

# Helsinki *bulletin*



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## SERBIA: TOWARDS EU AT LONG LAST



REUTERS

Serbia and Kosovo's normalization agreement (signed on April 19) is crucial for both regional and bilateral stabilization. The agreement put an end to fragmentation of the region along ethnic lines and to the delusion that a change in international constellation would play into the hands of Serbia by enabling partition of Kosovo: the option Serbia's political and intellectual elites have banked on until the very end. Instead, the agreement practically guarantees Prishtina's sovereignty over the entire

territory of Kosovo and complies with the 2007 Ahtisaari plan for the autonomy of the Serb community.

Certain concessions Belgrade got do not undermine the agreement's strategic dimension: definite withdrawal of Serbia and its institutions from Kosovo North.

For Belgrade, the fact that the autonomous entity in the North would incorporate only four

municipalities with Serb majority population (and only Mitrovica North) and that a community of municipalities would have a president, a vice-president and a council was “a maximum under given circumstances.” Major achievements, Belgrade said, was that the community of municipalities would appoint a regional police commander and that an appellate court would be established in Mitrovica North. Belgrade also obtained guarantees from NATO that Kosovo police forces would not operate in Kosovo North without permission from the North-Atlantic Alliance and the Serb community.

Faced with strong resistance from the conservative bloc and the grey zone of politics, Premier Ivica Dacic was skillfully meandering through Brussels’ requests and domestic criticism. The ruling coalition – having itself traveled the path from denial to acceptance – obtained relevant political legitimacy for a turn to take. The Serbian government voted in the agreement as one only two days after the Brussels paraph, while the parliament adopted it with 173 out of 250 votes.

Except for Kostunica’s Democratic Party of Serbia /DSS/, all other opposition parties – Democratic Party, Liberal-Democratic Party, Alliance of Vojvodina Hungarians and League of Vojvodina Social Democrats – backed the agreement. Anti-European forces assembling Serb Radical Party, unrepresented in the parliament, and various right-wing organizations (Dveri, Nasi, “1389,” and the like) apart from DSS, failed to stage massive protests aimed at annulling the agreement. Not even Serb Orthodox Church’s open support to this part of Serbia’s social and political scene prevented an almost smooth Kosovo-related U-turn. This testifies that legitimacy of these forces has not only dried up but also that the society as a whole is exhausted and aware that this is the only choice Serbia could possibly make.

Leaders of Serb municipalities in Kosovo North also raised their voice against the agreement. Head of the Office for Kosovo and Metohija Aleksandar Vulin resigned in protest: an act that in no way affected the government’s unity. Serb leaders in the North were the first to threaten with a referendum but missed the mark. For their part, Aleksandar Vucic and Ivica Dacic accepted the idea of a referendum under the condition that it was called in the shortest possible while and, more importantly, stood not in the way of the agreement’s implementation while prepared. As it seems, the referendum will never be called.

All relevant international factors and organizations welcomed Belgrade and Prishtina’s agreement. They mostly praised its historical aspect. The Council of the European Union recommended that Serbia should obtain a date for accession negotiations. EU summit is supposed to decide on the issue in late June.

There is no doubt about a historical dimension the agreement has in Serb-Albanian relations. Albanians are for the first time ever equal partners to Belgrade. On the other hand, real challenges are still ahead. Interpretation of the agreement and, especially, its implementation will be major stumbling blocs.

EU High Representative for Foreign Affairs Catherine Ashton, experienced in dealing with Balkan leaders, told Moscow’s *Commersant*, ““We should not be so happy about it in advance. History is not over yet. Both states are still at the crossroads but two brave men have already chosen a path of peace.”<sup>1</sup>

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1 Blic, April 28, 2013.

## NEGOTIATING AGONY

After a series of successful rounds from October till late March 2013 negotiations came to a standstill. Belgrade was expected to have its say about the normalization agreement by early April. Acceptance implied denial of the strategy for Kosovo's partition and dismissal of parallel structures in Kosovo North.

Belgrade negotiators insisted on autonomous legislative and executive powers for the Serb community (the judiciary and the police in the first place) and on a ban on the Kosovo Army in Kosovo North. A "community of municipalities" as such would have resembled Republika Srpska, entity of Bosnia-Herzegovina, which was "unacceptable" as US Ambassador in Belgrade Michael Kirby put it. This was the more so since the 2007 Ahtisaari plan, incorporated into Kosovo's Constitution, did not envisage that organizational forms of the Serb community should be invested with such authorities.

