

Helsinki *bulletin*



HELSINKI COMMITTEE
FOR HUMAN RIGHTS IN SERBIA
address: Kralja Milana 10,
Belgrade, Serbia
tel. +381-11-3032-408; fax. 2639-437;
e-mail: office@helsinki.org.rs
http://www.helsinki.org.rs

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PLATFORM ON KOSOVO: AN ATTEMPTED OBSTRUCTION



TANIUC

Serb Progressive Party has announced a platform on Kosovo since the elections (May 2012) as a major strategic document. It is launched now as a state-national program for the settlement of practically the only open regional issue after ex-Yugoslavia's dissolution: the relation between Serbia and Kosovo. The platform just remolded the slogan "both Europe and Kosovo" that has been in play since the assassination of Premier Zoran Djindjic.

The concessions Belgrade has made over the past ten years under the pressure of international factors – technical negotiations on Kosovo in the first place – have not impaired Serb elite's illusion of a possible "historical arrangement with Albanians." This arrangement equals partition of Kosovo. Actually, Serb elite has been after it since the beginning of ex-Yugoslavia's dissolution. Belgrade has been trying, however, not to openly advocate this option:

instead it hypocritically hid behind the “inseparability of the South province” verified by the 2006 Constitution.

Belgrade has been adjusting its Kosovo policy with the one for Bosnia-Herzegovina while waiting for the right time to openly propose partition of Kosovo. In the spring of 2011 Premier Ivica Dacic was the first to speak it out. Other governmental officials such as former Foreign Minister Vuk Jeremic followed on his footsteps. After Chancellor Angela Merkel’s visit to Belgrade (autumn 2011) it became obvious that Germany and EU would precondition Serbia’s EU candidacy and subsequent date for EU accession negotiations with acceptance of Kosovo’s independence (without formal recognition).

The incumbent government continued its predecessor’s policy for Kosovo: it made concessions on some issues while expecting to obtain the date for accession negotiations. There are at least two currents in the ruling coalition. One, pragmatic, is advocated by Premier Ivica Dacic, and the other by President Nikolic. This second current encompasses the anti-European bloc that has always been deep-rooted in Serbia’s politics and society. This bloc uses Kosovo as an excuse for giving up the European course. President Nikolic claimed on several occasions, “Serbia opts for EU but EU does not want us.” That was his strategy to mitigate the failure to obtain the date for EU accession. Nikolic is strongly supported by Serb Orthodox Church / SPC/, a part of Serb Academy of Arts and Science /SANU/ and right-wing organizations and parties such as Democratic Party of Serbia. They are all after “freezing” the settlement of final status of Kosovo.

With this platform President Nikolic wanted to secure a more prominent position for himself in the political life in which he plays a

secondary role. And this is where the anti-European bloc lent him a helping hand.

However, the platform that soon became a non-paper could not fit into the proclaimed governmental policy for EU integration. Hoping that the government would win out over it and adopt a more flexible variant, EU officials refrained from prompt criticism. It was almost a mission impossible to “settle all accounts” in a single document.¹

Tomislav Nikolic chose the side he genuinely belongs to. In his perception Kosovo is still “Serbia’s south province” with a high degree of autonomy for both Serb communities (south and north of the Ibar River). His version of the platform with wordings such as “ending the technical dialogue with Prishtina” or “nothing is agreed until agreed” put across a dangerous message: Serbia will abandon its course toward Europe.

The public was informed in small doses about the contents of the platform: it was first presented to Russian and Chinese ambassadors, then to EU ambassadors and finally to heads of parliamentary caucuses and their members. The platform was a disappointment to international factors and to Serbia’s pro-European, but also to some coalition partners. According to some analysts, the platform undermined the position of the government and Premier Dacic who growingly emerges as a realistic and rational politician.

Vladimir Gligorov said, “The platform undermines the government’s political standing, whereas prospects for its long-term effects

¹ “What is it Nikolic should say and not be called to account by everyone – Vucelic, the Church, Kostunica and a considerable part of his electorate? Indeed, what is it he could say that everyone would accept and that could be obtainable?” Editorial by Dragoljub Zarkovic, *Vreme*, December 13, 2012.

depend on readiness of its authors – the President of the Republic in the first place – to demand termination of technical negotiations and consequently rejection of EU.” Leader of Democratic Party Dragan Djilas also criticized the platform’s anti-European character. “In this form it leads toward the end of Euro-integration,” he said.

