

Helsinki bulletin



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KOSOVO: AN UNSUSTAINABLE STATUS QUO

The customs seal provoked crisis that escalated at Brnjak and Jarinje border crossings (July-August 2011) dramatically laid bare the crux of the Belgrade-Pristina argument and enforced the problem of North Kosovo on the agenda. Belgrade insists on the status quo in the north as it is after Kosovo's partition.

Few months before the escalation several Belgrade officials (most open among them Deputy Premier Ivica Dacic) went public with the partition idea. Their statements were abundantly promoted by the local media.

But the bottom line here is not only about sovereignty but also the profit certain groups from Serbia and the so-called controversial businessmen have been making. Serbia embargoed goods from Kosovo long ago while freely exporting its goods to it.

Besides, some Albanians would gladly return to their homes back north if only they could.

As for the questionable customs seal Belgrade has missed the opportunity to find a solution in tandem with EU and Kosovo authorities, a solution from which both Kosovo's and Serbia's budgets would only profit. Moreover, it has

missed the opportunity for collecting VAT on its goods exported to Kosovo.

CHRONOLOGY

What sparked the series of incidents in the North was special units of the Kosovo police, ROSU, attempt at establishing control over Brnjak and Jarinje border crossings – controlled until then (July 25) by Serb policemen from the Kosovo Police Force /KPS/. With massive demonstrations and barricades "self-organized" local Serbs prevented the planned action. One policeman was killed in the general hubbub.

The negotiations between Serbia's governmental officials – Borislav Stefanovic, head of its negotiating team in dialogue with Pristina, and Goran Bogdanovic, minister for Kosovo and Metohija – and KFOR Commander Erhard Buerer begun in an atmosphere that was both tense and calm. However, torching and destruction of the customs containers at the Jarinje border crossing almost provoked an armed conflict. The assault was performed by a large group of masked and hooded young men the official Belgrade hurriedly labeled "a group of hooligans."

The background of the assault is still unclear. How come that local Serbs behind the barricades managed to prevent special police forces, ROSU, from taking over the borders crossings but failed to stop “a group of hooligans” (to whom they allegedly appealed to restrain from violence)?

There is no telling yet about the mastermind behind the assault and “hooligans” whereabouts. According to some sources, a businessman from Mitrovica, certain Veselinovic, who smuggles taxable goods and has a police record, had everything planned and organized.¹ The *NIN* weekly quotes an anonymous resident of Mitrovica saying the “hooligans” were “imported” from Serbia.² This claim was promptly denied by Serbia’s Police Director Milorad Veljovic himself.

For Belgrade, the effect of the entire operation equaled a shot in its own leg. The international community that used to be reserved about Pristina’s plan for taking over the two border crossings did not side with Belgrade thus dispersing all its hopes for getting international support in the conflict.

Fresh NATO troops sent to provide support to KFOR put across a clear message: the international community would not tolerate such incidents. As it turned out, even Serbia’s negotiators (by appealing to locals to stay put at the barricades) were unable to “restore the situation before July 25.” Stefanovic and Bogdanovic were the first to grasp it: on July 31 KFOR troops openly denied them entry to Kosovo at the Jarinje border crossing.

1 Novi magazin, August 4, 2011.

2 „Why did those Belgraders need to come after all? As if we cannot manage by ourselves. They just showed up, torched the border crossing and went back home. While we have to stay here coping with all our problems, they will be boasting in Belgrade about ‘having defended Kosovo.’ That’s senseless,” *NIN*, August 4, 2011.

The UN Security Council turned down Belgrade’s request for an extraordinary session to discuss “Pristina’s unilateral attempt to take over border crossings.” In New York, only a consultative meeting was held behind closed doors. Serbia’s Foreign Minister Vuk Jeremic did not attend – actually he was not allowed to.

BELGRADE INSISTS ON KOSOVO’S RESPONSIBILITY

Belgrade accused Pristina of causing the latest crisis. It primarily targeted Kosovo Prime Minister Hashim Thaci on whose orders special police units tried to take over Brnjak and Jarinje border crossings on July 25. The two border crossings are the shortest route between Northern Mitrovica and other three municipalities with Serb majority on the one hand and Central Serbia, actually Raska and Novi Pazar on the other.

