewed favourably by all.

¹⁹³ Ibid

¹⁹⁴ Economides, Spyros, James Ker-Lindsay, and Dimitris Papadimitriou. "Kosovo: Four Futures." *Survival* 52, no. 5 (2010). p. 107

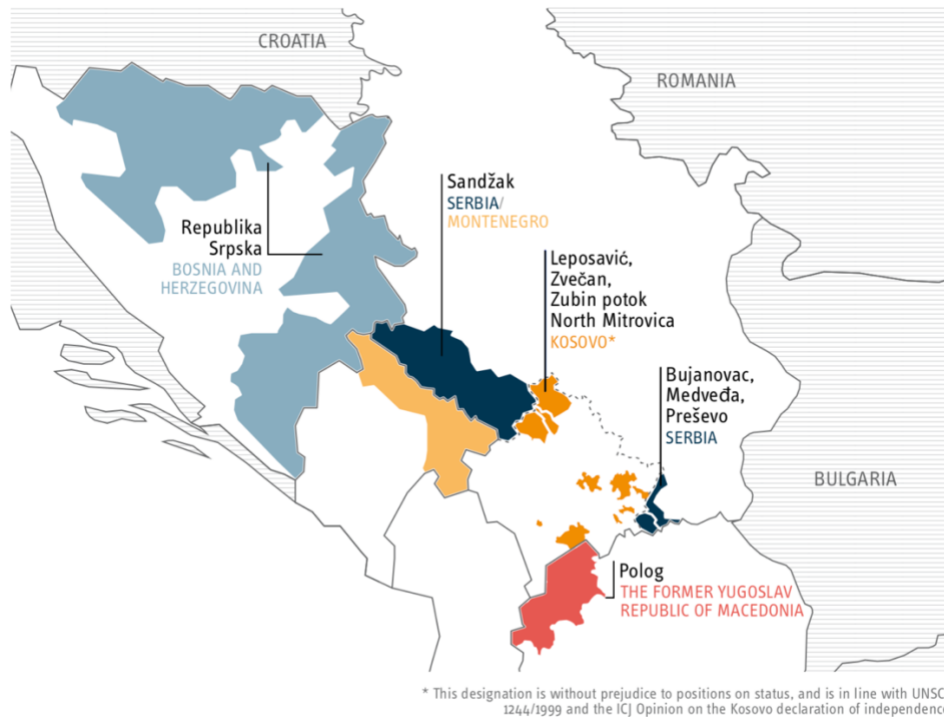
3.1.1 Opening Pandora's Box: Runaway Domino Effect

There are however some caveats. The biggest consequence to this scenario is the possibility of renewed ethnic conflict in the Balkans. In a troubled region such as the Balkans, the bloody history of ethnic conflict is so strong and prevalent that it is important to make sure to not exacerbate the already high tensions by redrawing borders along ethnic lines. This is the main critique on the scenario by political leaders such as Albin Kurti, which strongly oppose any redrawing of borders as it would undoubtedly lead towards a new wave of irredentism and ethnic violence. Seeing as every politician in Kosovo is old enough to remember the atrocities of the war of 1999, it is easy to understand why this proposal was immediately trashed by political leaders.

Such a scenario would also be the way to further ethnic violence by the Serbian minority communities that remain within the Kosovar territory. The remaining municipalities such as Gračanica, Novo Brdo, Ranilug, and Štrpce would find themselves representing an even smaller percentage of the Kosovar population, thus leaving the possibility for newfound acts of violence by the revenge hungry fringe movements in the country, seeing the land swap as an opportunity to drive out the last remaining Serbs out of the country. Thus, the minority problem would not actually be fixed and may subsequently rekindle violence in the region. Moreover, this possible future will result in a dangerous precedent in the region, which may turn into a newfound reason for restarting ethnic tensions and irredentist movements. The correction of borders along ethnic lines will not only explicitly label the Balkan countries as ethno-states, but it will also serve as *casus belli* for separatist movements in the region to abandon the efforts of state integration in their current state, and fight for annexation into their “original” ethnic state. An example of this would be the Republika Srpska in Bosnia and Herzegovina, where the Serbian leader Milorad Dodik, has been vehemently public in his wish to secede from the country and join their Serbian brothers in Greater Serbia, along with the fourth Serbian municipalities in Northern Kosovo.¹⁹⁵ The reasoning behind this is simple, if it was allowed for Serbia and Kosovo, why not for Serbs in Bosnia, Albanians in North Macedonia, Turks in Bulgaria, or Hungarians in Romania?

¹⁹⁵ Izrov. “Dodik: North of Kosovo to Remain in Serbia with Republika Srpska Joining Serbia as Well.” KoSSev, September 21, 2019. <https://kossev.info/dodik-north-of-kosovo-to-remain-in-serbia-with-republika-srpska-joining-serbia-as-well/>.

Figure 4: Map of Areas Where State Minorities Represent Majority of Population



As seen in the figure above, the areas in which ethnic minorities make up the majority of the population lie at the border with their respective ethno-state. A land swap future would create great tensions in the surrounding Balkan nations as these marginalized communities will find a legal precedence to seeking liberation through violence. It is important however to determine how likely of a scenario this is. Considering the enormous risk of renewed ethnic violence in the region, such a future is highly unlikely to happen. The scars of the bloody 1990s are still felt and echo throughout policies and the polity. Because of this, it is much more sustainable for Serbia and Kosovo to continue to pursue their current goals, even at the expense of indefinite stalling or diplomatic backsliding. In addition, the once alluring EU Accession bargaining chip has been severely undermined by the new EU positions regarding further enlargement. Enlargement fatigue has impacted the Serbian Kosovar process by eliminating the reason for both sides to undergo politically intensive sacrifices. As a result, the bait of EU Accession is no longer powerful as it once was and will not warrant the two sides into undertaking such a massive risk for no political gain.

3.2 “Greater Albania” Hypothesis

Diplomacy can be described as an art, the art of the possible, the attainable, and when all else fails, the next best thing. In this case, the possibility of a unification of Kosovo with its Albanian big brother represents an international situation that has exhausted all possible routes of progress. In a political climate which sees the two sides shifting ever farther apart politically; external actors continuously pushing new propositions that result in stalled dialogue; and a possible European future that seems more and more distant as time passes, it seems like a united Albanian future is the only possible outcome for the future. This scenario would see the legal unification of Kosovo into the Albanian state, thus automatically allowing Kosovo to enjoy international recognition, as an Albanian region. This would solve Kosovo’s decennial struggle of seeking international recognition without Serbia’s approval, and finally allow it to partake in international organizations and forums as well as enjoy the luxury of travelling abroad under the Albanian passport, effectively connecting Kosovo to the rest of the world.¹⁹⁶ At the same time, unification with Albania would vastly help Kosovo’s domestic and economic issues. Poor wages, healthcare, and education are all major hindrances to the development of the country. Allowing Kosovo to enter Albania would see massive strides in Kosovars standards of living and local economy. Ethnically speaking, the possible unification of the two countries would go smoothly as both countries are tied together through mutual history and ethnic background.

Both countries do not oppose the idea of unification, in fact, it is implied that if the decision were to come in a specific referendum, and those results be favourable, the two leaders would be supportive of turning that referendum into a reality. In Kosovo, both Ramush Haradinaj and Albin Kurti have mentioned the possibility of a unification with their big brother as favourable during electoral campaigns and whilst seated in government. Similarly, the Albanian Prime Minister Edi Rama shows willingness to adhere to a potential unification, if the opportunity were to rise.¹⁹⁷ Moreover, various opinion polls on the matter have found that more than 64% of the Kosovar population would be favourable to voting for unification in a dedicated referendum, while popular acceptance in Albania is at around 75%.¹⁹⁸ This

¹⁹⁶ Less, Timothy. “Could the Kosovo Story End in Greater Albania?” openDemocracy, February 2, 2021. <https://www.opendemocracy.net/en/can-europe-make-it/could-kosovo-story-end-greater-albania/>.

¹⁹⁷ Taylor, Alice. “Albanian Prime Minister in Favour of Unifying Kosovo and Albania.” www.euractiv.com. EURACTIV, November 29, 2021. https://www.euractiv.com/section/politics/short_news/albanian-prime-minister-in-favour-of-unifying-kosovo-and-albania/.

¹⁹⁸ Less, Timothy. “Could the Kosovo Story End in Greater Albania?” openDemocracy, February 2, 2021. <https://www.opendemocracy.net/en/can-europe-make-it/could-kosovo-story-end-greater-albania/>.

highlights the close connection that the two countries share, but it also shows the complete lack of possible alternatives to the situation. In a tense region such as the Balkans, any type of ethnic based decision is seen with diffidence, due to the fear of creating even bigger issues in the future. Subsequently, the fact that such a unification theory is circling among political groups, underscores the dire situation that Kosovo faces, and the political deadlock that has been present since 2018.

It is important however to point out that, while public acceptance of such a unification seem high, it is important to understand that opinion polls are far different from reality in practice. While both leaders seem open to the possibility of unification, in practice, gradual steps will need to be taken first in order to ensure proper integration. Such a move towards a unified country would result in massive undertakings by both sides and long-term commitments to the assimilation of Albanian constitutional law, as well as domestic, social, and economic integration and ratification. Such a manoeuvre would take time and money, of which both Albania and Kosovo have a lack of. Both leaders need to secure popular support through active changes and betterments of their constituencies. Undertaking such a big process will take multiple mandates which may see moments of stagnation and few results. The Kosovar leader Kurti cannot afford to waste time this way. His anti-corruption focused mandate pressures Kurti and his government into resolving the corrupt system, that has been in place since the war, by the old guard. Choosing to begin the process of unification with Albania will likely tarnish his reputation, which was mainly earned through his narrative of Vetëvendosje offering a new future, different from the stagnation of the old guard. Because of this, Kurti has made it abundantly clear that, while he is not opposed to a possible unification, it is not on his list of priorities, which does not even contain a plan for restarting the Kosovo-Serbia normalization process.

