



BRIEFING DIALOGUE

KOSOVO AND SERBIA

June 2021

Pristina and Belgrade Dialogue under Hoti's Government

In Kosovo, a new coalition administration led by the Democratic League of Kosovo (LDK) under the leader Avdullah Hoti was elected with 61 votes in favour, 24 votes against, and one abstention in a house of 120 members during an emergency session of the Kosovo Assembly in June 2020. (Ozturk 2020) After the Constitutional Court declared that President Hashim Thaci did not behave unconstitutionally by appointing Hoti to form a new government without conducting new elections, the new cabinet assumed office. (Arta Sopi, Taulant Osmani and Xhorxhina Bami 2020) However, Kosovo's political situation has never been more complicated; the internal political situation in Kosovo has been precarious since Avdullah Hoti was elected prime minister by a one-vote majority in Kosovo's parliament.

Concerning the Pristina – Belgrade Dialogue, Hoti declared that he would work for a final settlement between Kosovo and Serbia that included open commerce, but no alteration of boundaries would be discussed. (Stanicek 2021) According to Hoti, Kosovo has three principles in the dialogue: not to compromise its territorial integrity, not to negotiate the state's constitutional organisation, and the agreement that would contribute to Kosovo and Serbia's reciprocal recognition must be in conformity with Kosovo's Constitution. (European Western Balkans 2020)

From Europe's side, Miroslav Laják was named EU Special Representative for the Belgrade-Pristina dialogue and other Western Balkan regional problems on April 2, 2020, with a 12-month starting term. The selection of Laják as the new EU Representative for the Belgrade-Pristina Dialogue was hailed as a sign of the dialogue's resumption. When the EU normalisation discussions virtually stopped in late 2018, then-US Ambassador to Germany and later Special Envoy Richard Grenell and the National Security Advisor John Bolton grabbed the chance to put the US in charge. Trump's administration went around the EU, putting affairs into its own hands, which resulted in disagreements with the Europeans. (Bechev 2020)

However, after a 20-month hiatus, the talks restarted in July 2020; after a long standstill caused by Kosovo's imposing import tariffs due to Serbia's campaign to reduce the countries that recognise Kosovo and following Kosovo's partial reduction of them. Josep Borrell, the European Commission's High Representative/Vice-President, conducted a high-level discussion with Prime Minister Avdullah

Hoti and President of Serbia Aleksandar Vucic on July 16, 2020. (Stanicek 2021)

Regarding the continuation of the EU Facilitated Dialogue between Serbia and Kosovo, President Aleksandar Vucic and Prime Minister Avdullah Hoti confirmed to Josep Borrell that EU integration and the continuation of the Belgrade-Pristina dialogue remain a high priority for both of them. (European Union 2020) Given that both Serbia and Kosovo want to be a part of the EU, the normalization process is interrelated with European integration. 21

According to the European Commission, there can be no permanent stability in the area until Belgrade-Pristina ties are effectively and comprehensively normalised through the EU-facilitated dialogue. For Serbia and Kosovo to go on their different European pathways, a thorough, legally enforceable normalisation agreement is needed and necessary. (Stanicek 2021)

Parallel to the European initiatives, Washington followed a rival effort; instead of the actual talks with Thaçi, Aleksandar Vucic met with Avdullah Hoti in a Washington conference on September 4, 2020. (International Crisis Group 2021) The United States, under Trump's administration, convened trilateral negotiations, which resulted in a 16-point pledge signed by Vucic and Hoti separately in the presence of US President Donald Trump on September 4, 2020, in Washington, with Serbia and Kosovo each pledging to economic normalisation.

The economic accord negotiations centred on business and commerce. (Stanicek 2021) The agreement, often called Washington Agreement, was hailed as a "significant milestone" in Kosovo-Serbia ties and a historic commitment. However, the agreement poses a challenge for the EU's enlargement agenda, given that Kosovo's decision to move its embassy in Jerusalem as a result of the agreement has been criticized by the EU and other states as well. (Chatzitheodorou 2021)

A year-long diplomatic ceasefire was one of the more significant conditions in which Kosovo renounced ambitions to join international organisations, and Serbia committed to end its de-recognition campaign. Kosovo agreed on implementing a one-year moratorium to apply for membership in international organisations. Given the priority that Pristina gives in recognition from other states, and hence membership in international organisations, the abovementioned condition was widely criticized in Kosovo. (Muharremi 2021) Another was a joint feasibility study on sharing the

waters of the strategically important Gazivode lake. (International Crisis Group 2021)

However, despite the Washington Agreement which focused on economic matters between the two parties, the Hoti government did not further facilitate the dialogue with Belgrade. Trump's administration was more interested in a symbolic agreement instead of a real engagement in the Pristina-Belgrade Dialogue. In order to get the parties to come to Washington, the administration threatened Kosovo with the loss of US backing if the tariffs imposed to Serbian goods were not totally eliminated. Under those circumstances, Kosovo's lawmakers buckled and ousted the government through a no-confidence, which brought the Hoti government into power in June 2020. As such, the disparity between Serbia and Kosovo's gains from the US-backed agreement resulted in the dissolution of the Kosovo assembly and a call for early parliamentary elections. (Kukleci 2020)