Developments in the field and the media coverage given to them opened the question about a new wave of Belgrade’s radical policy. Deputy Premier Ivica Dacic’s statement about the possibility of “splitting up with European Union over Kosovo”³ can hardly be attributed to a rational policy, domestic and regional. As usual when it comes to Kosovo, Milorad Dodik of Republika Srpska came up with new proposals for Bosnia. This time he suggested a union for Bosnia (something like Serbia and Montenegro in 2003).

3 Known for his controversial statements about Kosovo over the past months, leader of the Socialist Party of Serbia Ivica Dacic told the *NIN* weekly, „If our accession to EU is conditioned by recognition of Kosovo, we shall better split up with EU in time,” *Danas*, August 6-7, 2011.



FOTO: MARKO BURICA

ANOTHER POINT OF VIEW

There is another “school of thought” when it comes to the latest developments in North Kosovo. According to it, the action by Pristina authorities and international forces has been agreed on with Belgrade as well. By taking command over the border crossings (that used to be controlled by Serb policemen from KPS until July 25) UN troops, KFOR, would practically eliminate Serbs from checkpoints along the border. At the next stage KFOR would simply turn over the authority to Kosovo institutions. That would be a face-saver for Serbia, domestically and among Serbs in North Kosovo. The official Belgrade could have just said there was nothing more to be done in defending North Kosovo as one “does not wage a war against the entire world” (like Slobodan Milosevic in 1999).

The fact that despite all hue and cry, and Belgrade authorities’ patriotic slogans in support of (Serb) barricades no one ever rattled the saber speaks for this thesis. Not only have all officials’ statements appealed for peace, restraint, dialogue and compromise, but also the

parliamentary declaration on the crisis in Kosovo sounded almost ritual. Last but not least, the conservative bloc’s fiery criticism of the government’s “shameful response” to “the biggest national issue” hints that such a scenario might be true.⁴

The ongoing developments in Kosovo’s north reveal that the official Belgrade is now a hostage to parallel structures it has itself established and sustained for more than a decade. These structures close ties with organized crime – the real master of the area – will make their dismantling hardly an easy job to do. They will not give up the profit they have been making on illegal trade and corruption just like that.

The denouement the official Belgrade had to accept – KFOR’s control over Brnjak and Jarinje borders crossings until further notice and only humanitarian aid allowed entry – show that its maneuvering space has been restricted.

Serbia’s economic and social situation indicates that the country has no alternative to EU. Belgrade would not want to lose a candidacy status with EU it expects to get this fall. Therefore,

⁴ Pecat, August 5, 2011.

President Boris Tadic and the government pledged all their authority in convincing Serbs in North Kosovo that the tripartite agreement (KFOR Commander Erhard Buerer, Belgrade's negotiators, Stefanovic and Bogdanovic, and the Kosovo government, embodied in Hashim Thaci) was imperative.

IN SERBIA'S PARLIAMENT

A special session of the Serbian Parliament was convened on July 30 to discuss the developments in Kosovo. MPs debated for eleven hours. At the end they adopted a "lukewarm" declaration protesting against "provisional institutions in Pristina" and their "violent attempt at changing the realities." The declaration also condemns "every violence" in Kosovo and calls for "peaceful resolution of the crisis."⁵

The declaration was adopted by a relative majority of votes (181) - apart from MPs from the ruling coalition, it was voted in by their colleagues from the Serb Progressive Party, the Serb Radical Party and the New Serbia. Only MPs from the Liberal Democratic Party, the Democratic Party of Serbia and one MP representing the Albanian minority in South Serbia (Riza Hallimi) voted against.

President Boris Tadic's address to MPs took a conciliatory tone. The tone itself is indicative either of the course his administration plans to take or the course it forced to follow under harsh socioeconomic circumstances. "Serbia is a peaceful country. It will not engage in a war. That's our strongest argument and the core of our policy. The Parliament, the government and the President side with Serbs in Kosovo, who are faced with great challenges. Only a dialogue can secure a safe future to Serbs and only within the

⁵ Danasu, August 1, 2011.

European Union can we solve all our fundamental problems," he said.⁶

EU envoy and mediator in Belgrade-Pristina dialogue, Robert Cooper, showed up shortly after the crisis escalated. But it was KFOR Commander Erhard Buerer who actually directed the tone of the negotiations on the crisis resolution. The 11-point agreement was finally reached on August 5. The agreement provides that Brnjak and Jarinje shall be partially military zones under the KFOR control. Only passenger cars and humanitarian aid (including food) shall be allowed entry, whereas Serbs shall remove the barricades on the route to Mitrovica.