In the dramatic last act Serbia's top leaders were seeking a face-saver: to avoid saying "no" to Brussels on the one hand, and to convince domestic public, especially conservative circles, that negotiations were leading towards rejection of Albanian claims on the other. This time their mastery of trickery, manipulation and buying time seemed doomed. EU was unbending in its demands. However, it allowed extra ten days for Belgrade to finally decide: to take or leave what it has been offered at the negotiating table.

Two positions crystallized over the turmoil at home: political pragmatism of Ivica Dacic and anti-Europeanism and xenophobia of the influential conservative circles. President Tomislav Nikolic – to whom the later have counted on – actually belongs to this current.

And so it happened that in the shadow of Brussels negotiations conservatives won the first round at home. On April 8 the Serbian government unanimously turned down the agreement while asking for a continuation of the dialogue. This only strengthened the conservative bloc's belief that any agreement with Prishtina was out of question and that Serbia would finally give up the European course – this being their ultimate goal.<sup>2</sup>

The agreement on dismissal of parallel institutions was a turning point in negotiations. That was the hardest test for Belgrade's cooperativeness: it had to give up the plan for Kosovo's partition that had been the sum and substance of its demands. Almost until the very end Ivica Dacic kept insisting that partition was the best solution. Aware that he would be the one on the carpet – either should he sign or not – Dacic included Vice-Premier Aleksandar Vucic in the negotiating team.<sup>3</sup>

Of all the leaders of the ruling coalition Premier Dacic is obviously the best aware of international and domestic realities. In this context the constructive turn he made was also the biggest. He skillfully played on warmongering careers of some officials of the incumbent regime (Socialists from the Milosevic era). In an article he penned for the *NIN* weekly on the occasion of the 10th anniversary of Zoran Djindjic's assassination, he wrote, "There maybe some justice in the fact that today I am the most

<sup>2</sup> "... "The unity reached in the final act of Brussels negotiations is growing stronger and stronger thanks to the participation and support of President of Serbia Tomislav Nikolic," wrote Milorad Vucelic, editor-in-chief of the *Pecat* magazine, a couple of days before the government decided to say „no.“ *Pecat*, April 5, 2013.

<sup>3</sup> According to unofficial sources, Dacic asked Catherine Ashton to invite Vice-Premier Aleksandar Vucic to participate in the last, eight round of negotiations.

responsible for a peaceful solution, a negotiated solution.”<sup>4</sup>

The balance of power in the parliament was also crucial for the breakthrough in the Kosovo policy. Apart from the considerable majority of parliamentarians from the ruling coalition (Serb Progressive Party, Socialist Party of Serbia and United Regions), Democratic Party /DS/ and Liberal Democratic Party /LDP/ backed the agreement with Prishtina.

The agreement was reached because all parties were eager not to allow the negotiations to fail: Belgrade did not want to be on the waiting list for accession negotiations, Prishtina was after opening the process of European integration and Brussels wanted to demonstrate (to Americans) that it is capable of looking after its own backyard.

The resolve of international factors – Germany and US in the first place – to make Belgrade’s regime normalize its relations with Prishtina brought down the curtain on the last regional problem.

## RUSSIAN INFLUENCE

Whether and to what extent Russia contributed to Serbia’s initial denial remains unclear. Belgrade seemed to avoid consultation with Moscow over the last months of the negotiations. However, on the eve of the final decision Tomislav Nikolic phoned Russian President Vladimir Putin, while Dacic paid a visit to Moscow only a day after the government

turned down the “Brussels paper.” Premier Dmitry Medvedev statement on the occasion that it was “Serbia’s privilege to solve the Kosovo problem” did not solve the dilemma. Ivica Dacic explained that “Russia was most annoyed with learning about some developments in Serbia’s foreign policy post festum” (allegedly this referred to Tadic-Ashton agreement to move the Kosovo issue from UN to Brussels).<sup>5</sup> His explanation leads to the conclusion that Moscow learned about the latest developments post festum once again.