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Bibliography

- Chatzitheodorou, Christina. (2021). Biden's Administration and the Western Balkans: Getting Back on Track, *Centre for Security Analyses and Prevention*, accessed May 19, 2021, https://cbap.cz/archiv/4768?fbclid=IwAR3qvZF9VPUL4PfFv8beHh_n9E8YVP76xC0HA90wQjWvxBnOcTturSOqmY.
- European Union. (2020). Belgrade-Pristina Dialogue: Joint Statement by President A. Vučić and Prime Minister A. Hoti ahead of their meeting in Brussels, accessed May 18, 2021, https://eeas.europa.eu/headquarters/headquarters-homepage/84787/belgrade-pristina-dialogue-joint-statement-president-avu%C4%8Di%C4%87-and-prime-minister-ahoti-ahead_en.
- European Western Balkans. (2020). Hoti: The role of the EU and US in Belgrade-Pristina Dialogue is complementary, accessed May 18, 2021 <https://europeanwesternbalkans.com/2020/06/11/hoti-the-role-of-the-eu-and-us-in-belgrade-pristina-dialogue-is-complementary/>.
- European Western Balkans. (2020). Hoti: The role of the EU and US in Belgrade-Pristina Dialogue is complementary, accessed May 18, 2021, <https://europeanwesternbalkans.com/2020/06/11/hoti-the-role-of-the-eu-and-us-in-belgrade-pristina-dialogue-is-complementary/>.
- <https://balkaninsight.com/2020/06/03/kosovo-parliament-confirms-new-govt-under-hoti/>
- International Crisis Group. (2021). Relaunching the Kosovo-Serbia Dialogue, accessed May 17, 2021, <https://www.crisisgroup.org/europe-central-asia/balkans/kosovo/262-relaunching-kosovo-serbia-dialogue>.
- Morina, Engjellushe. (2020). Twin crises: Political dysfunction in the Kosovo-Serbia dialogue, European Council of Foreign Relations, accessed May 17, 2021, <https://ecfr.eu/article/twin-crises-political-dysfunction-in-the-kosovo-serbia-dialogue/>.
- Muharremi, Robert. (2021). The "Washington Agreement" Between Kosovo and Serbia, *Balkan Insights* 25, no. 4, accessed May 18, 2021, https://www.asil.org/sites/default/files/ASIL_Insights_2021_V25_I4.pdf.
- Ozturk, Talha. (2020). Kosovo: Avdullah Hoti becomes new prime minister, *Anadolu Agency*, accessed May 18, 2021, <https://www.aa.com.tr/en/europe/kosovo-avdullah-hoti-becomes-new-prime-minister/1863719>.
- Sopi, Arta, Osmani, Talaunt, and Bami, Xhorxhina. (2020). Kosovo Parliament Confirms New Govt Under Hoti, *Balkan Insight*, accessed May 18, 2021,
- Stanicek, Branislav. (2021). Belgrade-Pristina dialogue: The rocky road towards a comprehensive normalisation agreement, *European Parliament Research Service*, accessed May 17, 2021, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/689371/EPRS_BRI\(2021\)689371_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/689371/EPRS_BRI(2021)689371_EN.pdf)

A new approach or “déjà vu”?

In contrast to previous governments, the current government is challenging the international community and dialogue as a whole process. Despite challenges, Albin Kurti continues to empathize with his statements about the dialogue process and strongly opposes the Washington Agreement. According to him, dialogue should be prioritized after the internal issues are fully addressed and resolved within the country. Regardless of media releases, Kurti believes that the talks will continue and be supported by the EU, just in another format. Nonetheless, Kurti stressed the damages done by Serbia to emphasize and point fingers at the previous failure of the government's preparations to dialogue. (Sakovic 2021)

Apart from damages, financial reparations were addressed too, in a contextual way of requiring Serbia to pay around 3 million euros in material and non – material damages. This kind of approach caused reactions to define the final outlook on the dialogue between Belgrade and Pristina. Additionally, the case of the Association of the Municipality raised doubts with the dialogue. One clear fact is that this kind of obstacle influenced the media to use its sources in various narratives to dialogue.

Moreover, Kurti will have a stronger stance compared to his previous comrades in the dialogue process. Firmly, he strongly argues that Serbia must change its foreign policy and settle down together with Kosovo after accepting all the misconduct done in the precedent years. Furthermore, the idea for participation in the dialogue differs from previous tactics, as the new strategy presented by Kurti requires as the Constitution intended no side – efforts should come to the scene.