Therefore, it is possible that a future unification may happen, however it will be slow and gradual, by slowly integrating every aspect of national sovereignty until complete unification. One such example would be the abolishment of barriers to trade, allowing business and capital to flow freely between the two countries in order to begin seeing some tangible results. This is already happening in part, with both countries deciding to de facto remove border controls between the two nations.¹⁹⁹ Together, Albania and Kosovo have signed more than 100 bilateral agreements opting to reduce the gap between the two countries. Some of these agreements

¹⁹⁹ “Albania and Kosovo Sign 13 Agreements and Remove Border Control - Exit - Explaining Albania.” Exit, November 26, 2021. <https://exit.al/en/2021/11/26/albania-and-kosovo-sign-13-agreements-and-remove-border-control/>.

include the creation of a customs union between the two countries in order to ensure the free flow of people, goods, and capital; creating a common foreign policy; and shared embassies.²⁰⁰ Moreover, the process of legal integration between the two sides will result in the need to provide various amendments to Kosovo's constitution, in order to integrate it with the new state. The problem that arises here is that in order to have the necessary constitutional amendments, there would need to be a 2/3 majority vote on the amendment along with the endorsement of the represented minority groups. In this possible scenario, it is near impossible to fathom that the Serb minority in question will endorse this unification, as it will result in its Serb municipalities to be even further under threat of possible Albanian violence due to the same reason as explained in the land swap section.

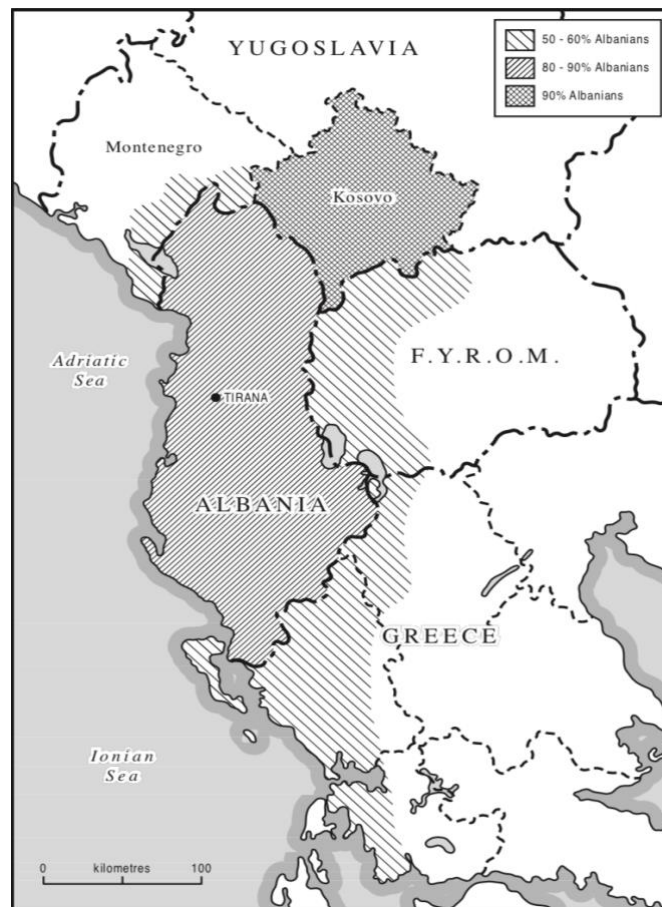
At the same time, further integration would result in political quagmires regarding the future status of Kosovo within the Albanian state. For example, what kind of unification the new Albanian state will entail. The new state will have to decide between making Albania a unitary state or a federation. Questions may arise also as to what kind of autonomy, if any, will Kosovo enjoy. Considering its vast history as an autonomous region, choosing to deviate from that strategy may place grievances from the beginning between Albania and the new province, which may be cause of litigation in the future. Choosing to adopt a South Tyrol model may be appropriate here, but it still remains unknown what kind of local government and autonomy would be needed in order to satisfy the Kosovar population, if any at all.

Nevertheless, there will always be some level of willingness on both sides to see what a unification would look like, which comes from the abovementioned common history and ethnic background which calls back to old ideals such as 'Great Albania'. In fact, this is the main source of concern for Serbia, as the advancement or restoration of a Great Albania would be considered a big security risk for the Serbian population in the Balkans, probably triggering a new wave of ethnic violence as a kneejerk security response. This is seen in Ana Brnabic's comments on saying that Albanian unification is just "another stone in undermining the foundations of regional stability and security".²⁰¹

²⁰⁰ Less, Timothy. "Could the Kosovo Story End in Greater Albania?" openDemocracy, February 2, 2021. <https://www.opendemocracy.net/en/can-europe-make-it/could-kosovo-story-end-greater-albania/>.

²⁰¹ Taylor, Alice. "Albanian Prime Minister in Favour of Unifying Kosovo and Albania." www.euractiv.com. EURACTIV, November 29, 2021. https://www.euractiv.com/section/politics/short_news/albanian-prime-minister-in-favour-of-unifying-kosovo-and-albania/.

Figure 5: “Greater Albania” claimed by the KLA



Source: Figaro Litteraire, 1999

As shown in the figure above, the Albanian idea of “Great Albania” entails far more areas than simply the Kosovar state. In kind to the previous section on the consequences of a land swap agreement, such a scenario would act as a spark for newfound irredentist movements in the region, primarily North Macedonia, Montenegro, and Bosnia and Herzegovina, which would seek to obtain its liberty through armed struggle and join their ethnic brothers. As stated in the previous section, the likeliest irredentist movements to mobilize following a Kosovar-Albanian unification would be the Republika Srpska, which would be hellbent in being annexed into the Serbian state. The failure of Bosnia in maintaining the Serb minority under national control would culminate in a secession movement that would result in a myriad of atrocities. Similarly, the Albanian minorities in North Macedonia would be incentivized to take up arms in order to join the unification of Albania, and thus cement a new age of ethnic tension predicated on hard-line ethnic borders and possible revival of concepts such as “Great Albania” and “Great Serbia”, which would exacerbate the already tense climate and risk a new Balkan war. A generation of multicultural policy and slow progress would vanish in mere months as a

new round of atrocities in the Balkans will stain the region even further, possibly needing another international intervention.

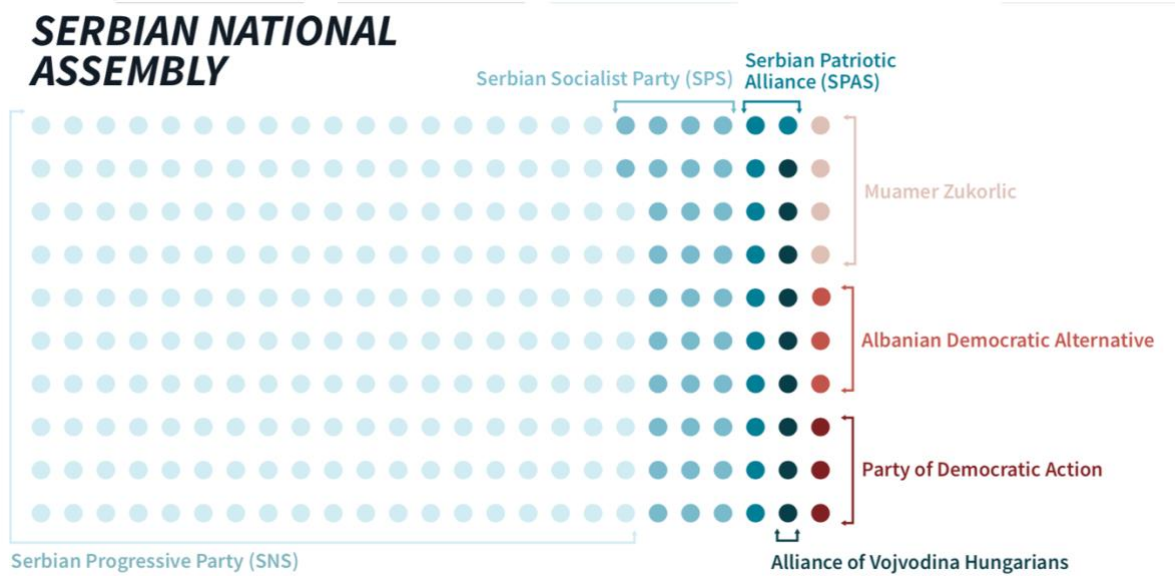
Ultimately, the only likely future scenario that can be seen here, assuming that such an Albanian integration will continue to progress, would be an economic integration which will see both countries benefit from their respective market opportunities, but will fall short of complete territorial annexation/unification. Kosovo will likely always remain its own independent state, fighting for its own recognition, whilst choosing to seek further economic integration with its Albanian big brother, but stopping short of assimilation, due to fears of possible violent ripples in the Balkans. In a region such as the Balkans, which is said to “produce more history than it can consume”, a cautious *forma mentis* is a default state of mind for all political leaders; in the absence of a clear path, it is better to not move at all.

3.3 Frozen Relations: Between a Rock and a Hard Place

Out of all the possible futures discussed in this chapter, this scenario seems the most realistic for a variety of reasons. Firstly, it is important to recognize the Balkan region as a half-dormant volcano, maintaining a modicum of stability, but needing just a small amount of instability in order to erupt again. Because of this, both sides of this protracted conflict aim towards the maintenance of the *status quo*, rather than seek radical or entirely new options. In addition, the stalemate arising from this conflict highlights how both leaders have their hands tied. Until now, there has been no plan brought forward that has not resulted in either side protesting to it claiming its side will ‘lose too much for little gain’. In fact, as mentioned in a previous chapter, the main obstacle in diplomatic negotiations between Belgrade and Pristina stems from the fact that any foreseeable gain is viewed as a loss to the other side, thus invoking harsh protest, and further stalling the normalization process as well as exhausting all alternatives. With these future prospects seeming “more of the same” year after year, it is important to point out how the Serbian-Kosovar dispute would transform into a battle of stamina, rather than a negotiation of normalized relations. With no clear path forward, and the echoes of past violence still fresh in policy makers’ minds, the most realistic and safe route to take would be to ‘wait for better days’, in hopes that the internal status of either country’s polity may change in hopes of renewed efforts in the path towards normalization.

This, however, seems far-fetched, at least in the near future, and as a result, aids the credibility of this scenario as the most likely one that both sides will experience.