While Ivica Dacic was in visit to Moscow, Serbia was accorded a permanent observer status with the Assembly of the Collective Security Treaty Organization /ODKB/ assembling ex-Soviet republics – Russia, Byelorussia, Kazakhstan, Armenia, Uzbekistan, Kyrgyzstan and Tajikistan. Commenting on this status for Serbia, analyst Milovan Drecun said, “It is most important that we establish cooperation with other countries at regional level. In this context, a permanent observer status with ODBK is a very good step in the right direction.”

According to Russian media, Serbia’s participation in ODKB is Russia’s geo-political success because this military alliance has been thus enlarged beyond the boundaries of the former Soviet Union. Russian General Leonid Ivashov said that the permanent observer status for Serbia “could be the first step towards strengthening its /Serbia’s/ position in the Balkans,”<sup>6</sup> whereas analyst Konstantin Sivkov called for establishment of Russian military bases throughout Serbia that “would strengthen the country’s sovereignty.”<sup>7</sup>

<sup>4</sup> NIN, March 7, 2013. Dacic also wrote, „We’ve lied that Kosovo belonged to us and even legalized the lie in the Constitution. This Constitution is of no avail today. The President of Serbia cannot go to Kosovo. Neither can the Premier. Nor ministers. Nor the police. Nor the army.

<sup>5</sup> Politika, April 12, 2013.

<sup>6</sup> Voice of Russia

<sup>7</sup> Politika, April 12, 2013.

## CUTTING THE KOSOVO KNOT

After the seventh round of negotiations Dacic said Serbia would accept a compromise “but not humiliation and blackmail.”<sup>8</sup> With their vague and half-finished statements high-ranking officials contributed to general confusion and opened the door to “yes” or “no” conjectures about the outcome of the “Brussels ultimatum.” Some speculated on disunity of the ruling coalition, including disputes between Tomislav Nikolic and Aleksandar Vucic. Some papers such as *Nase Novine* launched the thesis about tensions between Nikolic and Vucic. Allegedly, Vucic was in favor of the agreement while Nikolic (having spoken to Russian President Putin at the time) was against it.<sup>9</sup>

Officials were simultaneously arguing that Serbia had been offered “nothing” and, therefore, could not accept the Brussels paper, and that there was no alternative to the talks with Prishtina and the course to Europe. During his one-day visit to Paris, say, Premier Dacic said that Serbia had not a single true friend in the West, was “sinking deeper and deeper in quicksand as years go by” and that the talks with Prishtina were such that “all that was missing was a coach to sign a capitulation in.”<sup>10</sup> And then he said, “A refusal would be of no avail in the long run given that we cannot expect anything better from any future proposal.”<sup>11</sup>

Statements by Aleksandar Vucic were even more disputable.<sup>12</sup> The media were most preoccupied with his role in Brussels, claiming

8 Politika, March 23, 2013.

9 Naše Novine, April 5, 2013.

10 An allusion to France’s capitulation to Hitler.

11 Vreme April 11, 2013.

12 „We’ve been offered nothing, absolutely nothing...We cannot accept nothing but ask for something...We shall not kneel to EU to obtain the date,” Politika, March 31, 2013; „If we turn down the plan, the door will close on Serbia and its budget...We must try to obtain the date and find a common denominator with Western powers,

he was obstructing Dacic’s readiness to accept the agreement (at long last). Allegedly, the media argued, Vucic had been included in the negotiating team at Brussels and Washington’s request. The claim gave rise to negative commentaries such as “the composition of the negotiating team dictated from the outside looked humiliating to the Serbian side.”<sup>13</sup>

Serbia’s team that showed up in Brussels on April 2 was enlarged by Aleksandar Vucic and Suzana Grubjesic, vice-premier for European integration (who joined the “regulars:” Dacic, Aleksandar Vulin, chief of the Office for Kosovo and Metohija, and Marko Djuric, foreign policy adviser to the President of the Republic).

Another long day in Brussels (talks lasted more than 14 hours) ended up as a failure: the agreement was not reached. Calling it a day, Catherine Ashton said that despite several proposals that had been put on the table the gap between the two delegations remained insurmountable – “shallow but deep.” She emphasized that was the last formal meeting of the two delegations. “They will now both go back and consult with their colleagues in their capitals and will let me know in the next few days of their decision,” Ashton said.<sup>14</sup>

Papers also reported on some bizarre incidents that marked the last round in Brussels. Vucic and Thaci were shouting at each other. After the meeting Dacic told the press that at one point of excruciating negotiations Vucic offered his resignation, which he refused to accept. According to some sources, Premier Dacic and Suzana Grubjesic were in favor of the agreement, while Vucic, Vulin and Marko Djuric opposed it

which is a rather risky enterprise,” Aleksandar Vucic said in an interview with RTS, April 3, 2013.