According to the media, the dialogue will convene in the middle of June. It was reported that he participated in Brussels' dinner organized by Borell, where Kurti mentioned liberalization of visa as a postponed criterion only for Kosovo. Kurti declared that the problem of visas was mentioned and reiterated that Kosovo needs to have liberalization of visas since it is the only country in the Western Balkans excluded from this benefit. (Uijtregy 2021)

On the contrary, Kurti's statements for genocide can define a detriment to Kosovo. It does not mean that Kosovo will lose or that Serbia did not undertake those terrible acts against civilians during the

war in Kosovo, nonetheless, the idea to file a complaint against another state for genocide takes time and requires membership in the United Nations. Kosovo's position differs when compared to Serbia. Still, the status of Kosovo remains ambiguous, a lot of efforts are required to change position. To keep in mind, the Washington Agreement defines that Kosovo cannot proceed further with the application to various organizations and this kind of obligation tangles Kosovo to a less favorable position.

Lacking membership in international organizations, a sue cannot happen without being a member country of the court. Previously, the cases of Bosnia against Serbia demonstrated that the complaint against the latter functioned for the first time in history in 1993, ICJ ruled out that Serbia participated actively in the genocide during the war in Bosnia. Unfortunately, there is not a case where a country in the Western Balkans ruled out that committed the genocide. (ICJ 1996)

When Kosovo is not part of any of the mentioned international organizations, how it is possible to sue a country against genocide? Kosovo governments mentioned that the first step to take when the country will be part of the United Nations is to sue Serbia for all the wrongdoings. However, reflecting the actual situation and legal procedures, it can be judged those statements on genocide can do damage to Kosovo rather than solving or bringing justice to the citizens. Resurrection to this likelihood, it is ordinary for Balkan politicians to follow the same patterns as previously.

Nevertheless, another problem with the genocide procedure is the war documents are left behind and lost during the last years in Kosovo. Lack of evidence and insufficient approach to address issues of war crimes documents is left aside and the evidence remains absent and not well suited for a future sue.

Why would the genocide statement do damage to Kosovo? Because Kosovo cannot even sue Serbia. Maybe in the future, when the membership status of Kosovo will change this kind of statement and actions can be taken following the legal framework. Another point is that the external justice in Kosovo needs to work deeper and strive to document war crimes as enough evidence for the court's ruling.

Kurti knows about the legal obligations and constraints that Kosovo faces in the light of war. He strongly argues that for dialogue to have success, Serbia must accept Kosovo as a state. Indeed, a new formation of dialogue and negotiations must be defined and determine a rightful solution for both countries instead of policies in terms of “stick and carrots” towards one country. The principle of equality must be followed and presented by the stance of both capitals to discuss and reach the final agreement.

Notwithstanding, statements of suing should be removed from the scene, thus, in the end, those who are suffering the most are the families of the victims and not politicians involved in the whole dialogue process. When a Prime Minister decides to go into the dialogue with a new perspective, probably will regain Kosovo’s position in favor as it should have been from the beginning.

The new hope in Kosovo remains with the election of a new government, accordingly, Albin Kurti must demonstrate a remarkable ruling and meet all the promises made towards citizens and families in regards to dialogue. If the statements are left only as promises, another “déjà vu” in Kosovo will occur.

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Bibliography

Dobrunaj, Arbesa. (2021). Can Kosovo sue Serbia for genocide?, accessed May 5, 2021, <https://lansinginstitute.org/2021/05/13/can-kosovo-sue-serbia-for-genocide/>.

Doli, Dren. (2021). Albin Kurti first visit to Brussels can mark a new turn for Kosovo-EU relations, provided that his choices appropriate, accessed June 2, 2021, <http://www.legalpoliticalstudies.org/albin-kurti-first-visit-to-brussels-can-mark-a-new-turn-for-kosovo-eu-relations-provided-that-his-choices-appropriate/>.

Esch, Valeska. (2011). A European Future for Kosovo: Is the EU Losing its Grip?, JSTOR, accessed June 4, 2021, <https://www.jstor.org/stable/24233175>.

Holvoet, Mathias. (2020). Introducing the Special Issue ‘Critical Perspectives on the Law and Politics of the Kosovo Specialist Chambers and the Specialist Prosecutor’s Office’, accessed May 6, 2021, https://brill.com/view/journals/icla/20/1/article-p1_1.xml?language=en&body=pdf-44182.

Isufi, Perparim. (2021). Kosovo PM Faces Pressure to Involve US in Serbia Dialogue, Balkan Insight, accessed June 4, 2021, <https://balkaninsight.com/2021/05/26/kosovo-pm-faces-pressure-to-involve-us-in-serbia-dialogue/>.