Figure 6: Serbian June 2020 Election Results



Source: Conley, Heather. CSIS May 2021

Considering the constant Serbian shift towards an authoritarian style regime, the possibility for internal criticism would wane, and see the leadership of Vučić protract itself for many years to come. As seen in the figure below, the landslide victory of the June 2020 elections in Serbia by Vučić’s party, SNS, are a key indicator in predicting a possible future that will continue to maintain Vučić in power, with barely any type of opposition, thus fuelling a drift towards authoritarianism. Vučić’s closest allies, namely Russia and China, both follow authoritarian styles of regime, which have easily influenced the Serbian nation, considering Vučić’s mouldable character towards his allies. With these important economic, political, cultural, and security influences from Moscow and Beijing, it is clear that the process of repression of information is happening already in the country. As mentioned previously, Belgrade has purchased new equipment such as HD cameras with face-recognition software from China, as well as began opening its digital infrastructure to telecommunication giants such as Huawei, whom have been regarded as the extension of China’s foreign policy, by the West. Such an authoritarian drift was already present during the process of normalization of relations; however, the pace has changed, since Western Actors such as the US and the EU have provided little to no progress for either side, pushing Belgrade towards seeking new partnership with its Eastern friends. Consequently, Serbia’s authoritarian drift, which is hinted at in Figure 6, will probably result in Vučić’s extended reign in Serbia, becoming a new permanent leader, such as Putin in Russia. This new shift, combined with Russia and China’s

firm support on its dispute with Kosovo, would see Serbia with more leverage in future negotiating tables. The support of both Moscow and Beijing would allow Belgrade to continue to carry out de-recognition campaigns against Pristina, thus maintaining the status quo, albeit with some occasional rise in tensions.

On the other hand, Kosovo finds itself in its own influential drift, considering its gratitude towards the US, along with its inclination to follow EU advices, up to a point. At the same time, both the EU and the US have invested too much in this nation and because of this, will be unlikely to abandon their Balkan friend to a horrible fate. Furthermore, both Washington and Brussels are in dire need of this political dispute to end with a win for them. This allows Pristina to maintain a stance of unshakeable determination towards its demands of formal recognition, claiming it to be an obvious and non-negotiable condition to normalization. Because of this, the political divide between both countries will only continue to widen, as both sides find themselves with powerful allies willing to support them and will inevitably be influenced by their political, economic, cultural, and security spheres of influence in the meantime.

Another element to this scenario is the continuation of small skirmishes between the two sides, namely in Northern Kosovo. Recent events such as the Kosovar licence plate dispute in September 2021 saw both sides quickly escalating tensions for otherwise trivial reasons. In fact, this incident showed the continuously growing strain on relations between both countries, as military actions such as Serbia's deployment of fighter jets close to the border, signalled a possible threat for military escalation. Moreover, these skirmishes will likely continue to become more frequent, as the use of creative ambiguity during the various international agreements in the past, is now showing its dark consequences. Due to this, as well as the fear that diplomatic backtracking from these international agreements will only result in further tensions, the normalization process finds itself in a dangerous limbo, where further progress is unlikely to come to fruition, and possible backsliding can result in totally scrapping 11 years of negotiations. Thus, the only practical policy option is to have "strategic patience" and opt for undertaking their separate domestic policy agendas. This is seen clearly in Albin Kurti's statements on the matter, claiming that there are far more important issues to attend to domestically, rather than chasing unicorns trying to progress in the Kosovo-Serbia Dialogue. In particular, Kurti's mandate is predicated on his party's campaign promises revolving around turning over a new leaf for Kosovo, with his government aiming to tackle domestic issues such as the very poor economy, as well as the high levels of corruption. Because of this, efforts in

revitalizing the dialogue are not on his ‘list of priorities’²⁰² and will result in a further divide between the two countries. The longer the normalization stalemate will continue, the harder it will be in the future to try to jumpstart it again.

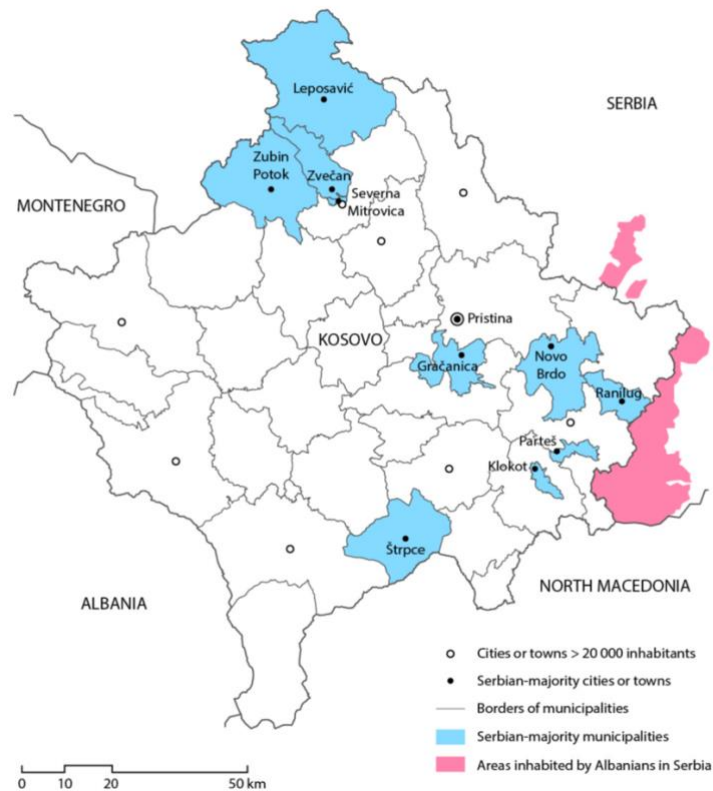
Lastly, it is important to point out the importance that enlargement fatigue of the EU has had on the bargaining strength of the EU in pushing the Serbian-Kosovar dialogue forward. With the explicit statements by EU members in abstaining from further European enlargement, it has effectively rendered the EU’s main bargaining chip useless in providing either side with an incentive attractive enough to warrant the great political effort for either side towards conciliation. As a result, with the elimination of possible EU Accession in the foreseeable future, both countries will continue to seek alternative paths for their national interests, while at the same time not creating too much noise, so as to not escalate tensions between the two sides, as well as the wider Balkan region.

3.3.1 Unresolved Issues of Serb Majority Municipalities

The future of the Serbian minorities in Kosovo is likely to continue on the path it is currently in. Failure to show any significant results or progress in the implementation of the Association/Community of Serbian Municipalities agreed to in the Brussels Agreement is an important factor in the dispute between Belgrade and Pristina. Until now, there has still not been a complete understanding on what the ASM is supposed to look and act like. As stated in the first chapter, both countries have their own personal interpretation of the points regarding the ASM and neither are willing to concede any ground on this matter. As a result, the ASM still remains a dream, while the Serb minority in Kosovo continues to alienate itself from the national government, primarily in Northern Kosovo, where government presence has always been shaky.

²⁰² Service, RFE/RL's Balkan. “Leftist-Nationalist Party Set for Huge Win in Kosovo's Parliamentary Elections.” RadioFreeEurope/RadioLiberty. Leftist-Nationalist Party Set For Huge Win In Kosovo's Parliamentary Elections, February 14, 2021. <https://www.rferl.org/a/kosovo-parliamentary-elections-kurti-wins-hoti-serbia-dialogue-economic-downturn/31102053.html>.

Figure 7: Serbian Municipalities



As seen last September with the license plate dispute, it is clear that the tension is palpable, and that the stagnation of the normalization process will result in more frequent outbursts of violence in the Serbian municipalities. Patience is already at an all-time low, and it will likely continue to worsen in the future, bringing in a possible period of increased military presence in the north so as to maintain stability in the area. For the Serbian minorities, integration into the Kosovar government is not incentivizing. Their parallel institutions allow these municipalities to effectively act independent from Pristina’s authority, while at the same time receiving constant support by Serbia and Vučić. In addition, the Serbian Kosovars lack a representative elite in the political arena, which is independent from Belgrade. Due to this, the Serbian community is tied directly to Belgrade as they see their big brothers as the only actual guarantor of their minority rights. As a result, any and all negotiating decisions regarding a possible ASM are discussed between Pristina and Belgrade, thus giving Serbia a chance to continue to stall possible progress.²⁰³

²⁰³ Engjellushe, Morina. "The Path to Recognition: Kosovo's and Serbia's Evolving Dialogue." European Council on Foreign Relations, June 2021. p. 14

Consequently, it can be inferred that as long as Vučić shall remain in power and continue to offer its unwavering support to his Serbian brothers on the other side of the border, there will not be any popular sentiment to reconcile with the Kosovar government. At the same time, Vučić has an incentive in continuing to give support to the Serb minorities, as their defiance in the country allows constant disruption of Kosovar aims to demonstrate full sovereignty over its territory. In turn, Vučić does not care about a possible satisfactory implementation of an ASM by Kosovo. In fact, it is in Vučić's best interest to have Kosovo continue to oppose the implementation of the ASM, so as to secure continued support by the Serb minority in acting in defiance of its Albanian leadership.

3.4 *Vetëvendosje*: A Possible Bright Future?

Since the end of the Kosovo war, the main political parties that governed Kosovo were all members of the resistance movements against Serbia. These political leaders cycled through their mandates, effectively making the Kosovar political arena made up of only members of the old guard. This trend finally came to an end with the *Vetëvendosje* party (literally translating to 'self-determination' party) winning the 2019 election and having its leader, Albin Kurti, take office on February 3, 2020. The victory of *Vetëvendosje* was met with overwhelming support, considering the left-wing party as a possibility to a new chapter in the history of Kosovo, by seeking to resolve long-standing issues, such as organized crime, corruption, nepotism, poor economic progress etc. It is also important to note the way in which the self-determination party came to power, and the particularly unique position it finds itself in, which may secure possibility for further re-election in the future. Albin Kurti's explicit disengagement from revitalizing the normalization process might be a way for *Vetëvendosje* to create tangible results to show off to its constituents. Under the leadership of the old guard, primarily the PDK and the LDK, extensive priority and effort had been put in trying to normalize relations with Serbia, while at the same time trying to integrate the country into the international community through the joining of various international organizations.²⁰⁴ Due to the stall of normalization relations, the worsening of corruption within the governing institutions, as well as recent indictments of war crimes to the Kosovar leadership²⁰⁵, the stage is set for Albin Kurti and his party to bring

²⁰⁴ "Kosovo Turns Its Back on *Vetëvendosje*." Atalayar, October 27, 2021. <https://atalayar.com/en/content/kosovo-turns-its-back-vet%C3%ABvendsosje>.

²⁰⁵ Ristic, Marija. "Kosovo Specialist Prosecutor Charges Thaci with War Crimes." *Balkan Insight*, June 26, 2020. <https://balkaninsight.com/2020/06/24/kosovo-specialist-prosecutor-charges-thaci-with-war-crimes/>.

change to a stagnating political atmosphere. This malcontent in the old guard’s performance all these years has been clearly shown in the 2019 and 2021 elections, seeing *Vetëvendosje* winning by a wide margin through a “protest vote” against the stagnant establishment.