Taken aback by the broken promise about "restoring the situation before July 25," Serb political representatives in Kosovo firstly refused to order removal of the barricades. After a meeting with President Tadic on Sunday, August 7, majors of four Serb municipalities in the North (Mitrovica, Leposavic, Zubin Potok and Zvecan) announced their readiness to obey. So, despite the fact that local councils did not discuss the issue being blocked by MPs from the Democratic Party of Serbia, most of the barricades were removed. According to Serbian governmental officials, they were removed "on Belgrade's instructions."

MEDIA COVERAGE OF THE CRISIS

The great majority of print and broadcast media reported directly from "the barricades" and run stories about Serbs' resoluteness to persist, incidents targeting Serbs in enclaves and Serb negotiators endeavors to "restore the situation before July 25." With much drama they were describing food and medicaments shortages caused by the ban on exports from Serbia. As usual the media joined hands with the

⁶ Vecernje Novosit, July 31, 2011.

authorities in manipulating citizens in Kosovo. They kept stirring a vain hope that everything would “come back to normal” and that Belgrade, the only warrant of their existential safety, would take care of their problems.

But some things were hushed up in the media to create the impression that Belgrade had an upper hand. For instance, the public broadcasting service, RTS, did not inform its audience that KFOR had denied entry to Stefanovic and Bogdanovic at the Jarinje border crossing. The media close to the nationalistic-conservative bloc such as *Pecat* were cheering rebels on and claiming that their action had “taken by surprise the regime leaders in the midst of the process of definite surrender and betrayal of Serbia’s south province.”⁷

Pecat was also disappointed by the manner in which MPs behaved: “A declaration is not a response to arms,” wrote the paper. But they were most critical of President Tadic’s “conciliatory address to Serbian parliamentarians.”⁸

RUSSIA’S RETICENCE

This time official Moscow was not exactly enthusiastic about “the Serb cause” in Kosovo’s north. True, it seconded Belgrade’s request for an extraordinary session of UN Security Council – but knowing most probably that US and other SC

⁷ *Pecat*, August 4, 2011.

⁸ „President Tadic used the term ‘peace’ and its variations such as ‘peaceful policy’ 27 times while Hashim Taci’s special units are getting prepared for another battle and KFOR troops are allowed to shoot Serbs at will. One listening to Tadic in the Parliament and unaware that he is the President of Serbia would have hardly realized that from his speech, which was more focused on the Western Balkans region than on his own country in fire, the country he had pledged himself to protect. He made reference to ‘this region,’ ‘ex-Yugoslavia and Western Balkans 18 times, while only mentioning Serb national interests five times.” *Pecat*, August 4, 2011.

member-states would vote it down. Foreign Minister Vuk Jeremic did not attend the SC consultative meeting on Kosovo because Russia had not insisted on his presence.

Russia’s response to the appeal by Serb leaders from North Kosovo (appealing to China as well) for protection of their rights and interests was not exactly what they had expected it to be. Even an open letter to Premier Putin signed by 20-odd nationalistic advocates found a poor echo.⁹ On earlier occasions the number of “appealers” was by far bigger as in the case of “the initiative of 200 intellectuals” against Serbia’s membership of NATO. The signatories of the latest letter to Putin said they expected Russia, as a standing member of UN Security Council, to initiate a resolution on “the situation in Kosovo and Metohija, and permanent terror against Serbs and non-Albanians.”

Only Russian Ambassador in Belgrade Alexander Konuzin showed some activism. He not only attended the parliamentary session debating Kosovo but also said in an interview with *Vecernje Novosti* that NATO decision to send fresh troops to Kosovo indicated “a large-scale anti-Serb campaign.”¹⁰

In its one and only release on Kosovo, issued only after the tripartite agreement had been reached, Russian Foreign Ministry calls upon EU, NATO and UN to prevent another possible attempt by Pristina to “to resume the control over the territories with Serb majority population by the use of force.” The Ministry’s spokesman Alexander Lukashovich said, “Despite the agreement of August 5 providing restraint from any military action, to all appearances Pristina will

⁹ The open letter publicized by the *Pecat* weekly on August 5, 2011, was signed only by some 20-odd nationalistic „figures of repute” including Smilja Avramov, Kosta Cavoski, Dragan Nedeljkovic, Marko Jaksic, Radomir Smiljanic, etc.