Serbia and the Pristina-Belgrade Dialogue

In comparison to his peers in Kosovo, the Serbian President Aleksandar Vucic wields an unusually powerful political hand in Serbia. He emerged from the elections in June 2020 with an unbreakable legislative majority of 171 seats out of the overall 240. Furthermore, the vast majority of the remaining seats are occupied by affiliated parties, with just a few small parties representing ethnic minorities opposing them. Therefore, for the time being, Vucic is at the apex of his country's political landscape with no serious threat to his monopoly of power. (International Crisis Group 2021)

For Serbia, issues of both ethnicity and minority rights are inextricably tied to the dialogue with Kosovo. Specifically, Serbia alleges discrimination against Kosovo Serbs, whereas non-Serbs complain about unfairness against them in Serbia. Specifically, Mayor Shqiprim Arifi of Presevo, an Albanian-dominated municipality, blames systemic discrimination for his residents' over 50% unemployment rate, compared to the national average of less than 15 percent. (Hartwell 2021)

Belgrade has also failed to keep the people informed about the process, particularly when it comes to key developments in Brussels in recent years. (Morina 2020) According to Belgrade Centre for Security Policy's public opinion poll, the majority of Serbians favour discussion and an agreement with Kosovo. However, half of them admitted that they have no idea what the discussion is going to be about. (International Crisis Group 2021) This is a result of the fact that the government has never officially communicated its intentions for the relationship with Kosovo.

At the same time, Serbia's relations with Russia run deep and also affect the whole process. Russia is wed to UN Security Council Resolution 1244, which empowers the UN to mediate a political process to decide Kosovo's destiny. Russia's foreign minister, Sergei Lavrov, has said that Russia would accept only an agreement endorsed by Serbia and the Security Council. In terms of the EU, even if Russia permits Serbia to join the organisation, some experts are afraid that it will become the Kremlin's "Trojan horse." (Hartwell 2021) Therefore, in case of a referendum regarding Kosovo's independence, Vucic will have to communicate the terms for independence to the public without underestimating the importance of acquainting the Serbian people with the specifics of such an agreement between the two parties. (Bandovic 2021)

At the European level, the EU has made it plain that resolving its ties with Kosovo is an essential, although not enough, condition for membership. (International Crisis Group 2021) Vucic's public

attitude, at least in the eyes of the international community and the EU, is that he wants to be a part of the conversation to improve ties with Kosovo and bring Serbia into the EU. Given that Vucic is keen to get his country into the EU, which necessitates some type of compromise with Kosovo. (Sekularac 2021) His EU ambitions seem critical, considering that they are contingent on mending ties with Kosovo. Indeed, EU membership is often seen as a necessary inducement to persuade Serbia to accept Kosovo's sovereignty. (Hartwell 2021)

Regarding the Washington Agreement, which was signed on September 4, 2020, Serbia committed to a one-year halt on the derecognition campaign of Kosovo in return for Kosovo's commitment to a one-year moratorium on pursuing membership in international organisations. While the Trump administration attempted to pursue economic rapprochement without tackling the thorny issue of Serbian recognition of Kosovo, President Biden's new administration has already established a different tone. The latter urged Serbia and Kosovo to re-establish relations based on "mutual recognition," meaning that recognition is once again on the table for US policy. (2021 Muharremi) Furthermore, given President Biden's stated objective of repairing US-EU ties, it is predicted that his administration would work closely with the EU to assist a legally binding deal between Belgrade and Pristina. (2021 Muharremi) His Serbian counterpart, on the other hand, was emphatic that his attitude on Kosovo's independence had not altered. (Euractiv 2021)

In Serbia, Vucic looks disinterested in striking a complete agreement with Kosovo, especially if doing so would jeopardize his re-election chances in 2022. (Morina 2020) Vucic's unwillingness to participate in the Pristina-Belgrade Dialogue makes evident his political strategy of playing the waiting game with Brussels and Pristina, an approach that will allow him time to win the 2022 presidential election. Furthermore, the Serbian people have become more right-wing and anti-EU than ever before during Vucic's eight years in power. For instance, in the June 2020 elections, no pro-European opposition managed to enter the parliament for the first time since 2000. The rising of right-wing narratives in Serbia, along with substantial disparities in their approach with the EU concerning Kosovo, had an impact on Serbian popular perception of the EU as well. (Klacar 2020) Therefore, Vucic will not risk a compromise solution for Kosovo that may be seen as "treason." (Bandovic 2021)

In particular, at a May 2019 meeting with retired Lieutenant General Ben Hodges, the former US Army commander in Europe, Vucic said that recognising Kosovo would be considered treason. Furthermore, many groups, including the Church, are against an agreement with Pristina and keep an

eye on Vucic's attitude towards such a development. Kosovo is treasured by the Serbian people as "the Serbian Jerusalem" since it was the location of the ancient Serbian Kingdom. (Hartwell 2021) As a result, in the run-up to the election, he will almost likely attempt to sway public opinion by selling an emotional and unrealistic story about Kosovo. (Bandovic 2021)

Vucic has been more sympathetic to land swap between Belgrade and Pristina; throughout his eight years in high-level government positions, this is the first specific idea Vucic has shown any readiness to engage with and discuss with Kosovo. The latter has contested that the only arrangement that he can sell to the Serbian population back home is one that "would be a defeat for both sides." A land exchange meets this requirement because even though he will not be able to restore the entire area, he can return a tiny portion of it and reconnect its ethnic Serbian population with the rest of the nation. Therefore, he will be able to sell his agreement as an improvement rather than a concession. (Eror 2020)