Figure 8: Parliamentary Election Results October 2019 and February 2021

Party	2019 Vote (%)	2021 Vote (%)	2021 Seats
Self-Determination (<i>Vetëvendosje</i>)	26.3	49.95	58
Democratic Party of Kosovo (PDK)	21.2	16.9	19
Democratic League of Kosovo (LDK)	24.6	12.7	15
Serbian List (SL)	6.4	5.1	10
Alliance for the Future of Kosovo (AAK)	11.5	7	8
Social Democratic Initiative (NISMA)	5.0	2.7	0
Other	5.0	5.7	10
Total	100%	100%	120

Source: Republic of Kosovo Electoral Commission

Thus, Kurti finds himself in a unique position. His constituents have decided to trust his party and his campaign promises, giving *Vetëvendosje* a substantial amount of political power with which to prove himself. As seen in the table above, *Vetëvendosje* secured 26.3% of votes in 2019, while securing 49.95% in 2021, giving Kurti’s party 58 parliamentary seats out of a possible 110 (10 extra seats are reserved for the Serbian minorities). His party comprised of young, talented people will need to bring some modicum of results quickly, so as to back up their claims of bringing about change. Corruption and nepotism are two important issues that the party chose to tackle. Through promises of breaking nepotism patterns and eliminating corruption in national institutions left by its predecessors, *Vetëvendosje* secured huge popular support in the younger population, as nepotism and corruption make job seeking incredibly difficult. Tackling these issues would alleviate some domestic pressure and secure enough voter confidence to warrant further re-elections, and possibly replace the old guard as the new *status quo*. If Kurti was to disappoint in his promises, however, he would unlikely find himself in a similar situation again, as the population will easily choose to re-elect the familiar and steadfast old guard. In addition, it is important to point out two things: 1) the majority of the population of Kosovo does not live in cities, but rather in rural areas, and thus have a different *forma mentis* than their city counterparts, opting for trusting older and more experienced

familiar faces rather than electing an “inexperienced puppy”²⁰⁶; 2) Kosovo’s electoral population votes the person, not the political party. As a result, while Albin Kurti is a popular figurehead, the rest of his cabinet may not be as popular, which can become problematic if the entire future of *Vetëvendosje* rests solely on the credibility of Kurti.

Moreover, the Kosovar economy is in dire need of revamping through successful expansive economic policies. As it stands now, the Kosovar economic model will not last long, as the country’s meager wages, around 466 Euros per month in 2020, do not provide enough sustenance for people to survive. Because of this, many young people choose to emigrate to countries such as Germany and Switzerland in hopes of finding higher paying jobs and sending part of that money back to Kosovo as remittances. One of the core tenets of Kosovar culture is the caring for the older generations by the younger ones. Because of this, approximately 20% of Kosovo’s GDP comes from remittances from abroad. The issue behind this is the fact that this steady stream of remittances will one day end, as the newer generations will not feel as inclined to caring for their much older generations back home. At the same time, this is only one aspect of how Kosovo survives through the benevolence and help of foreign countries. Other examples can be seen in relying on KFOR for military aid, EULEX for Rule of Law operations, as well as the US for foreign aid in new infrastructure projects.²⁰⁷ Because of this, it is of vital importance for *Vetëvendosje* to aim to tackle some of these issues as well, slowly detaching Kosovo from its foreign lifelines and being able to stand on its own two feet. Doing so can help bring a stronger Kosovo to the negotiating table, if the normalization dialogue was to be reopened.

On this note, under the *Vetëvendosje* leadership, it is unlikely that there may be some significant change in the process of normalization between Belgrade and Pristina. As mentioned previously, Albin Kurti stated that the Serbian dialogue is not in his list of priorities, and as such, he will opt for a position of “strategic waiting” in hopes that the future will see the two countries sharing common goals. However, as stated in the previous section, the likelihood that something will change in the Serbian-Kosovar process is highly unlikely. The ever more authoritarian drift experienced by Serbia will only serve to distance the two countries further, while Kosovo’s indifference towards the diplomatic stalemate will help solidify the idea that a comprehensive solution may never be found. Both sides may continue to play the waiting game,

²⁰⁶ “Kosovo Turns Its Back on Vetëvendosje.” Atalayar, October 27, 2021. <https://atalayar.com/en/content/kosovo-turns-its-back-vet%C3%ABvendsosje>.

²⁰⁷ Jones, Peter. “Is Kosovo Approaching Its Moment of Reckoning?” Harvard Political Review, August 11, 2021. <https://harvardpolitics.com/is-kosovo-approaching-its-moment-of-reckoning/>.

confident in the fact that the opposing side will crumble before they do. For Kosovo, Serbia is in dire need for EU Accession and economic rejuvenation, and thus will eventually succumb to Kosovo's demands. In contrast, Serbia believes that the continued efforts of Kosovar Serb defiance, coupled with continued de-recognition campaigns and veto schemes to accession in international organizations, will result in Kosovo bending the knee and accepting Serbia's conditions. What is missing from this rationale, however, is the alternative path for both sides to enter closer ties with external actors, such as the abovementioned Kosovar-Albanian integration, and Serbian drift towards Russia and China.

Ultimately, Kurti's Kosovo under *Vetëvendosje* will provide with some form of national change. The question remains whether this national change will be sufficient to warrant a new chapter of Kosovar history or end up being another disappointment for its population. The problems that Kosovo faces are insidious and very deep. If *Vetëvendosje* is to be successful in uprooting the corrupted underbelly of Kosovo, it must be done methodically and with patience; 20 years of corruption and economic problems cannot be resolved in the span of a couple mandates. In either case, *Vetëvendosje* provides, for now, the only left-wing alternative to an otherwise disappointing old guard. Whether this political experiment will also result in an umpteenth disappoint remains yet to be seen.

3.5 Ukrainian War Aftermath

The Russian invasion of Ukraine has led to ripples that have been felt all around the world, particularly in the Balkans. The reverberations of this violent war are cause for concern for all the western Balkan countries. Considering Serbia's position as Russia's loyal brother, this new war may lead to a wide variety of possibilities, ranging from new opportunities to integrate the Western Balkans, to the threat of a future revival of the Balkan conflict. This is cause of particular concern for Kosovo, as the new conflict may spur the present Serbian nationalist sentiment to retake Kosovo and Metohija through a similar "special military operation". While nothing has changed for now, there is plenty of reason to be weary and for Kosovo to undertake the necessary steps, to guarantee its safety. Furthermore, Russia's use of the Kosovo war of 1999, as a precedent to justify its actions in the invasion of the Donbass has left the region on high alert, as this rhetoric may be cause for a rise in ethnic tensions. The main countries at risk here are Bosnia and Herzegovina, Kosovo, and Montenegro, with their respective Serbian minority community having expressed in the past their anti-government

sentiments. Serb communities in Northern Kosovo have already shown signs of aggravated tensions with the government following the license plate dispute in October 2021. As a result, it is possible to infer that the outcome of the Ukrainian invasion may well inspire the Serb communities to escalate their defiance against Pristina. Similarly, the leader of the Republika Srpska, Milorad Dodik, has already explicitly stated in the past his wish to secede from Bosnia, thus putting the West in high alert, and warranting the strengthening of the Eufor Altea peacekeeping mission: its military presence will increase from 600 to 1100 units.²⁰⁸

Moreover, the Ukrainian war has led to Serbia straining to continue to play both sides of the game. Out of all European countries, only two decided to go against the European consensus of condemning the invasion, as well as the subsequent imposing of sanctions on Russia: Belarus – which decided to join in Russia’s military effort in Ukraine, thus triggering a new set of sanctions by the EU – and Serbia. Although Vučić eventually decided to issue a statement against the “special military operation” by stating that “undermining the territorial integrity of any country is a very bad thing”, he also quickly added that Serbia cannot turn its back to “its vital interests and its traditional friends”.²⁰⁹ Russia’s economic, energetic, and diplomatic support are still vital for Belgrade to continue to disrupt the advancement of Kosovo’s state-building and international recognition. Moreover, with the Serbian general elections happening on the 3rd of April, choosing to side against Russia would have been a great electoral mistake, as a 2021 survey in Serbia showed that 83% of surveyors view Russia as a “friendly country”. With the advent of the war, popular opinion for Russia did not change, as Serbia became the only European country to hold pro-Russian demonstrations.²¹⁰ This however, has made it impossible for Vučić to continue to play both sides. His final choice to side with Russia will have repercussions in the future, if the country will still seek out European integration. In fact, there is a high probability that a European future is out of the question forever. In turn, this could allow Serbia to take more drastic measures towards its conflict with Kosovo. The license plate incident in late 2021 shows that tensions are high between the two countries, and Serbia is taking new liberties in trying to show its hard power. It is not unreasonable to believe that the cause of a future escalation, which is bound to happen between the two sides, will see Serbia showcasing its military superiority more than it has done before,

²⁰⁸ Caucaso, Osservatorio Balcani e. “War in Ukraine, the Balkans Hold Their Breath.” OBC Transeuropa, March 1, 2022. <https://www.balcanicaucaso.org/eng/Areas/Balkans/War-in-Ukraine-the-Balkans-hold-their-breath-216258>.

²⁰⁹ Ibid

²¹⁰ Maliqi, Agon. “In Kosovo, Fears That Russia Could Inspire a New Serbian Offensive.” euronews, March 17, 2022. <https://www.euronews.com/my-europe/2022/03/17/in-kosovo-fears-that-russia-could-inspire-a-new-serbian-offensive>.

even in late 2021. It is important to note that Serbia is the Balkan country with the largest defence budget, which last year has doubled since 2018 to \$1.5 billion; far more than Kosovo's capabilities would be able to withstand.²¹¹ However, the surprisingly strong Ukrainian resilience in the war until now has had a deep morale impact across the world. Before the invasion, it was estimated that the country would fall within a month or so, but the reality has shown an incredibly resilient opposition, that is not only keeping the Russian invasion at bay, but also reclaiming its territories from the occupation. As a result, it can be speculated that the unfolding of events in Ukraine has not only increased tensions, but at the same time has deterred any kneejerk reactions to reignite ethnic conflicts in the region. Whether this narrative will continue in the future will depend on the outcome of the war.