¹⁰ *Vecernje Novosti*, August 4, 2011.

be tempted again to establish control over Serb population in Kosovo by the use of force.”¹¹

EU, US AND GERMANY

German Foreign Minister Verstervele’s visit to Kosovo indicates EU’s – notably Germany’s and Great Britain’s – concern for stabilization. After a meeting with Premier Hashim Thaci, Vestervele appealed to all EU member-states to recognize Kosovo, adding that the map of the Western Balkans was final and borders between Balkan states definitely unquestionable. He also emphasized that Kosovo-Serbia dialogue on technical issues should be resumed as soon as possible. All open questions and disputes should be solved through negotiations, and the obligations deriving from such negotiations should be fulfilled, including the resolution of the crisis in Kosovo’s north, he said. Chancellor Angela Merkel’s upcoming visit to Belgrade will also be an opportunity for EU to put across a clear message about its Kosovo related expectations.

An article penned by German and British foreign ministers, Vestervele and Heigh, published by *Frankfurter Allemanne Zeitung*, appeals to Kosovo and Serbia to solve their problems in a manner that would respect Kosovo’s borders.¹²

US Assistant Secretary of State Tom Countryman called upon the two countries to solve their problems by peaceful means, and Serbs to unblock the roads. “Barricades should be removed as soon as possible. KFOR or EULEX seen as enemies either in Kosovo or in Serbia is unacceptable for US,” he said. Countryman was also most critical about the statements on a possible partition coming from Belgrade. “US oppose partition of Kosovo, which is well-known to everyone. Partition is out of question and not on the agenda of Kosovo-Serbia talks.”¹³

“The problems in Bosnia will most probably not be resolved until a solution is found for the problem of North Kosovo,” says analyst Morton Abramovic. For him, Serbia’s policies for Kosovo and Bosnia are the main problem and no progress can be made until these policies are changed.¹⁴

According to Daniel Serwer, lecturer at the Hopkins University, partition of Kosovo would be a strong factor of the region’s destabilization. He wonders how possibly Serbia can benefit from such a policy. Should it continue pursuing it, EU will simply let it know that it should have to wait some longer for joining its ranks, says Serwer.¹⁵

¹¹ Politika, August 11, 2011.

¹² http://www.slobodnaevropa.org/content/kosovo_srbija_kriza_daniel_serwer/24292325.html

¹³ <http://www.blic.rs/Vesti/Politika/269322/Kantrimen-Naredni-dani-vazni-za-evropske-integracije-Srbije>

¹⁴ Politika, 6. avgust 2011.

¹⁵ http://www.slobodnaevropa.org/content/kosovo_srbija_kriza_daniel_serwer/24292325.html

SUMMARY

The crisis in Kosovo's north revealed all the explosiveness of the status quo and parallel structures in four Serb governed municipalities. Even the ongoing dialogue on technical issues between Belgrade and Pristina practically all the time runs into a brick wall of such longstanding and unsustainable situation.

The tension between Kosovo Serbs and Albanians in the north turns into a frozen conflict. That's a sword of Damocles. The recent escalation placed the issue of North Kosovo on the agenda. Serbia could be held responsible for permanent destabilization of Macedonia, Bosnia and Serbia proper should it continue insisting on the partition scenario.

Both sides would only benefit from a proper control of borders and customs. That would greatly help to eliminate organized crime, smuggling and illegal trade in the Balkans. And that would weaken the hookup between the organized crime and politicians. Many among Serbs and Albanians alike draw their social and political power from illegal trade. This particularly refers to Serbs in Kosovo's north and political parties in Belgrade close to them: any normalization does not play into their hands, let alone the rule of law.

Now that border crossings are controlled by KFOR and the situation can no longer be restored to before July 25, circumstances are ripe for gradual transfer of North Kosovo to Pristina's jurisdiction and implementation of Ahtisaari plan for the north. This makes things easier for Belgrade as well given that the status quo in Kosovo's north has been undermining the incumbent government, unready to makes itself a fresh advance towards a solution.

The escalation of the crisis this summer actually opened the door for both Belgrade and Pristina towards making a real progress in the issues of mutual interest.