On the other hand, Vojislav Kostunica, leader of Democratic Party of Serbia /DSS/ and representatives of Serbs in Kosovo North backed the platform. Kostunica has a strong influence on Nikolic: actually he is the ideologist of the bloc standing behind the platform. Djordje Vukadinovic, editor-in-chief of New Serb Political Thought /Nova Srpska Politicka Misao/, was satisfied with the platform, though perceived it as “a bit passé.” “Serbia’s major factors in politics, business, culture and media have been behaving for long as if Kosovo were independent and it was only the matter of time before officially recognizing this fact.”

The platform became a thorny problem to the government, fully aware of Serbia’s social and economic difficulties. Hence its reserve about it but also criticism by some cabinet members. Knowing that Serbia faces economic collapse and that only a realistic approach to the Kosovo issue will ensure assistance from EU, the government acts more rationally despite the pressure from the anti-European bloc. Practically as soon as publicized the platform underwent changes. Though the government denied differences within the ruling coalition – especially between the President and the Premier (and Aleksandar Vucic to a certain extent), these differences were obvious in all statements. The very significance of the platform was thus degraded: governmental officials begun claiming

it was only a draft and not “a Holy Bible,” as well as that it would not be considered in the parliament, let alone by the government.

Be it as it may, highest officials restrained from arguing in public. At a meeting (January 9) attended by the President of the Republic Nikolic the government decided that the platform should be a classified document.² All it submitted for parliamentary consideration was a resolution “on fundamental principles for political talks with provisional self-government institutions in Kosovo and Metohija.”

Withdrawal of the original “non-paper” testifies that the differences between the government and the Presidency persist. The stance that Belgrade should continue the dialogue with Prishtina along the line of agreements reached by the former government prevails at this stage. The government is authorized to continue the implementation of the agreements, whereas Serbian negotiators in the dialogue with Kosovo and international representatives are accountable for “future agreements that should be in line with views and basic principles of this Resolution” as they try to reach a comprehensive solution with representatives of Prishtina.

The Resolution also underlines that the talks with Prishtina and “every agreement reached should contribute to Serbia’s integration into Europe.”

Withdrawal of the platform could also indicate that the present government adjusts its tactics to “present needs” without changing its strategic goals.

2 However, when the Resolution was submitted to the parliamentary consideration, MPs decided that the platform should be a public document.

WHAT PRECEDED THE PLATFORM?

While in opposition the Serb Progressive Party was most critical about the governmental Kosovo policy claiming it led toward Kosovo recognition. Whenever asked what they would do to solve the Kosovo problem, its leaders, Tomislav Nikolic and Aleksandar Vucic replied they would tell once they come to power. Even after being elected the President Nikolic continued criticizing his predecessors for having “brought Serbia to the abyss of Kosovo independence recognition.” For his part, he was announcing adoption of a national strategy for the problem. He kept pointing out that drafting of the strategy would bring together all relevant social and political figures and institutions (from SANU to SCP). The contents of the platform that emerged are fully in line with all problem-solving variants publicized over the past twenty-odd years. In early 1990s Branimir Stokich detailed the plan in his book “Kosovo between Historical and Ethnic Rights” (1994). He was fully backed by Dobrica Cosic, the then president of Federal Republic of Yugoslavia. Actually, Serbia’s mainstream elites have never given up this plan – they have just waited for the right time.

The platform stemmed from Nikolic’s office. To develop it, Nikolic relied on the circles that had already been advocating the theses it incorporated. Heads of opposition parliamentary caucuses say they have never been consulted or asked anything before the platform was handed over to them.

Nikolic wanted to obtain public support for the document that the drafting of which, to all appearances, was already underway. SANU, as an institution, denied backing the platform. Nevertheless, individual academicians were involved in its development: their handwriting is recognizable.