Meanwhile, the war has had the positive effect of reigniting urgency in the Western Balkans to seek out NATO membership for the remaining countries, that being Kosovo and Bosnia (excluding Serbia). The current war may have acted as a catalyst in justifying an expedited process for both countries into securing its borders through NATO's Article 5. Seeing as the Ukrainian invasion was launched following Russian fears of sharing a longer border with NATO, it is possible to speculate that if the Ukrainian conflict were to end now, the pro-Russian focus on disrupting NATO expansion would drive new pressures into starting a new front in the Balkans. Because of this, an expedited process may be incredibly helpful, while the focus remains on the war in Ukraine, allowing Kosovo and Bosnia to reach safety without too much warmongering by Russia. For Kosovo, as it stands, one of the biggest obstacles to membership resides in the four members – Spain, Slovakia, Greece, and Romania – refusing Kosovo's membership due to non-recognition. This, however, may change as Kosovo's President Vjosa Osmani states that they "are already talking to [NATO] members to make sure that everyone understands how membership is becoming indispensable".²¹² Similarly, Bosnia does not have the requirements needed to join NATO as of right now, but in light of the events in Ukraine, there are strong pressures to find a mechanism to fast-track both countries into the defensive alliance. As a result, the future may see Kosovo drifting farther away from Serbia, as a possible NATO membership may be strong enough to sway more countries into officially recognizing the country, thus disincentivizing future normalization attempts, which are already quite overlooked by the Kurti government. Subsequently, it is

²¹¹ Gadzo, Mersiha. "What Is Serbia Trying to Achieve with Its Military Buildup?" Military News | Al Jazeera. Al Jazeera, October 6, 2021. <https://www.aljazeera.com/news/2021/10/6/the-situation-is-dangerous>.

²¹² Gadzo, Mersiha. "Kosovo, Bosnia Call for NATO Membership as War Rages in Ukraine." NATO News | Al Jazeera. Al Jazeera, April 6, 2022. <https://www.aljazeera.com/news/2022/4/5/nato-membership-indispensable-for-kosovo-bosnia-leaders>.

possible that the future may see a complete deadening of the process of normalization with Serbia.

Whatever the future may hold, it is important to note that this war has been instrumental in forever shifting the world's perception of the Russian military prowess. Its tactical, logistical, and strategic failures in achieving victory on the ground have been televised all over the world, showcasing that the fear of the Russian military complex was more perception than reality. The protracted conflict has already damaged Russia's reputation and, regardless of the final outcome of the war, things will never go back to what they were before. This being said, Russia will continue to be a global actor, specifically an agent of disruption in the Balkans, but its future influential capabilities are hard to predict. However, depending on the outcome of the Ukrainian war, a number of possible consequences can be speculated. If Russia were to come out of this conflict seen as a winner, it will likely have secured its sphere of influence in the Balkans. In conjunction with Serbian 90% dependency on Russian energy, a peace agreement can be distorted to fit the Russian propaganda, thus securing the continued support of the Serbs in the region. Serbia's loyalty is very likely to continue unchanged as Serbian state media will sell the outcome as a 'glorious victory' for its Slavic brothers. At the same time, this may spur newfound confidence in the Serb communities to act in defiance of their countries, and even push Serbia to take more risky and threatening positions with Kosovo. Furthermore, rising tensions will continue to stall any possibilities of breaking the stalemate, thus drifting the two sides evermore apart. On the other hand, if Russia were to lose this war – that is, not securing the independence of the Donbass region – it may see a decrease in its sphere of influence and starting a process of slowly losing ground in the Balkans. In this scenario, it is possible that the defeat of the Russian invasion will result in a straining relationship between Moscow and Belgrade. After all, if Russia was to lose its soft power in the region, Serbia would find itself virtually unsupported in its fight against Western integration of its former region. As a result, it is possible that this withdrawal of Russian influence might sway Belgrade into taking more conciliatory stances and seek new support mechanisms through EU Accession and possibly NATO partnership. This, however, would only happen if Russia was to virtually find itself unable to reach the Balkans anymore, and the West was able to promptly offer an incentivizing alternative to Russia's absence. Otherwise, Serbia would find itself continuing to drift away from reconciliation with the West, as its other close ally, China, could capitalize on the vacuum left by Russia, to completely assert its influence over the country and the wider region.

Final Remarks:

Finally, we have reached the concluding segment of this thesis, where we can discuss an overview of the situation between Serbia and Kosovo and reiterate the possibilities that these two countries have moving forward. Whatever these future steps may entail, it is certain that the results will also be predicated on the interests of the international actors in the region. This is a double edged sword, as outside influence may be crucial in helping advance the normalization process, but it may also act as a hindrance, as the various actors don't share the same end goal. Nevertheless, it is important to see where Serbia and Kosovo find themselves right now, so as to have a starting point.

Firstly, what needs to be highlighted, is the still very precarious position that Kosovo finds itself in. Since its declaration of independence in 2008, there has been an enormous amount of work put into the state building process, but it is still far from sustainable, making Kosovo still highly dependent on foreign actors and institutions for survival. For now, Kosovo is still economically dependent on foreign aid, as well as remittances from Kosovar immigrants abroad, mainly in Germany and Switzerland, for the survival of its population. This economic stagnation, coupled with gaps in security capabilities, leading to a proliferation of clandestine activity and organized crime, is holding the country back from economic prosperity. At the same time, the continuing failure to integrate the Serb minority under Pristina, and the resulting defiant acts that seemed to escalate in the last couple of years – supported by Belgrade – are also acting as further obstacles into any concrete steps forward. Moreover, Kosovo is still fighting for its recognition in the international community, thus barring it from important international forums and organizations, which can provide economic relief as well as the opportunity to enter a wider single market, such as the EU. In light of all of these factors, Kosovo's negotiating position is still fairly weak compared to Serbia. As a result, Albin Kurti's plan to shift Kosovo's attention towards domestic issues, may be the right choice, as a stronger Kosovar state will result in a stronger negotiating position.

On the other hand, Serbia is an established sovereign state, which already enjoys international recognition, with a stronger economy than its counterpart; but is also dependent on international actors in order to survive. Its close relationships with both Russia and China provide Serbia and its leadership with a strong negotiating position, as both support the non-recognition of Kosovo. In addition, its close economic ties with both countries, allow Serbia to enjoy some economic progress through infrastructure projects, as well as energy and security

dependence. However, Serbia suffers from economic stagnation as well, which make the prospect of EU Accession very attractive and the only viable option for a prosperous Serbian future. Unfortunately, Vučić's *modus operandi*, which involves saying what both sides want to hear, has come to its inevitable consequences. Vučić cannot continue to play the pro-European role when discussing accession, and the anti-west role when facing its Slavic brother Russia. This tug of war in rhetoric and narrative has reached its breaking point, and with the chance of EU Accession seeming more and more distant, Serbia has inadvertently shifted away from pro-Atlantic prospects and embraced a slow authoritarian drift, further distancing Belgrade from its Western partners, and a possible normalization of relations with its former province. The economic allure of China's BRI project is also to blame for this authoritarian drift, as the perception of Chinese partnership being a viable alternative to the politically challenging reforms needed for EU accession, disincentivizes Belgrade's leadership from undertaking exhausting policies. In addition, Belgrade's position in the normalization process is complicated. It is widely understood that the Serbian sentiment of reintegrating its former province under Belgrade is impossible, so it is in Vučić's interest to trade Kosovo's recognition for something of great value, such as EU Accession. However, at the same time, the entrenched bad blood between the two sides has led both negotiating positions to not accept any compromise, as whatever agreement can only be seen with one side wining, and the other losing.

This sentiment is the foundation behind the failures of the implementation of the provisions signed in the various agreements since 2013. As seen in the first chapter, the use of creative ambiguity as a negotiating tactic in order to reach consensus, has backfired in the long run. The absence of clear and precise language in the negotiating process, as well as the agreements per se, has allowed for enough interpretative difference to warrant a renewed stalling between the two sides, with one side claiming the agreement to entail a certain kind of provision, while the other claims a different one. The most notable divergence that stemmed from creative ambiguity was seen in the establishment of an Association/Community of Serb Minorities (ASM), which to this day, its executive functions, mandate, and powers are fiercely debated. As a result, progress has been sparse and ineffective in providing any sort of normalization of relations between the two sides. Assessing the various agreements, it is possible to see how the minor provisions have been partially, or otherwise completely, implemented, whereas the bigger and politically more important provisions have seen no progress. From this assessment, it is clear that creative ambiguity was a successful method in bringing both sides to a negotiating table, however, when it comes to reaching consensus in politically important matters, the ambiguous language has been more destructive than creative.

Moreover, the progress made until now in bringing both sides to a negotiating table is cause for concern to any possible attempts to ‘reset’ the process of normalization. The diplomatic progress made in the last 10 years can result in a further divide if the proposal of a normalization “reset” is accepted. In fact, there is even a strong possibility that both countries are likely to not involve themselves as much as before, if given a second chance to start over. Because of this, the process of normalization finds itself in a precarious position of stagnation. Going backwards could result in a waste of the diplomatic efforts of the last 10 years, while going forward is seemingly impossible, unless previous promises are not fulfilled first.

International actors such as the EU and the US need to renew their efforts in bringing both sides to a negotiating table. As it stands, too much time has been wasted without any tangible progress in normalization. As a result, both sides are seemingly less and less inclined into reigniting negotiations. This apparent apathy towards normalization will not resolve itself, but it is rather the West’s direct interest, and duty, to provide new alternative methods to reignite the willingness to continue making progress. The alluring potential for EU Accession has been thwarted by the events of the last five years, where both countries see a potential accession as a distant dream, rather than an actual tangible reality to work towards. Because of this, the EU needs to double down its efforts into overcoming its enlargement fatigue, and at the same time provide new intermediate milestone rewards for a more approachable step by step process for Accession. If the EU is unable to do so, then it must continue to exert its influence in the region, as well as continue to provide support for Kosovo through economic and political means. The fate of Kosovo and the wider Balkan region is of immense importance for the EU, which desperately needs a win, not only in terms of stability, but also as a way to secure their eastern flank. As such, the EU must not lose momentum, and needs to continue to provide support and alternatives for both countries. Similarly, the US has an important role to fill as it enjoys a very high approval rating by Kosovo, due to its actions in the war of 1999. Moreover, the realization of Kosovo as a full-fledged sovereign country, with a stable economy and institutions, is an important geopolitical interest for the West. The possibility of normalizing relations, and even reconciling both sides, will result in a massive international victory, and continue to consolidate the Western ideology and framework as a successful one. In addition, a successful normalization of relations, and a future Kosovo that is able to stand on its own feet, will result in geopolitical stability and security, as Kosovo’s status at the moment makes it a breeding ground for clandestine groups and underground home grown terrorist cells crossing the country to enter Europe.