In sum, after Albin Kurti's victory in the snap election on February 14, Vucic did not have to change his strategy, as Kurti was unyielding in his attitude to Brussels and Belgrade and was not keen on prioritizing the conversation. Hence, Vucic was seen as more willing to find a compromise. However, Kurti has recently changed his stance regarding the dialogue with Serbia, which will put pressure on Vucic to truly engage in the dialogue. (Bandovic 2021) Besides, soon after the economic normalization between Belgrade and Pristina, also known as the Washington agreement, Vucic downplayed expectations that the U.S.-mediated agreement on economic cooperation with Kosovo would lead to a political accord with the former province in the near future. Serbia continues to deny the recognition of Kosovo, which does not facilitate a compromise between the two sides. (Sekularac 2021)

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Bibliography

- Bandovic, Igor. (2021). What to expect from the Kosovo-Serbia dialogue in 2021, *European Council of Foreign Relations*, accessed May 28, 2021, <https://ecfr.eu/article/what-to-expect-from-the-kosovo-serbia-dialogue-in-2021/>.
- Erer, Aleks. (2020). The EU Needs a New Balkan Strategy, *Foreign Policy*, accessed May 28, 2021, <https://foreignpolicy.com/2020/07/13/eu-strategy-kosovo-serbia-thaci-vucic-russia-china-relationship/>.
- Euractiv. (2021). Vučić to Biden: Kosovo recognition not mentioned in any agreement, accessed May 28, 2021, https://www.euractiv.com/section/politics/short_news/vucic-to-biden-kosovo-recognition-not-mentioned-in-any-agreement/.
- Hartwell, Leon. (2021). The Serbia-Kosovo Dialogue: Ripe for Resolution? *Center for European Policy Analysis*, accessed May 28, 2021, <https://cepa.org/the-serbia-kosovo-dialogue-ripe-for-resolution/>.
- International Crisis Group. (2021). Relaunching the Kosovo-Serbia Dialogue, accessed May 28, 2021, <https://www.crisisgroup.org/europe-central-asia/balkans/kosovo/262-relaunching-kosovo-serbia-dialogue>.
- Klacar, Bojan. (2020). Serbia's Right-Wing Shift Risks Fuelling Extremism, *Balkan Insight*, accessed June 2, 2021, <https://balkaninsight.com/2020/08/04/serbias-right-wing-shift-risks-fuelling-extremism/>.
- Morina, Engjellushe. (2020). Twin crises: Political dysfunction in the Kosovo-Serbia dialogue, *European Council of Foreign Relations* accessed May 28, 2021, <https://ecfr.eu/article/twin-crises-political-dysfunction-in-the-kosovo-serbia-dialogue/>.
- Muharremi, Robert. (2021). The “Washington Agreement” Between Kosovo and Serbia, *Balkan Insights* 25, no. 4, accessed May 18, 2021, https://www.asil.org/sites/default/files/ASIL_Insights_2021_V25_I4.pdf.
- Sekularac, Ivana. (2021). Serbia's Vucic plays down hopes for quick political deal with Kosovo, *Reuters*, accessed May 28, 2021, <https://www.reuters.com/article/us-serbia-kosovo-usa-interview-idUSKCN26D1VQ>.

EU's Role in the Pristina-Belgrade Dialogue

Starting in 2011, the EU-facilitated dialogue between Serbia and Kosovo resulted in making progress regarding problems on technical issues but the process stalled on issues over the political dispute. In 2018, the presidents of the two nations drew out what then seemed to be a breakthrough agreement based on a proposal for a territory swap between the two countries. However, due to criticism from the opposition parties and the EU, it was abandoned. The EU-led mediation resumed in 2020 after 20 months of being stalled. (International Crisis Group 2021) The recent deadlock was a result of the disagreements over the status of the Serb-majority municipalities in Kosovo. The challenges generated by poor implementation have grown over time and continue to dominate conversations between Belgrade and Pristina.

Meanwhile, the potential of boundary adjustments has split Kosovo Serbs. It is popular in the northern locations where this option is most likely to be used. Many southern Kosovo Serbs, however, are opposed to a land exchange, partly because it implies recognition, which they reject, and partly because they would stay in Kosovo and fear being left as a tiny minority in an Albanian-majority state, which they may find unpleasant. (International Crisis Group 2021) Furthermore, when the Slovakian prime minister, Igor Matovic, was asked what he had promised to Russia in exchange for the Sputnik vaccines, the latter answered “Ukrainian Zakarapattia,” the Ukrainian name of the western Transcarpathia region. From Ukraine’s reaction, it becomes apparent that land swaps or even the possibility of such actions can open the traditional Pandora's Box of unresolved ethnic and territorial issues in the Balkans. (Euronews 2021) (Sasa Dragojlo and Xhorxhina Bami 2020) However, it is undebatable that without addressing the minority issues both in Serbia and Kosovo, progress will be limited on technical and non-political issues. In view of the above, the dialogue has mainly focused on addressing the non-political pieces of the dispute while ignoring the grand political background that they fit. (Bandovic 2021)