13 Vreme, April 4, 2013.

14 „Bez dogovora u Briselu”, Politika, 3. april 2013.

– and that was the reason why Vucic offered his resignation.<sup>15</sup>

## PRESSURE FROM THE RIGHT-WING BLOC

The right-wing, conservative bloc perceived all the rounds as Brussels “ultimatum.” For it, the agreement stood for “a betrayal of state and national interests,” whereas “seven points” by German parliamentarians (reiterated in Belgrade in March 2013) were highly unacceptable. These seven points refer to dismissal of parallel institutions in Kosovo North, investigation into the torching of the German Embassy, implementation of the agreements already reached, ban on the denial of the Srebrenica genocide and Serbia’s “manifest readiness for a legally committed normalization of relations with Kosovo” prior to accession negotiations with EU.

Insisting that the thesis about “no alternative to EU” was fatal to Serbia and recalling EU’s role in the creation “of a false state of Kosovo” and its blackmails, the bloc raised the tension with ever more severe accusations. It specifically targeted Germany by reminding of “similar” ultimatums it posed to Serbia in 1914 and 1941. Democratic Party of Serbia /DSS/ was the fiercest critic of the “ultimatum.” The incumbent government, released the party, “has a historical opportunity to turn down the ultimatum at the negotiations in Brussels”, bearing in mind that EU wanted no other state but Serbia to “overcome its past and change its collective consciousness.”<sup>16</sup> DSS also initiated petitioning<sup>17</sup> claiming that the authorities were accomplices in the gradual appropriation of Kosovo

15 „Vučić bi datum, Toma ne pristaje na ultimatum”, Naševine, 5. april 2013.

16 Prema Vremenu, 4. april 2013.

17 Petition was signed by academicians Milorad Ekmečić, Matija Becković, Vasilije Krestić, Milovan Danojlić and

and Metohija as they “bargained with EU at the cost of Serbia’s national and historical values.” DSS representatives in the parliament unanimously condemned the government’s negotiating stance, which, they argued, equaled recognition of Kosovo as an independent, neighboring country.<sup>18</sup>

Leaders of the four Serb municipalities in Kosovo North added fuel to the fire. They explicitly called upon Serbia to give up the agreement with Kosovo or else they would start the procedure for the establishment of a Kosovo North parliament (by the model of the so-called independent autonomous regions in Croatia and Bosnia-Herzegovina in early 1990s.).

The bloc welcomed the government’s decision of April 8 to turn down the agreement. At a joint session deputies from Kosovo North appealed to Russian troops to rejoin KFOR to “guarantee peace and security to the Serb people.”<sup>19</sup> Russian Ambassador Alexander Chepurin visited Mitrovica a couple of days before the meeting and was welcomed “with ovation.”<sup>20</sup>

President of Republika Srpska Milorad Dodik actively participated in the debate urging refusal of the Brussels ultimatum. He paid a visit to Tomislav Nikolić a day before Catherine Ashton’s deadline and confirmed his stance at a joint press conference.<sup>21</sup> The offer from Brussels, said Dodik, was “a false compromise” and Serbia should say no to “the arrogant policy of Prishtina, probably encouraged by big powers.”<sup>22</sup>

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Kosta Cavoski, and intellectuals such as Emir Kusturica and Leon Kojen.

18 DSS release, Danas, Novembar 20, 2012.

19 Politika, April 4, 2013.

20 Politika, April 1, 2013.

21 The joint press conference by Nikolić and Dodik, broadcast live by RTS, April 7, 2013.

22 Danas, April 4, 2013.

The *Pecat* weekly, a mouthpiece of anti-European-ism, and the influential website of the *New Serb Political Thought* magazine and its editor-in-chief Djodje Vukadinovic are of like mind. Vukadinovic said that he had bet on Belgrade's 'no.'<sup>23</sup> He drew a parallel between quisling general Milan Nedic's policy of "pragmatism and realism" and the incumbent government.