SPC openly advocated the “national strategy.” Patriarch Irinej and other dignitaries missed no opportunity to remind the government that SPC strongly opposed Kosovo’s independence. Addressing the memorial service to Serb victims of the 1990s wars, the Patriarch said, “We shall turn down Europe’s invitation if Kosovo is a precondition. Should they want us to give up Kosovo, we shall say ‘no, thank you,’ and go on living a hard life we’ve been living in the past 500 years.” SPC takes that the new (integrated) border management with Kosovo equals recognition and was, therefore, strongly against it. Though it admits that international “bigwigs” cement Kosovo’s independence step by step, SPC reminds that “which regime agrees to that makes all the difference.” “This is why they are foisting off on those the people have voted in because of their national feelings this hot potato, rather than on ‘their’ Euro-lovers.”

In the meantime, under the excuse that Serbia “being a serious country” had to keep promises made by the former regime, the government began to talk with Prishtina. The level of talks has not only been raised to premiers (Dacic and Thaci) thanks to EU High Representative for Foreign Affairs Catherine Ashton, but also tangible results have been achieved: Kosovo’s regional representation without an asterisk was agreed on, integrated border management was established – at Jarinje and Merdare border crossings to start with – and arrangements were made for liaison officers on both sides.

KOSOVO AS CATALONIA

The platform refers to Kosovo as Serbia’s “an autonomous province” and rests on theses Tomislav Nikolic has been arguing for, including at the September 2012 session of the UN General Assembly. Here the crucial argument goes that by having made “concessions” to the international community (EULEX) and



Deputy prime minister Aleksandar Vučić and the director of the Office for the Kosovo and Metohija Aleksandar Vulin

TANJUG

Prishtina alike, especially in technical negotiations, Belgrade “has reached political agreements with provisional self-government institutions in Prishtina, mediated by EU, which are changing the situation in the field and leading up to bigger influence and legitimacy of these provisional institutions in the territory of the Autonomous Province of Kosovo and Metohija, as well as to affirmation of their sovereignty.” Hence the platform calls for ending the “technical dialogue” – which, as it emphasizes, “benefits provisional institutions but weakens Serbia’s position in high-level negotiations and threatens to destabilize security.”

“The fundamental principle of the negotiations will be that ‘nothing is agreed on until everything is agreed’ – this is the main message the platform puts across. The wording itself annuls all the agreements reached so far

and takes the entire “Kosovo package” back to square one.

The platform also envisages establishment of an “autonomous community of Serb municipalities” incorporating “territorial autonomies of four municipalities in Kosovo North and other municipalities with majority Serb population” (such as Gracanica, Strpce, Gora, etc.). These municipalities would adopt a special statute on autonomy – by the model of Catalonia – which would be the province’s “highest legislation” publicly proclaimed by international representatives involved in the process.

Such autonomy would imply “intrinsic competences” in the domains of education, health-care, sports, culture, mass media, environmental protection, urban planning, etc. Everything would be arranged by the model of Spanish province of Catalonia, including the police.

“The police would be invested with similar authority as the one the police of Autonomous Province of Catalonia have,” quotes the platform.

Further on, the platform envisages guarantees for direct cooperation between institutions of community of Serb municipalities and institutions of the Republic of Serbia, and for Serbia’s subsidies to these institutions.

REACTIONS AT HOME

As he was announcing the platform Nikolic planned to reach a national consensus on it. Nevertheless, as evident in statements by all relevant politicians and other public figures, it is still considered his non-paper. This indicates differences within the ruling coalition, especially between the President and the government.

Nikolic’s platform contradicts everything accomplished so far in the Belgrade-Prishtina dialogue. As Cedomir Jovanovic, leader of Liberal Democratic Party, puts it, the problem is in the fact that the coalition that came to power thanks to Nikolic’s victory in presidential elections relativizes the platform, while the platform itself relativizes the talks with Prishtina.

In his statements Premier Dacic distances himself from the contents of the platform. His is quite explicit about the necessity to continue the talks with Prishtina, saying that ending them would be “contrary to national interests” and that Serbia should be “realistic about results.” “Serbia should be glad with getting at most 30 percent of what the platform demands,” he said. He takes that Serbia must have an active but also a realistic policy. “The policy of Kosovo being a part of Serbia is useless when in reality Kosovo is growingly far-off,” says Dacic. In brief, he puts across the

message, “We must focus on what could be saved.”

