

## **KOSOVO AND SERBIA: AN AGREEMENT TO NORMALIZE RELATIONS**

*KOSOVO E SÉRVIA:  
UM ACORDO PARA NORMALIZAR RELAÇÕES*

**Sidney Robin Siegertszt**

Master in International Politics  
Katholieke Universiteit Leuven  
Alcobaça, Portugal  
sidneysiegertszt@gmail.com

### **Abstract**

This paper was conducted through qualitative field research in Kosovo and Serbia. The sources of the information obtained through interviews will remain anonymous at the request of European Union (EU) representatives and diplomats. The paper briefly narrates the historical events that led to the creation of the First Agreement of Principles Governing the Normalization of Relations of Kosovo and Serbia with an in-depth assessment of Article 1 and its implementation process. The European Union played a crucial role as the main mediator between the countries, but is not exempt from criticism. Article 1 of the First Agreement defines the creation of an Association/Community of Serb majority municipalities in the northern region of Kosovo with its own statute and competences. The focus of this article is to ascertain what the determinants were for Kosovo, Serbia and the EU to sign the First Agreement and the importance of Article 1 and its implications for all parties involved.

**Keywords:** Kosovo, Serbia, European Union, First Agreement, Normalization, Association.

**Como citar este artigo:** Siegertszt, S., 2015. Kosovo and Serbia: an Agreement to Normalize Relations. *Revista de Ciências Militares*, maio de 2015 III (1), pp. 13-37.  
Disponível em: <http://www.iesm.pt/cisdi/index.php/publicacoes/revista-de-ciencias-militares/edicoes>.

## Resumo

Este artigo foi realizado através de pesquisa qualitativa elaborada no Kosovo e na Sérvia. As fontes de informação obtidas por meio de entrevistas permaneceram anônimas a pedido dos representantes e diplomatas da União Europeia. O artigo faz uma breve descrição dos acontecimentos históricos que levaram à criação do Primeiro Acordo de Princípios que rege a normalização das relações entre o Kosovo e a Sérvia, com base numa análise aprofundada ao Artigo 1 e ao seu processo de implementação. A União Europeia desempenha um papel crucial neste âmbito como mediador principal entre os países, sem que isso a isente de críticas. O Artigo 1 do Primeiro Acordo define a criação de uma Associação/Comunidade de municípios de maioria Sérvia na região norte do Kosovo, com o seu próprio estatuto e competências. O foco deste artigo visa encontrar quais os determinantes que levaram o Kosovo, a Sérvia e a UE a assinar este Primeiro Acordo, bem como a importância do referido artigo e as suas implicações para todas as partes envolvidas.

**Palavras-chave:** Kosovo, Sérvia, União Europeia, Primeiro Acordo, Normalização, Associação.

## Introduction

The Republic of Kosovo is a small country in Europe, located in the Balkans, with a small population estimated at around 1.8-2.2 million people and consisting of several ethnic groups, among which the Kosovo Albanians are the majority. In comparison, this country's territory is almost  $\frac{1}{4}$  of the total territory of the Netherlands.

From a political and international relations perspective, Kosovo is not considered a small player but rather a big one. The largest international mission of the European Union in the framework of the Common Security and Defence Policy (CSDP) is the one in Kosovo. It is not only of great importance to the EU but also for the United States of America. Kosovo is not a member of the North Atlantic Treaty Organization (NATO), but this did not hinder NATO's unilateral initiative, without an United Nations Security Council (UNSC) resolution, to liberate Kosovo and put an end to the conflict with Serbia in 1999. This was the second time NATO's forces were used in an active war (Judah, 2008, pp. 75-92).

Kosovo is considered a valuable place due to its geostrategic location. It is almost in the centre of Europe, bordering the EU; it is surrounded by NATO member states, with Albania to the left, Bulgaria to the right, Greece southwards, and Hungary and Romania northwards. It also lies at the center of the western Balkans and is one of the states that composed the former Yugoslavia.

Serbia is situated directly northwards, attached to what is considered Kosovo's territory, and still considers Kosovo as their Autonomous Province of Kosovo and Metohija.

The population of Kosovo is divided into ethnical groups (88% Albanian, 6% Serbian, 3% Slavic Muslims composed of Bosniak and Gorani peoples, 2% Roma, Ashkali and Egyptians,

and 1% Turkish). The reason behind the fact that the majority of the population is of Albanian ethnicity takes us back to the Ottoman Empire. The diaspora of Albanians fled their home country during the Ottoman siege that led them to settle elsewhere in the Empire. In 1459, Serbia and Kosovo were engulfed by the Ottoman Empire and a large number of Albanians had already settled in this region. Therefore, Albanians can be found in Greece, Turkey or Italy. Leaping forward in time, after the Second World War ended there was another huge scattering of populations and, in 1991, around 600,000 Albanians left Albania to seek a new beginning in the region. To this day, it remains an epistemic difficulty to pinpoint the exact number of Albanians who settled in Kosovo and Serbia alone (Judah, 2008, pp. 1-29).

After 1945, Yugoslavia was under the leadership of communist Josip Broz Tito. Tito authorized the use of the Albanian language as an official language of the Autonomous Province of Kosovo and prohibited the return of the Serbs that had settled in Kosovo and consequently closed the Serbian borders in 1948. The Serbian people in Kosovo were considered the Kosovo Serb minority.