## SERB ORTHODOX CHURCH

Serb Orthodox Church /SPC/ strongly advocated against the agreement. "We shall not accept Europe's invitation if it is conditioned with Kosovo. If they expect us to give it up, we shall send our apologies and go on with our life, the hard and painful life we've lived for 500 years," said Patriarch Irinej.<sup>24</sup>

However, as the time drew near for crucial decision "ideological allies" noted that SCP calmed down its Kosovo related discourse. While they openly criticized the church's opportunism, some media were speculating on discord among high dignitaries and two opposing currents. According to the *Nedeljnik* weekly, Bishop of Backa Irinej was in charge of censorship: he swept under the carpet a letter the Holy Synod addressed to President Nikolic in late November 2012 appealing to him to end the dialogue with Prishtina.<sup>25</sup>

<sup>23</sup> TVB92, April 7, 2013.

<sup>24</sup> Helsinki Bulletin No. 91

<sup>25</sup> *Nedeljnik*, April 4-11, 2013.

SPC did not miss the opportunity to raise its voice on the eve of the crucial decision. Two days before Brussels' deadline it publicized Patriarch Irinej's appeal (on behalf of the Holy Synod and believers). The Patriarch directly appealed to three highest state officials – the President, the Premier and the Vice-Premier – to keep their "promises made in the election campaign and in the post-election period to never and on no account surrender, betray or sell Kosovo and Mehotija, the historical 'Old Serbia.'"<sup>26</sup>

Some papers such as *Nase Novine* claimed that the Premier and the Vice-Premier had been willing to accept the "Brussels paper" but then changed their mind under the pressure from the Patriarchate and the Presidential Palace.<sup>27</sup>

Evidently annoyed with the church's attitude, Premier Dacic called the appeal superfluous. The church should not tell the people that "we all should be sent to the stake and suffer for another 500 years to live to see cloudless skies" he retorted harshly. He also reminded church dignitaries that their message had not been sent from Pec but from Belgrade. "This means that the Serb Patriarch abandoned Kosovo back in 1690," he was quite explicit.<sup>28</sup>

<sup>26</sup> *Danas*, April 8, 2013.

<sup>27</sup> *Naše Novine*, April 9, 2013.

<sup>28</sup> *Politika*, April 8, 2013.

## CONCLUSIONS AND RECOMMENDATIONS

The public in Serbia responded to the U-turn in the decades-long Kosovo policy as to something that could not have been avoided. People have been aware for long that Kosovo was a lost cause. Kosovo has been used only as a tool for the achievement of the goals in Bosnia. Persistence on the “Kosovo policy” threatened to draw Serbia. Germany’s resoluteness to put an end to the misuse of Kosovo and clearly defines preconditions for the membership of EU turned out to be most efficient.

Premier Ivica Dacic was the first to realize it, as he knew the best how Kosovo has been used and what the effects have been. His personal engagement (with subsequent support from his deputy, Vucic) contributed to the rather frictionless atmosphere the agreement met in Serbia.

The attempts by DSS, SRS and their allies from right-wing groupings and organizations to stage massive protests have not posed a serious threat to the ruling coalition so far.

The conservative bloc takes that Serb Progressive Party has let it down as it failed to make a clear break with the “treacherous” policy of Democratic Party and its leader, Boris Tadic.<sup>1</sup> According to it, the West “precisely cast SNS as the lead only a party with patriotic aura could possibly play.”

So far the advocacy for the establishment of a “strong patriotic bloc” as “a genuine opposition and a new force at the Serbian political scene” sounds more like a cry for the moon than a serious threat.

Kosovo North leader’s opposition to the agreement is chilling out. This only testifies that their area for maneuver has always depended on Belgrade. Their grudge, deprived of Belgrade’s support, can only to some extent stand in the way of the agreement’s implementation.

The implementation of the agreement will be disputed from many sides. This calls for continued monitoring by European Commission on the one hand and civil societies in Kosovo and Serbia on the other.

EU should insist on overcoming ethnic divisions and thus open the avenues for pluralization of the two societies.

A date for accession negotiations will be imbued with political energy only if all pro-European forces join hands for the common goal and initiate the society’s transformation with enthusiasm and faith in a European Serbia.

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1 „Expectation from SNS has been the biggest enemy of Serbia in the past nine month,” wrote DSS vice-president Milos Jovanovic, Politika, April 24, 2013.