Commenting on the platform, Prof. Predrag Simic said it revealed the differences within the ruling coalition, especially between the President of the Republic and the Premier. Commentator Ognjen Pribicevic points out at least three of the platform’s unrealistic demands – “the establishment of an autonomous community and ties between autonomous regions, as well as Serbia and Albania as guarantors of security.”

On the other hand, Vladimir Todoric, director of the New Policy Center, takes that the platform is a “good document” testifying of Serbia’s more flexible attitude. “Almost everyone has criticized the platform as if the talks with Prishtina were smooth until it came to light,” he said.

Satisfied with the platform, Vojislav Kostunica, leader of Democratic Party of Serbia /DSS/, said, “What is most important of all is that the platform states that Kosovo is a province of Serbia and that Serbs exercise their autonomy within this autonomous province.”

For Zarko Korac, leader of Socialist Democratic Union /SDU/, Nikolic’s platform undermines the government’s attempt to solve the Kosovo problem through negotiations. “The platform triggered off a negative dynamic: the President became a pillar of nationalistic and anti-European forces,” he adds.³

Reticence of Aleksandar Vucic, first vice-premier and leader of SNP, was striking. Analysts take that his stance on the platform is closer to Dacic’s than to Nikolic’s.

³ Dnevnik, January 8, 2013.

INTERNATIONAL REACTIONS

International factors did not seem much interested in commenting on the platform. That could have been a tactical move given their expectations from the government. The strongest reaction to it came from Daniel Serwer, American expert in the Balkans. “The *Belgrade platform for negotiations on Kosovo* represents a giant step backwards in Serbia’s position, as it pretends to meet international community demands for dismantling of illegal Serbian institutions in Kosovo by legalizing and unifying them, with the entire ‘autonomous’ province under Serbian sovereignty,” he wrote.

A similar reaction came from German Ambassador to Kosovo Peter Blomeyer, who pointed out that the platform benefited not Belgrade-Prishtina talks. In an interview with Radio Kosovo he reminded of German stance that parallel institutions should be dismantled given that “Kosovo is a sovereign state with unchangeable borders.”

All EU High Representative for Foreign Affairs Catherine Ashton said was that she was informed about the platform. Head of EU Delegation to Serbia Vincent Degert diplomatically commended “good elements of the platform,” adding some of its sections “should be rewritten so as to be acceptable to both sides.”

REACTIONS FROM PRISHTINA

Kosovo Albanian leaders denied as one the platform as a basis for Belgrade-Prishtina talks. Premier Hashim Thaci labeled it “political adventurism.” Blerim Shala, coordinator of talks, said that Kosovo would discontinue the dialogue should Serbia stick to the platform demanding territorial autonomy, a separate parliament, the police and a government for Kosovo Serbs. “In such a case there would be no

more dialogue,” he messaged. According to Ilir Deda of KIPRED the platform is not only unacceptable to Prishtina but also contrary to UN resolution and EU’s conditions for Serbia. “The platform envisages fragmentation of Kosovo, which is neither realistic nor could be placed on the negotiating table,” he said.

THE FATE OF THE PLATFORM

As originally expected, the platform was to be adopted by the parliament and thus turned into a national strategy. In the meantime the plan was changed: instead of the platform the parliament would consider and eventually adopt a resolution with some “elements” of the platform. Addressing the press, President Nikolic said, “Some edges /of the platform/ will be smoothed.”

Premier Dacic confirmed this at a press conference of his own, saying “‘Nothing is agreed on until everything is agreed’ is a principle but only at the beginning of negotiations. And we are already well into the second half.”

Professor Ratko Markovic, author of Serbia’s three constitutions, belittled the platform. “This platform is not an official document, let alone a legal one. This is a document of a single individual who’s name is Tomislav Nikolic and who acts as the President of the Republic,” he said, adding, “The Constitution does not provide that the President of the Republic shall pass such acts.” This is a political rather than a legal document, which means that no one can be taken accountable for not adhering to the letter of it, explains Markovic.