For now, however, the current trends do not point towards a prosperous future. In fact, the most likely outcome listed in the third chapter sees the two countries continuing their normalization stalemate, as both sides continue diverging evermore, thus making the reignition of the dialogue harder and harder. Serbia's constant authoritarian drift has already seen observers such as Freedom House change their rating of Serbia's regime from democratic to hybrid, and the trend can only continue to worsen in the future. Closer ties with Russia and China will continue to dissuade Vučić and his possible successors, from bridging the gap. Similarly, the presence of Vetëvendosje is likely to mark a new chapter in Kosovo's politics, steering away from the old guard's policy of normalization, and focusing more on domestic issues, primarily economy and security.

However, this current drift between the two sides may not be as bad as it seems at first. If Kosovo is successful in continuing its state-building process, as well as resolve its internal security and economic issues, it will find itself at a more favorable position in a future reignition of negotiations. At the same time, the economic stagnation of Serbia, as well as its authoritarian drift, may lead the Serbian population to rethink its intransigent position on the matter, and rekindle popular support for western alignment. As seen in the second chapter, the only international actors with altruistic interests, besides their own domestic ones, are the EU and the US, which wish for both countries to normalize relations and enter the wider single market, so as to improve their respective standards of living. If given enough time, there is a possibility that the stalemate may reach a natural breaking point, as the consequence of their own actions will catch up with them. For now, this is all speculation. The only fact that can be ascertained from the last two years, is that the stalemate in the normalization process is likely to continue, as both countries drift apart further and further, and tensions escalate more frequently than before. In addition, the current war in Ukraine by Russia, is bound to have profound effects in the Western Balkans, and the Serbian-Kosovar process by extent, but for now, only time will tell.

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Executive Summary:

Introduction:

Kosovo is one of the newest countries to come out of the collapse of the Former Yugoslav Republic. It unilaterally declared independence from Serbia on February 17, 2008 as the culmination of an epoch of struggle against Serbia and, most importantly, its people. Its significance is multifaceted in many dimensions, from the religious, to the historic, and to the geopolitical. This former autonomous region of Serbia has a history shrouded in significance for two important ethnic groups: the Serbs, and the Albanians.

For the Serbs, their attachment to the region can be traced back to the middle ages. This attachment stems from their close relationship with the Orthodox Church and the Nemanjić dynasty, so much so that you cannot have one without the other. This connection with the church is what allowed not only the Nemanjić dynasty to secure its place in the region, but also to allow its head to unite the various quarreling lords into a single consolidated state. At the same time, the historical Byzantine enemy would be replaced with the Ottomans, which took the reins. This conflict would culminate in 1389, at the Battle of Kosovo Polje, where the famous Serbian Prince Lazar would fight against Sultan Murad, and win. This however was not enough to stop the inevitable, and Kosovo was to be subjugated under Ottoman rule.

Thanks to the Ottoman rule, the Albanian ethnic group finds its most recent claims to the area, claiming that the period under the Ottomans saw the gradual change of demography in the region, with the Serbian population relocating elsewhere, and seeing the Albanian minority slowly turn into an ethnic majority. In this time, the demographic composition looked very different than what it was initially under the Nemanjić dynasty. In addition, it is important to note that, unlike the Serbian population, which was deeply connected to its orthodox roots, the Albanian population in the area was not as intransigent in the Ottoman's conversion campaign to Islam. Thus, the seeds for an ethnic conflict already began growing, as the future ethnic difference would base itself on religious differences too; one being Muslim, the other Orthodox. The upcoming wars would pose themselves as the first ethnic conflict between Serbs and Albanians and lay the foundation for the narratives and claims to the area. The culmination of the conflict in the area was seen in the beginning of the 20th century, during the First Balkan War as well as the First World War. This was the end of Ottoman authority over the area, as countries such as Bulgaria, Serbia, and Montenegro, swallowed large swathes of land from the dying empire.

Jumping forward in time to the era of Milošević, it became apparent that the bouts of violence that were about to happen was the product of generations of ethnic tensions and dissatisfaction. Milošević was simply the right man at the right time, with the right tools to take over. Thanks to his friendship with Stambolić, Milošević was able to quickly leap into the highest positions of the Serbian Communist Party, eventually becoming the President of Serbia after betraying the same man that helped him reach those political heights. At the same time, while still swearing fealty to the Communist Party, Milošević began to place the right pieces that would see him survive the fall of communism. For him, a nationalist iron-clad stance was the best course of action to ensure his people's popular support, while at the same time keeping areas such as Kosovo, firmly under his control, through violent reprisals and the presence of the army. This move however, was the beginning of the end for Milošević, as his strategy of collapsing every country in the Yugoslav federation was having the deadly consequence of stirring up pent up ethnic tensions and irredentist sentiments towards Milošević and the Serbs. By 1991, Slovenia and Croatia decided to opt out of the federation. One year later, Bosnia would follow suit and declare independence. The wars that followed their independence were nothing short of brutal. The atrocities that resulted from the war are instrumental in explaining the prompt response by NATO in 1998, when war arrived in Kosovo as well. In fact, the resulting bloodshed was only allowed to stop due to NATO's swift air campaign over Belgrade, leading to a cease in hostilities, as well as putting Kosovo under UN administration.

On February 17, 2008 Kosovo unilaterally declared independence from Serbia, despite Serbian objections. According to Serbia, Kosovo is still under its authority, citing UN Resolution 1244 as their legal evidence. Kosovo however does not pay attention to this and has worked towards creating its own governing body and institutions. Since 2011, there has been an enormous effort, brought forward by international actors, to start a process of normalization of relations between the two countries. This Brussels Dialogue culminated in the first Brussels Agreement in 2013. Since then, two more agreements have been signed, and the process of normalization of relations has still not reached its primary objective.

Chapter 1:

The first chapter analyses not only the three main international agreements, but also discusses the evolution of Just War Theory, the principles of self-determination, non-intervention, and also humanitarian intervention. The Kosovo case has been fundamental in the creation of new frameworks in regard to just war theory, and also poses new precedents on the

legality of the wider secessionist movements in the world. Considering the absence of a clear and unitary framework by the international community on the law of secession, the case of Kosovo makes for a good precedent to which future frameworks may be created. Indeed, up until the breakout of the Kosovo War, the general framework consisted of upholding the international sovereignty of a state, and thus pursue a policy of non-intervention. At the time, the framework envisaged by the international community revolved around Article 2 of the Charter, which emphasizes non-intervention by foreign actors. While humanitarian intervention was already a term used in international law, it was very difficult to put into practice, as there was no consistent framework from which to base a case as lawful humanitarian intervention or not. Authors such as Michael Walzer wrote extensively about the rights and responsibilities that the national population holds, in regard to their political freedom. According to him, state sovereignty and self-determination are core components that lead to the development of a state, and when conflicts arise within said nation, it is national population's duty to resolve the internal conflict without outside influence. However, it is important to point out that Walzer makes a case for exception to these rules; that being the gross violation of human rights.

Moreover, the next section focuses on the state building process since its independence in 2008. When it comes to state building, the key factor to keep in mind is that whatever institutional system is to be created, the process must be an internal one, without outside influence, so as to provide the country with the necessary legitimacy to stand on its own feet in front of its population, as well as the wider international arena. International actors can have a limited role in the state building process but are relegated as guarantors or facilitators to the transition, rather than a deciding force. However, this is not the case in Kosovo, where the international community has not only acted as facilitator but at times as provider and captain to the steering of its future. This was seen through the reliance by the newfound state on external Actors such as the UN and KFOR to uphold their legitimacy in the region. As a result, an argument can be made that Kosovo did not in fact possess the necessary conditions for it to be considered a sovereign state at the time of its independence.

The next sections of the chapter discuss the three main international agreements signed between the two parties. The first agreement signed in 2013 was officially titled "First Agreement of Principles Governing the Normalisation of Relations". This 15 point bilateral agreement was the first effective step towards a possible future of reconciliation, by tackling issues important to both parties, in particular, the Serbian majority enclaves in Norther Kosovo. Seeing as the Serbian-Kosovar conflict was incredibly complex, the aim of this agreement was

not to provide with a single, conflict-ending solution, but rather, pose as a steppingstone for future willingness to continue normalizing relations. The intention behind this was to gradually attempt to normalize relations, by tackling important problems that would make both sides more receptive in the future to further normalization proposals. Due to this, 12 out of the 15 points in the agreement focused on the integration of the Serbian dominant northern Kosovo into the political structure of Pristina, while at the same time securing some degree of autonomy for the communities there. Thus, the implementation of the Brussels Agreement stipulated the creation of an Association/Community of Serb Municipalities (ASM), to which the Serbian population would benefit a substantial amount of autonomy under Pristina. The rest of the subjects tackled in the agreement complement that main issue, by focusing on the integration of the parallel structures into the Kosovar framework, the providing of amnesty law for Serbs who resisted Kosovar police in the past, as well as the set-up of municipal elections and police reforms. This implementation of the agreement regarding the ASM was so important for the smooth transition to different areas, that the extension of the Brussels Agreement in 2015, went into further detail regarding the future of this Association/Community. However, the good faith that was present in the negotiating table quickly turned sour, as the lackluster results in the implementation of the agreements led both sides to taking steps back, seeing the other side as not faithful to the undertakings agreed in the dialogue.

Moreover, the use of creative ambiguity was detrimental for the overall final result, but according to the European External Action Service (EEAS), it was the best possible strategy in order to convince both sides to sit down at a negotiating table. The use of incomplete or purposefully ambiguous language was used so as to allow room for interpretation from both sides and reduce the resistance towards agreeing to further provisions. In theory, the use of creative ambiguity sounds like a diplomatic success, as giving both sides some room for interpretation makes them both able to temporarily overcome technical impasses and advertise their progress back home as a political victory. However, in practice, the use of ambiguity in the wording of the agreement resulted in stagnation of negotiations. The inability to come to a concrete solution in the detailing of the agreement led to numerous failed rounds of negotiations, with a final agreement signed in 2015, which did not result in any tangible progress forward. Hence, the use of creative ambiguity may just as well be considered destructive.

When it comes to discussing an implementation assessment, it must be noted that progress has been sparse and spotted, with the less politically charged provisions seeing partial, if not complete implementation, whereas the more politically controversial sections have still

not made any significant progress. The most notable of which is, of course, the implementation of the ASM according to the 2013 and 2015 agreements. No progress has been made on any points regarding the ASM, and there is likely not going to be any in the near future. Conversely, more minor issues, such as fair municipal elections in Northern Kosovo, Custom stamps, or integration of the North's security forces into Kosovo's police, have been completely implemented. Seeing the implementation assessment above, it is easy to look at the amount of partially and fully implemented sections and declare that the agreements have been mostly successful. However, it is important to point out the relative weight of each provision. When this is done, it can be seen how the agreements were not as successful as previously thought.