In April 2020, the European Union (EU) appointed the former Slovak Foreign Minister Miroslav Laják as the European Union Special Representative for the Belgrade-Pristina dialogue and other Western Balkan regional problems. The year 2021 began with a visit to Kosovo by High-Representative for Foreign and Security Policy Joseph Borrell in support of Laják in January. (Beshku 2021) The EU continues to correlate the normalization of ties between the two parties and their progress toward membership in the bloc. Regional cooperation and good neighbor relations are critical components of Belgrade’s and Pristina’s EU membership path. (Staníček 2021) Both

countries, Serbia and Kosovo, desire to advance on their route to EU admission and to gain EU appeal in the dialogue process in order to strengthen their chances of future membership. This also explains their administrations' determination to continue participating in the dialogue despite their hesitations. Therefore, the EU must use their ambition for joining the organization with a mixed approach of formulation and manipulation that uses leverage to persuade parties towards a legal agreement via the application of positive incentives. (Julian Bergmann, Arne Niemann 2015)

Regarding the Washington Agreement, the commitments that were decided between the two leaders, Kosovo's Prime Minister Hoti and Serbia's President Vučić, carry political weight and could facilitate the dialogue. While the EU praised the Washington Agreement in general, it condemned the clauses on building embassies in Jerusalem as being inconsistent with the EU's stance, and as such, both Serbia and Kosovo's EU membership could be undermined. (Muharremi 2021) Nevertheless, given Kosovo's and Serbia's prospective EU futures, the settlement of all bilateral conflicts and problems will have to be decided upon inside the EU-facilitated conversation and cannot be divorced from the more economic parts, like the ones agreed in Washington. (Staníček 2021)

Most European countries have recognized Kosovo since it declared its independence in 2008, but Serbia, along with Russia, and China refused to do so. Differences also appear between the European countries as well regarding the recognition of Kosovo. Specifically, there are five EU members that do not recognize Kosovo: Greece, Cyprus, Romania, Slovakia, and Spain. The abovementioned countries do not refuse to recognize Kosovo *per se*. However, local politics put some restrictions on their regional and international policies. For instance, Spain's motive for not recognizing Kosovo is closely related to its refusal to provide any support to the independent movement in its own region of Catalonia. Similarly, Cyprus and Greece refuse to recognize Kosovo as they do not take any step that would give legitimacy to the Turkish occupation of Cyprus, which was a result of the invasion of Turkey in the island in 1974. On the same pattern, the presence of Hungarian ethnic minorities in both Romania and Slovakia offers some clues for the denial to support the recognition of Kosovo, despite its recognition from 117 states. (Turp-Balazs 2021) An EU official said that anybody might apply to join the EU, but a state must be recognized by all EU member states in order to apply realistically. (Alpebat 2020)

New difficulties also put obstacles in the EU-mediated process, which are not related to the political situation in Serbia and Kosovo, but from the EU's debate over enlargement. As Stanicheck argued, *"the debate in the EU is shifting from 'enlargement fatigue' towards a deeper 'enlargement resistance'.*

auguring a tougher stance towards enlargement in some EU Member States.” Despite the fact that the European Parliament's proposal on the Western Balkans on June 19, 2020, reaffirmed the importance of expansion as a constructive EU goal that must be complemented by strong and meaningful incentives, internal fragmentation and disintegration, as well as the candidate nations' incapacity to satisfy the conditions of the accession process, are having a tremendous effect that also prevents any further advancements in the process. (Staníček 2021) (Economides 2020)

To sum up, the EU seems uninterested to truly engage in the dialogue given its internal issues regarding the adjustment to Brexit and the handling of the pandemic. For instance, the EU has no clear strategy on how to approach the heart of the matter. The return of the war refugees, along with the recognition for war crimes and atrocities from both sides, will continue to haunt the dialogue in the near future. (Beshku 2021) Therefore, for 2021, the dialogue between the two parties is expected to make limited progress. (Bandovic 2021) Along with the Biden administration that now seeks more cooperation with the EU, the latter needs to continue its mediation attempts to secure a comprehensive, final, and legally binding agreement between the two sides, which will help to the long-term stability of the Western Balkans and both nations' European rapprochement.