Vuk Jeremic was the strongest advocate for the platform’s parliamentary adoption. “Without a clear-cut national policy that can be legitimated by the parliament only, our negotiating position will be weakened,” said Jeremic.

Nikola Jovanovic, editor of the Challenges of European Integrations magazine (and ex-advisor to Jeremic) shares his view. “Only if adopted by the parliament the platform could be at least respected by Kosovo Albanians and the international community, and ensure a minimum of our interests in Kosovo and Metohija,” he said.”

On the other hand and indicatively, Foreign Minister Ivan Mrkic said the platform was doomed from the very beginning. “We have handed over a non-paper to foreigners...a document without a header, a title, without anything of sorts. It’s all about our perception of the Kosovo issue and our wishful thinking. We have been criticized on thousands occasion of not declining to say what it was we were after. Now that we spoke out, it became a big problem all of a sudden.”⁴

COMMENTS ON THE PARLIAMENTARY RESOLUTION

The resolution to which Serbia’s negotiators are duty-bound, points out that Serbia will be after “finding a mutually acceptable and comprehensive solution to Kosovo and Metohija” but specifies not the term “solution.” Premier Dacic’s address to the press after the adoption

of the resolution indicates that he is no longer a public advocate for Kosovo’s partition. “Well, I am now justifying something I had not advocated, but you are well aware of what it is I advocate and what I think is the best solution,” he said.

“Serbia is willing to make additional concessions but not to the detriment of its national and state interests,” quotes the resolution among other things. It also underlines that Serbia is aware of “a mutually acceptable solution to Kosovo and Metohija’s significance in the context of further and speedier integration of the entire region of the Western Balkans into EU.”

Explaining his nod of approval to the resolution President Nikolic used his well-known trope: “Today’s opposition – and the former regime – is to blame for this level of relations with provisional institutions in Prishtina.” Nevertheless, he appealed to the parliament to adopt it by saying, “I hope MPs would recognize the significance of this time and their responsibility because this is not just some legal act to cross swords over and say this or that could be done better.” Here he probably alluded to Democratic Party of Serbia. The incumbent government, as he put it, “deserves help.”

⁴ www.b92.net, 31. decembar 2012.

CONCLUSION

Kosovo has always been a point of conflict between pro-European Serbia and anti-European Serbia. The platform reopened all the dilemmas about the course Serbia should take. In fact, the attitude toward Kosovo vacillates between two extremes: the irrational belief that Serbia can still get a part of Kosovo and actual economic and social situation of the country. In this context, Serbia can opt for nothing but a modus vivendi with EU that is the only one – as things stand now – capable of preventing its collapse.

Tomislav Nikolic is an exponent of the anti-European bloc, which still counts on “the time being on our side” – in other words, that the Kosovo issue should be postponed or frozen for the time being. The platform and President Nikolic put across the following message: “Yes to Europe, but under our conditions.”

With this platform President Nikolic also tried to create for himself a room for political action. SPC, a part of SANU, right-wing organizations such as Dveri, Nasi and the like, right-wing media (NPMS, Pecat, Geopolitika and broadcasters such as Copernicus and Radio Focus) as well as DSS and other parties in the bloc are his sure natural allies.

The very platform – no longer a classified document, as decided by the parliament – in fact contradicts the governmental policy. And yet, it should not be taken for granted that it will have no influence on the talks with Prishtina and Belgrade’s attitude in the process.

If Serbia fails to meet the criteria for obtaining a date for EU accession negotiations, the platform stand for a strategy to be activated under the pretext that “Europe would not have us.” SNS will seize the opportunity to further promote its anti-European stance and isolate Serbia once again. A scenario of totalitarianism is quite possible in such case.

To avoid all unwelcome scenarios, Serbia should integrate, as soon as possible, into its economic neighborhood dominated by EU. This is the only way for Serbia and the entire region to position themselves adequately.

Only membership of NATO could possible settle the issue of border in the Balkans. This implies that Bosnia and Kosovo, but Macedonia as well, should become member-states as soon as possible. In such case Serbia would have no reason why to remain outside it.