Moving on, the Washington Agreement of 2020 is the last agreement signed by both parties. Contrary to the previous agreements, the Trump Administration focused on making this international agreement more business centric. The reasoning behind this was that, if enough economic benefits can be seen by both sides, they are more likely to engage in the future to normalize other politically controversial topics with a more open mind. However, the resulting agreement that came out of the Trump Administration was lackluster to say the least. It was evident that the Washington Agreement was not stipulated as an attempt to break the stalemate created since 2018, but rather, a publicity stunt by Trump in order to secure its reelection for a second 4-year mandate. This in fact, explains the time period when it was signed, as well as the Trump Administration hammering on the narrative that the agreement was a "major historical breakthrough". The agreement was signed at the beginning of September, around 2 months before the US 2020 elections, and Trump needed to secure a strong win both in the international and national sphere, so as to boast a political victory, increasing his chances of reelection. Furthermore, the contents of the Washington Agreement show an eclectic range of provisions, all aimed at providing an agreement that would reflect US Foreign Policy interests.

Lastly, a number of political obstacles have played a crucial role in not only stalling, but completely thwarting any possible progress in the normalization of relations between Belgrade and Pristina. The three obstacles analyzed here are 1) the creation of the Kosovar Armed Forces (KAF), 2) the 100% import duties, and 3) the flare up over license plates on the Serbian-Kosovar border.

The first obstacle was the refurbishing of the Kosovar Security Forces (KSF) into proper Armed Forces. Naturally, considering that Serbia still claims sovereignty and authority over its former province, the creation of the Kosovar Armed Forces was met with staunch opposition, as the armed forces constituted a security threat and an act of aggression for Serbia.

In reality, the operational extent of the KAF was nowhere near any capability to pose as an actual threat to Serbia. In fact, the creation of the KAF was more symbolic than anything else. Kosovo's continuous struggle to cement its position as a sovereign state brought forward the need for it to have its own military, so as to exercise authority over its territory, particularly the defiant Serb municipalities.

The second obstacle was the imposition of 100% duties on all Serbian and Bosnian products imported into Kosovo, thus deeply affecting the Serb minority, which is dependent on Serbian products. This sudden increase in import duties was not without reason, however. The continuous de-recognition campaigns brought forward by Serbia, as well as its last attempt at rejecting Kosovo from entering Interpol, had led the Kosovar leadership to take extreme measures in order to strongarm Serbia into recognizing Kosovo's sovereignty. The response of the international community was unanimous in its condemning of the import tariffs, as it literally ground the already sluggish normalization process to a halt and kept it so during the entirety of the time that the duties were in place. In addition, the imposition of these tariffs was not welcomed at all by the EU as they went deliberately against the obligations undertaken by the Central European Free Trade Agreement (CEFTA). Eventually the import duties were lifted, but only after 2 years since its placement, as the Kosovar leadership under Avdullah Hoti sought to rekindle normalization talks with Serbia.

The issue of normalizing license plates dates as far back as the 2016 round of negotiation between Serbia and Kosovo but failed to produce concrete results regarding any sort of implementation of a normalized system for border crossing. Until the outbreak of tensions, Serbia was the only one imposing special license plate validity regimes on Kosovar vehicles entering Serbia. When in September 2021, Kosovo decided to send its police to the north of Kosovo to enforce their own version of license plate validity regimes, the Serb population began protesting, while setting up trucks to establish roadblocks to prevent border crossing in key areas. At the border, the protests escalated, with Kosovar Police Forces controlling the protesters in riot gear and using non-lethal weapons. Serbia's response was swift, with the deployment of a platoon of soldiers near the border, as well as having fighter jets pass by in order to intimidate the Kosovar forces. The EU and UN response was swift, with pushing both sides to sit down at a negotiating table and implement temporary band aid solutions to the problem. The significance of this escalation of tensions, however, is a clear sign that the stalemate in normalization is making both sides bolder in their displays of power, especially from Belgrade.

Chapter 2:

The second chapter focuses on the influence of four external actors (namely the EU, the US, Russia, and China) in the two Balkan countries.

Out of all four external actors, the European Union is the most invested actor in the region. For the EU, the resolution of the Serbian-Kosovar conflict, along with the wider Balkan compatibility quagmire, is essential, not only for the countries in the region, but for the Union itself. Geopolitically speaking, the ability to shift the Balkans towards a Euro-centric alignment, would allow for a securing of its eastern region from authoritarian and corruptive influence. Its most effective tool for this objective, is the enticing prospect of accessing the rich European Single Market, which would not only integrate the two countries into the wider European system but propel their respective economies into new heights of prosperity, the likes of which would secure any reelection. Because of this, the prospect of Accession counts as a very important bargaining chip, which allows both sides to more easily go over certain point of controversy, so as to secure a European future. This potential European future would not only resolve their economic issues derived from a surge in current account from increased trade, but it would also resolve the wider issue regarding brain drain and mass emigration towards central Europe, particularly Germany and Switzerland. As seen in this section, both countries suffer from massive brain drain, especially coming from the younger generations, who are unable to find a decent job in their home countries, and thus emigrate in search of more fertile lands, with more opportunities for a prosperous future. Accession into the EU would see some of that emigration revert back and allow the country to avoid a potential welfare and demographic disaster in the future. In addition, the status of pre accession for Kosovo, and the status of potential candidate for Serbia, allow both countries to enjoy from particularly enticing European funds, aimed at helping future prospects to facilitate the implementation of their European requirements needed to join the EU. These funds, such as the IPA II and IPA III for Kosovo, entail vast sums of money aimed at increasing governance and supporting the internal economy, so as to turn the prospecting country into a source of prosperity, rather than a black hole of EU funds. However, the lack of tangible results in the process of normalization of relations is making the bright European future, seem evermore a dream, rather than an objective to work towards. The EU has been clear, there will not be any possibility of Accession for either country, until the dispute between the two countries is settled. While on one hand, this seems like a great diplomatic strategy to force the two sides to come to an arrangement, the

continuous lack of progress is turning either side evermore sour, with both countries seeking alternative paths that may lead to future prosperity.

Similarly, the United States is also highly invested in the dispute, which is apparent, considering its swift support of Kosovo's independence in 2008. Since then, the US has provided with economic and political support to the new country, and directly helped with its international recognition issues. Because of this, the US enjoys a very high approval rating in Kosovo, which can be instrumental in allowing to US to incentivize Kosovo into continuing diplomatic efforts regarding normalization. Under the new Biden Administration, the US Foreign Policy has seen a shift from its predecessor. This renewed interest in the region is going to be instrumental in not only signaling renewed good will by the US to actively participate in the process of normalization, but it also allows the US to bridge the gap with the EU that had been left after the previous administration. In addition, the renewed presence of the US in the dialogue is going to be fundamental in providing some disruptive force for the Russian and Chinese influences (which will be talked about below) looking to profit from the protracted instability. Moreover, the recent failures of tangible progress in the EU-led Dialogue have resulted in the EU losing a significant amount of leverage. The reemergence of the US as an active supporting player to the EU Dialogue will increase the chances of success towards reaching the final goal of mutual recognition. At the same time, the stabilization and improvement of the area will prove itself to be crucial for US security policy as well. Seeing the current state of both countries, it makes the area ripe for the creation and proliferation of underground clandestine groups and terrorist cells. Through the weak legal framework in Kosovo, these cells are able to transit safely into the EU unnoticed, and thus pose a major security threat for the EU as well as the US. Thus, US support is crucial in providing the right tools to uproot these organizations and secure the region.

The third international actor, Russia, uses its entrenched position in the area in order to foster disruptive measures against possible conciliation of Serbia and Kosovo. Thanks to its shared cultural and ethnic background with Serbia, Russia enjoys a very high approval rating in Serbia, seeing themselves as their Slavic Big Brother. This narrative has never changed throughout time, as Russia was the first country to fully support Serbia calling the NATO bombing campaign illegal, as well as supporting Serbia in the non-recognition of Kosovo. For Russia, Western meddling in the region is cause for a security threat, as an increased Western presence will have direct results in waning the Russian influence in the region. Contrary to the Western actors, Russia seeks to profit off of the political instability of the region, so as to present itself as the only viable option to countries such as Serbia. As it stands now, both Serbia

and Russia need each other, with Vučić counting on Putin's continuous support in vetoing Kosovo's application to the UN, and Putin needing Serbia to align itself with pro-Russian frameworks, in order to continue exercising influence in the region, which is slowly seeing its influence decrease. Furthermore, a finalized normalization agreement between Serbia and Kosovo may spell disaster for Russia, as it could foster irredentist movements in its internal provinces as well, such as Chechnya. Because of this, through a mixture of pro-Russian media influence and meddling in Serbian politics, Moscow is able to maintain an otherwise anti-west sentiment, portraying a Slavic brotherhood as crucial, and painting the West as a destabilizing force in the region. Moreover, the use of the Serbian Orthodox Church (SOC) is crucial for the advancement of Russian influence. Understanding the deep-seated relationship tying the Serbian people to the church, as seen in the introduction, it is apparent that the religious alignment with Russia is paramount in order to consolidate Putin's standing as Serbia's big brother. In fact, through the SOC, Russia is able to enjoy increased popularity thanks to its shared cultural and religious roots which help Russia in maintaining a firm grip inside Serbian society.

Lastly, the final international actor, China, uses its vast economic machine in order to secure its long-term economic ventures. Thanks to China's Belt and Road Initiative (BRI), Beijing has been successful in not only securing new trade routes for its economy, but also enjoys the added benefit of exercising vast amount of economic influence over the countries it chooses to make business with, through shady business practices. This method of gaining economic influence is part of Chinese Foreign Policy, using economic diplomacy and debt trap in order to coerce its business partners into following Beijing's orders. For now, it seems that China's primary objective is not aimed at destabilizing the Balkan region, and continue the stalemate in the normalization process, but rather it is aimed at laying the groundwork in the Western Balkans, so as to more easily penetrate the rich European Single Market. Because of this, out of all Western Balkan countries, Serbia seems the most willing to undertake economic diplomacy with China, and as a result, tying Belgrade ever closer to Beijing's grasp. China's use of economic diplomacy is very attractive as it provides fast injections of capital into infrastructure projects, without asking the hosting country for too many requirements, unlike EU investments. As such, Chinese money is very enticing for Vučić and his country, which currently suffers from economic stagnation. However, it is important to note that these injections of capital are in the form of loans, not foreign aid or investment funds, like the EU provides. Because of this, past economic disasters such as the port of Sri Lanka must act as cautionary tales for Serbia, so as to not fall into the trap of not being able to pay back its loans.