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Bibliography

- Beshku, Klodiana. (2021). The Belgrade-Pristina dialogue ten years on: What's next for Kosovo and Serbia?" *EUIdeas*, accessed June 6, 2021, <https://euiideas.eu/2021/02/15/the-belgrade-pristina-dialogue-ten-years-on-whats-next-for-kosovo-and-serbia/>.
- Bandovic, Igor. (2021). What to expect from the Kosovo-Serbia dialogue in 2021, *European Council of Foreign Relations*, accessed June 4, 2021, <https://ecfr.eu/article/what-to-expect-from-the-kosovo-serbia-dialogue-in-2021/>.
- Bergmann, Julian, and Niemann, Arne. (2015). What the Belgrade-Pristina dialogue says about the EU's role as a peace mediator, *LSE Blog*, accessed June 6, 2021, <https://blogs.lse.ac.uk/euoppblog/2015/12/12/what-the-belgrade-pristina-agreement-says-about-the-eus-role-as-a-peace-mediator/>.
- Conley, Heather A., and Saric, Dejana. (2021). The Serbia-Kosovo Normalization Process: A Temporary U.S. Decoupling, *Center for Strategic and International Studies*, accessed June 14, 2021, <https://www.csis.org/analysis/serbia-kosovo-normalization-process-temporary-us-decoupling>.
- Dragojlo, Sasa, and Bami, Xhorxhina. (2021). "Land Swap Idea Resurfaces to Haunt Serbia-Kosovo Talks," *Balkan Insights*, accessed June 15, 2021, <https://balkaninsight.com/2020/06/16/land-swap-idea-resurfaces-to-haunt-serbia-kosovo-talks/>.
- Economides, Spyros. (2020). From Fatigue to Resistance: EU Enlargement and the Western Balkans, *Dahrendorf Forum*, accessed June 8, 2021, <https://www.dahrendorf-forum.eu/publications/from-fatigue-to-resistance-eu-enlargement-and-the-western-balkans/>.
- Euronews. (2021). Unacceptable': Ukraine slams Slovak PM over territory swap 'joke, accessed June 15, 2021, <https://www.euronews.com/2021/03/04/unacceptable-ukraine-slams-slovak-pm-over-territory-swap-joke>.
- International Crisis Group. (2021). Relaunching the Kosovo-Serbia Dialogue, accessed June 4, 2021, <https://www.crisisgroup.org/europe-central-asia/balkans/kosovo/262-relaunching-kosovo-serbia-dialogue>.
- Muharremi, Robert. (2021). The "Washington Agreement" Between Kosovo and Serbia, *American Society of International Law* 25, no. 4, accessed June 8, 2021, <https://www.asil.org/insights/volume/25/issue/4/washington-agreement-between-kosovo-and-serbia>.
- Staniček, Branislav. (2021). Belgrade-Pristina Dialogue: The Rocky Road Towards A Comprehensive Normalisation Agreement, *European Parliamentary Research Service Blog*, accessed June 6, 2021, <https://epthinktank.eu/2021/04/22/belgrade-pristina-dialogue-the-rocky-road-towards-a-comprehensive-normalisation-agreement-policy-podcast/>.
- Turp-Balazs, Graig. (2021). The explainer: The EU's Kosovo awkward squad, *Emerging Europe*, accessed June 4, 2021, <https://emerging-europe.com/news/the-explainer-the-eus-kosovo-refuseniks/>.

Future developments and recommendations

Resolving two countries takes time and effort from both sides. To enhance better cooperation and final agreement two parties should rely on each other rather than in the international community. To continue and adjust what dialogue requires, Pristina and Belgrade must leave behind the past and resolve the issue of the recognition. Whereas statements coming from officials directed to non-recognition of Kosovo, for sure it will take time to leave behind old grudges. In addition, other member states of the EU do not recognize Kosovo as an independent state. Perhaps, the EU can probe five states to soften their resistance and allow Kosovo. Or another solution can be when Serbia recognizes Kosovo probably the other countries will follow too. Otherwise, the EU should change or find another solution for the ongoing unrecognition. (Bandovic 2021)

Another point relates to the dialogue that convened on June 15th, 2021. During the meeting, the main discussion was on reciprocity from the Kosovo side. Prime Minister of Kosovo, Albin Kurti, proposed four statements to resolve relations. What was different in the formation of the dialogue remained the talks about the missing persons and “pressure” to Serbia side to at least converse this topic. Moreover, four statements include that Kosovo status should be resolved, the missing persons must be resolved, the establishment of SEFTA, and removing from the political scene some harmful Serbian officials that were in position during the 1990s. Kurti continued to empathize that the recognition should be done. (Muharremi 2021)

Looking at the dialogue and doing a recap, it is clear that the position of Albin Kurti differs compared to other political figures from Kosovo. Apart from four proposals, the proposal for territorial swap ignited a lot of discussions and was not banned as an idea of resolving relations between two countries. However, doing a territorial exchange will only cause turmoil in the whole region, and another problematic approach is not needed, especially after a long period of normalization.

Ergo, states should remain transparent with each other, and both need to understand what is required. The role of the intermediate should be precise if the two parties fail to reach a final agreement or continue to push back the dialogue process. Facilitating communication channels are some extent enough. Unless both parties communicate clearly, then they can speak and

demand what they crucially need. The final agreement for both countries is crucial and under the best circumstances, it will take time to reach. Therefore, the EU must ensure that the policy carried to two parties is equally and corresponding to what is required. Moreover, Kosovo and Serbia's political leadership should understand and drive dialogue towards a final agreement. In addition, the political shift in Kosovo challenges to some degree the whole process, given the fact that the current government doesn't support previous agreements. Challenges remain laid down; thus, a final agreement cannot be reached within a year, especially when the other country faces a political transition and ruling parties.

Overall, a final agreement will be reached at some point, under the equality stance and cooperation with external parties to ensure that the situation will bring changes instead of stagnation. Hence, there can be recommendations on improving the situation for both countries and reducing delays in reaching a final agreement. One of the crucial points remains missing bodies and accepting war crimes during the war in Kosovo. Perhaps, this point remains unrealistic until Serbia decides to recognize Kosovo as an independent state, then it will lead to another point, enabling membership in an international organization for both. In this case, Kosovo and Serbia can join the international organization, regional one as the EU, and cooperate at the economic level.

Regarding security issues, membership in international organizations such as NATO, cannot be done for Kosovo's position. Whenever countries block membership and do not recognize Kosovo's independence, approval remains a challenge. (Radoman 2021). Otherwise, Serbia has a leverage position in this scenario, it can gain accession, it does not aspire to be part of it. Probably, the membership of Serbia could open a road for Kosovo too. (Fes 2018)

Not only military organizations, since Serbia is part of the other international organizations such as the Council of Europe and ICJ, maybe Kosovo's membership will have a positive impact on internal and external policies in the whole region. The opportunity to be part of the ICJ or Council of Europe would have a positive impact on Kosovo and Serbia. The benefits for both of them to join the EU and other international organizations will have only positive outcomes starting to boost the economic, political, and social aspects.

When it is all analyzed and explained on paper, it looks simple, and that it can be done practically. But the truth is that the relation between Kosovo and Serbia will need further cooperation and restoring what happened before. Whether statements about war crimes, genocide, missing bodies, or even currently the issue of Municipality Association are present. Initially, it will be difficult to conclude what was signed before.

Apart from political consensus in Kosovo to reach a final agreement with Serbia, narratives of de-recognition of Kosovo, promoting old revisionist ideas should be removed. It goes along with the political leaders in both countries to ensure proper use of language and determine cooperation instead of repetitive campaigns against each other. As a result of the Washington Agreement in 2020, Serbia is holding temporarily to use and damage the image of Kosovo, related to its independence. However, it depends on how long this situation continues and what kind of challenges Serbia will face if it wants to join the EU.

Nevertheless, if these recommendations or future developments are not critical in the long term, Kosovo, Serbia together with the EU must tailor other strategies for common good. Additionally, the international community can help both countries to strengthen relations if they continue to work independently with them. If the EU achieves to bring Serbia closer and decline the connection it has with Russia, it can express a new way of growing relations in lessening Kosovo's position in the international arena.

Regarding economic relations, Kosovo can seek closer ties with Serbia and curb the growth of the economy. In most cases, conducting economic relations without reinforcement allows Serbia and Kosovo to settle the political cooperation and then move to other perspectives. Reaching a final agreement must be done following both countries, considering that the new government in Kosovo proposed reciprocity, conceivably a settlement might happen in the future. Ergo, the final agreement would overpass the tension and restore stability in the region, but until that day comes, it will take time and compromise from both sides. (Gligorov 2007)

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Bibliography

- Joseph, Edward. (2021). A Way Out of the Balkans Morass: Restoring US and EU Leverage in the Serbia-Kosovo Dialogue, accessed June 2, 2021, <https://www.wilsoncenter.org/article/way-out-balkans-morass-restoring-us-and-eu-leverage-serbia-kosovo-dialogue>.
- Morina, Engjellushe. (2020). Twin crises: Political dysfunction in the Kosovo-Serbia dialogue, accessed June 2, 2021, <https://ecfr.eu/article/twin-crises-political-dysfunction-in-the-kosovo-serbia-dialogue/>.
- Klllokoqi, Sylejman. (2020). EU, US display differences over Serbia-Kosovo negotiation, accessed June 3, 2021, <https://apnews.com/article/pristina-international-news-politics-kosovo-united-states-7fdae2ee083ec9cf1ccb200156d1604a>.
- Garding, Sarah. (2021). Kosovo: Background and U.S. Policy, accessed June 3, 2021, <https://fas.org/sgp/crs/row/R46175.pdf>.
- Rexhepi, Rinor. (2021). Kosovo-Serbia Negotiations, accessed June 4, 2021, <https://pathofscience.org/index.php/ps/article/view/880/869>.
- Lehne, Stefan. (2012). Kosovo and Serbia: Toward a Normal Relationship, Carnegie Endowment for International Peace, accessed June 4, 2021, https://carnegieendowment.org/files/Kosovo_and_Serbia.pdf.
- Ilazi, Ramadani. (2021). Perception On Kosovo – Serbia Dialogue and Identity Issues, accessed June 5, 2021, http://www.qkss.org/repository/docs/Dialogue_ENG_943233.pdf.
- Bieber, Florian. (2012). The Serbia-Kosovo Agreements: An EU Success Story?, Research Gate, accessed June 5, 2021, https://www.researchgate.net/publication/287405200_The_Serbia-Kosovo_Agreements_An_eu_Success_Story.
- Vladimir, Gligorov. (2007). Costs and Benefits of Kosovo's Future Status, accessed June 10, 2021, <https://www.econstor.eu/bitstream/10419/204114/1/wiiw-research-rep-342.pdf>.