Currently, Serbia's debt towards China is around 12% of GDP, which is concerning. Moreover, China's presence as purely business related, has allowed Beijing to advance its foreign policy and security network in the area. Thanks to this economic cooperation, Serbia has allowed Chinese tech giant Huawei to enter the Serbian market with its 5G technology, as well as provide Vučić with a new surveillance system with HD cameras and facial recognition software. The effects of this economic cooperation allow China's foreign security policy to gain a substantial foothold in the region, while at the same time allowing Serbia to ease its authoritarian drift through Huawei technologies. As it shows, Serbia continues to advance its regime change towards an authoritarian one, thus distancing Belgrade from Western actors, and pushing the Serbian leadership to pursue further cooperation with its eastern brothers.

Chapter 3:

The third and final chapter focuses on the analysis of five possible future scenarios, and commentary on their likelihood of happening in the future. The first scenario revolves around the possibility for a reignition of normalization negotiations through a land swap agreement between Serbia and Kosovo. According to this theory, the Serb dominated Northern Kosovo will be given to Serbia, in exchange for the annexation of the Albanian dominant areas in the south of Serbia, east of Kosovo, namely the Preševo Valley. This possible outcome has always had a presence in political discourse throughout the years, as the defiant Northern Kosovo municipalities pose the biggest threat to Kosovar sovereignty. This proposal was also briefly taken into account in international negotiations between Vučić and Thaçi, in order to find a way to break the stalemate. However, this proposal was quickly put down by various political parties, including the incumbent Vetëvendosje leadership. According to Albin Kurti, there will never be a redrawing of borders, as Kosovo is a multiethnic state. Furthermore, considering the bloody history of the Western Balkans, which was predicated on ethnic conflicts, any and all allusions to a possible border correction along ethnic lines will definitely resurge ethnic tensions in the neighboring states as well. Decades of progress would be reverted back instantly, as the already present irredentist movements in countries such as Bosnia, would see the border correction as justification for renewed armed struggle for secession. Because of this, the likelihood of this scenario turning into reality is highly unlikely.

The second scenario explores the possibility of a future unification between Kosovo and its big brother Albania. Currently, the incumbent leadership under Albin Kurti has taken measures to deepen its ties with Albania, while not denying the possibility that if a referendum

were to happen on the unification of the two countries, both leaders would be favorable to the outcome. The possibility of an Albanian unification would resolve Kosovo's state building issues entirely, as Albania is already a recognized state which enjoys membership in various international organizations. Moreover, public support on the matter has also shown good results, with a substantial majority of people choosing to vote yes to a possible unification referendum. However, the integration of the Kosovar state into Albania will pose new challenges for both leaderships. In primis, the transition phase would require vast sums of capital and political effort, in order to allow Kosovo's legal framework to be integrated into the Albanian one. As such, the possibility of an integration tax would be necessary for this unification, which however does not bode well for public support. Secondly, the question regarding what type of political structure rises, will the new Albania be a federation, or a unitary state? Will Kosovo enjoy autonomy or be just another region? Lastly, the most important disadvantage to this unification is the possible ethnic tensions that will arise from neighboring countries, similarly to the border correction scenario above. Because of this, the potential unification of the two countries was deemed unlikely as well.

The third scenario revolves around the continuing stagnation of normalization between the two countries. As demonstrated in the previous chapter, international actors such as Russia and China are slowly pulling Serbia away from seeking conciliation, while the new leadership in Kosovo sees the country moving away from continued attempts to normalize relations, but rather focus on domestic issues and continue to follow pro-western alignments. As a result, the cleavage between these two countries is bound to continue to widen, thus making a chance for a reignition of negotiations evermore unlikely to occur. Considering Vučić's overwhelming victory in the June 2020 elections, as well as its victory in April 2022, show an entrenched position of Vučić's political party SNS in the Serbian political climate. Because of this, it is safe to assume that as long as Vučić and his party remain in power, there is little to no chance of a possible reignition of the dialogue. Similarly, Vetëvendosje's victory in both the 2019 and 2021 elections show that the Kosovar electorate is tired of the status quo and is seeking a definitive change, with Albin Kurti promising to resolve domestic issues such as economic stagnation and corruption, rather than continuing to waste efforts in normalization dialogues. Because of this, this scenario is considered to be the most likely to happen.

The fourth scenario revolves around the effectivity of the Vetëvendosje party in providing with any possible future for Kosovo. Considering the country's deep structural issues, Kurti's agenda to resolve those domestic issues have allowed for his party to gain an overwhelming majority in the latest elections. However, the likelihood of Vetëvendosje

providing any actual change for Kosovo will depend on its ability to resolve, even slightly, the overwhelming number of problems the country faces. Its official agenda provides with a glimmer of hope for the Kosovar people, by choosing to focus on problems such as organized crime, corruption, nepotism, poor economic progress etc. However, there are obstacles to this scenario. Not only are the objectives set out by Kurti, very ambitious, which will require various mandates to provide with significant change, the Vetëvendosje party also does not enjoy popular support outside of the cities, where the reality of Kosovo is in stark contrast with what is seen in urban areas. At the same time, the Kosovar electorate does not trust Vetëvendosje completely, claiming the party, comprised mostly of young people, to be a possible failure as it is full of inexperienced actors. As such, not only does Vetëvendosje have to take the role of changing Kosovo's future, but it also needs to fight hard to gain enough credibility by the rural electorate, to warrant continued political support. As a result, it is difficult to extrapolate whether Vetëvendosje will result in an actual change for Kosovo, as its days may be numbered. However, if Kurti and his party are able to gain enough political support to renew future mandates, there is a possibility that Vetëvendosje will push Kosovo towards an upward trend of prosperity, which will in turn allow the country to better stand on its own, and further legitimize its state building process.

Finally, the fifth and last scenario revolves around the future of Russian influence in the area following the end of the Ukrainian war. Considering Serbia's position as Russia's loyal brother, this new war can lead to a wide variety of possibilities, ranging from new opportunities to integrate the Western Balkans, to the threat of a future revival of the Balkan conflict. This is cause of particular concern for Kosovo, as the new conflict may spur the present Serbian nationalist sentiment to retake its former province through a similar operation. The invasion of Ukraine has been a reason for concern in the Western Balkans, as its ripples can be felt clearly in the region, which could see a resurgence of armed conflict, especially from the Serbian minorities in Bosnia, Montenegro, and Kosovo. This is further exacerbated by Russia's justification of its special operations, citing the Kosovo War of 1999 as precedent. Moreover, the Ukrainian war has strained Vučić's strategy of playing both sides, thus finding himself having to take a clear stance for once. By choosing to side with Russia on the Ukrainian issue, Vučić has further distanced himself from the Western powers, especially the EU, which condemns the invasion as well as Serbia's response. This choice is likely bound to have consequences in the future and may as well have been the final nail in the coffin to the normalization process in the near future. However, the advent of the Ukrainian war may have had some positive effects in the region by reigniting the urgency of incorporating the remaining

Western Balkan countries (Bosnia and Kosovo, not counting Serbia) into the NATO sphere. In fact, this war acts as a justification for the creation of an expedited process of membership for problematic countries such as Kosovo, that do not have unanimous support over NATO membership, by countries such as Spain and Slovakia. At the same time, it is important to note the significance of the Ukrainian war in shifting the global perception of Russia's military, tactical, and logistical prowess. By televising the war, and seeing the subsequent Russian failures, the fear of the Russian military complex was shown to be more perception than reality. As it stands, whatever the outcome of the Ukrainian war may be, the global perception of Russia's military strength has been forever altered. This will have repercussions in the Western Balkans, where Russian influence was slowly waning already. Thus, it is possible that the future will see Serbia and Russia drift apart, as Serbia might need to take conciliatory measures towards, in order to not find itself isolated in the wider Balkan region.

Final Remarks:

In conclusion, it is important to point out that the Serbian-Kosovar future will always be linked to outside influences. Because of this, any progress or backtracking in the normalization of relations between Serbia and Kosovo, will be a product of not only internal efforts, but also international influences and incentives. As it stands now, the Accession to the European Single Market, is still the most beneficial path for both countries. However, recent events in the last five years have transformed the future prospect of EU Accession into a distant dream, and as such, the stalemate of the normalization process gave rise to a widening gap between the two sides.

However, the process of normalization, as we have seen in this thesis, have been set up for failure from the beginning. The use of temporary band aids such, as creative ambiguity, have led to bigger problems down the line in implementing any politically controversial provision. At the same time, the stipulation of the three international agreements, and their non-binding legal nature, have created the Balkan quagmire which I explained today. Choosing to temporarily unfreeze negotiations, for the sake of moving along in the progress of normalization, led to both sides finding themselves stuck in the implementation of any significant provision that would constitute a "breakthrough". This was seen in the failure to implement the incredibly important provisions on the ASM, as well as the lackluster material seen in the Washington Agreement of 2020, which resulted in trivializing the Serbian-Kosovar conflict into a mere electoral campaign stunt. These mistakes compounded together into

creating a complex web of possible disastrous paths, that now see both sides in an indefinite stalemate since 2020. Moreover, attempts by both sides to try to push forward a normalization “reset” may result in disaster as well. After 11 years of dialogue between the two countries, a reset of negotiations will not only revert the region back a decade, but will probably never see the extent of negotiations seen now. Upon resetting the normalization process, both sides will probably choose to take more defensive and intransigent approaches than before, thus eliminating even the little progress that has been made until now. Overall, the Serbian-Kosovar quagmire is at a delicate point, where going backwards could spell disaster, and choosing to move forward will result in enormous national and international political efforts.

What needs to be highlighted, is that the presence of international actors must not falter in the future. Actors such as the US and the EU must find new alternative ways to incentivize both countries towards seeing conciliation as more beneficial than divergence. This can be done through a revisited step by step process of Accession for both Serbia and Kosovo, with the addition of new intermediate goals, so as to allow both countries to see immediate results from politically exhausting concessions.

Regardless of future outcomes, it is evident that the fate of the Serbian-Kosovar conflict will have reverberations into the surrounding Balkan region, as well as the international arena. Because of this, it is important for all interested actors, to double down their efforts in pursuing a peaceful, stabilizing policy, so as to provide its countries and people with a new chapter, away from the horrors of the past.