From 1989 to 1997, Slobodan Milosevic was President of Serbia, and from 1997 to 2000 “Sloba”, as he was also known, became President of the Federal Republic of Yugoslavia. His power rose at the same pace as the Serbian nationalistic feeling, which had already led to heinous war crimes in Bosnia and Croatia. The Dayton Agreement in 1995 put an end to the conflict between Bosnia and Herzegovina and Croatia, in an attempt to bring peace to the Balkans. One year later, in 1996, the famous Kosovo leader, Ibrahim Rugova, tried to establish a diplomatic relationship with Milosevic and convince him to allow Kosovo to decide autonomously what kind of educational system suited it best and in what language – Albanian. As a result, Milosevic laughed Rugova out of the room as reminder of who was in charge. Milosevic sent Serbian police forces to Kosovo’s capital, Pristina, to put an end to the student protests through the use of force. In order to avoid external pressure and to conceal the events that took place, the international media was not allowed to enter Kosovo during this period. Internal clashes with Serbian forces became more frequent, and in 1998, after the dissipation of the Serbian army by the Kosovo Liberation Army (KLA), Milosevic sought revenge by sending in heavy army vehicles, artillery and infantry, which led to the displacement of 250,000 people; many lost their lives and to this day thousands are still unaccounted for (Macshane, 2011, pp. 40-46).

In 1999, NATO forces put an end to these crimes after an intensive 78-day long bombardment of Yugoslavia to relieve Kosovo from its oppressor. Even before this intervention took place, the Ahtisaari Plan was already in its conceptual phase. This plan’s objective was twofold: first, it was meant to provide Kosovo with a basis for autonomy, and second, it would give Kosovo the opportunity to promote the normalization of relations and stimulate a diplomatic dialogue between Serbia and Kosovo. The content of the Ahtisaari plan will be discussed in more depth further in this paper, but in broad terms, it essentially provided Kosovo with a baseline for the formation of its Constitution ten years later, giving it the opportunity to declare itself an independent state. It presented the possibility of a multi-ethnic and multicultural

society, in which Kosovo Serbs would get extra competences for integration. As it were, this plan was also the seed that gave birth to the First Agreement of Principles Governing the Normalization of Relations, which became a reality on 19 April 2013, when it was signed by the Prime Minister of Serbia, Ivica Dacic, and the Prime Minister of Kosovo, Hashim Thaçi, with the mediation of the High Representative (HR) of the European Union, Baroness Catherine Ashton.

The First Agreement of Principles Governing the Normalization of Relations, also known as the Normalization Agreement, the First Agreement or, most commonly, as the “Brussels Agreement”, consists of fifteen articles and is followed by an Implementation Plan. Article 1 is of crucial importance for this research as it foresees the creation of an Association/Community of Serb majority municipalities (ASM). This Association has the main purpose of preserving the identity of Kosovo Serbs, giving this ethnic minority a chance for integration within Kosovo.

The aim of this research paper is to focus on why this Association is needed, what were the determinant factors for the parties involved in the negotiation process and whether these were sufficient or if there is more than meets the eye, how the implementation process is progressing, and what obstacles are to be found, starting with the historical facts that paved the way to Kosovo’s independence.

As the history of the Balkans cannot conceal its turbulent past, this process will show if there is *de facto* constructive reconciliation, social cohesion and prospects for a better future, or if it is simply one of those agendas serving only a few interested parties.

## **1. Conceptual Framework**

### **1.1. Reconciliation**

The conceptual framework will give purpose to this research paper, providing the lens through which this study was conducted, and a means to understand the qualitative data.

The understanding of the reconciliation is twofold: it is defined both as an objective and as a process; whereas the objective implies a positive aspiration towards the future, the process, on the other hand, is the essential understanding of the situation, and working effectively and proactively towards the objective (Bloomfield, et al., 2003, p. 12).

To really understand a reconciliation process in this field of study one must understand the true meaning of reconciliation. For this purpose, academics have provided a three-point basic definition of this concept:

- It is a long-term process and its timing cannot be dictated.
- It is a highly complex process that demands changes in posture, aspirations, emotions, and maybe even in ideology.

It applies to everyone that is involved. The posture and ideology of the community/communities central to the conflict are at the basis of the approach. There is an individual

element essential to reconciliation, the posture, prejudice and stereotyping that is developed vis-à-vis “the enemy” (Bloomfield, et al., 2003, p. 13).

The notion of “thick” and “thin” reconciliation has been introduced into this field and is imperative to this framework. “Thick” reconciliation blossoms out of a peace treaty leading to a common understanding between the parties involved, whereas “thin” reconciliation is a process where one party tolerates the other, or one party is ready to conform to the authority of the other. In this case, the reconciliation is unstable<sup>1</sup>.

A final understanding of this concept leads to the simple co-existence between opposing groups, providing three levels of co-existence during the reconciliation process:

- Superficial co-existence, where social interaction between ideologically divided groups will only take place through an arrangement. This is a form of social apartheid.
- Moderate co-existence, where individuals interact through mutual preferences. Interaction starts due to professional relations, such as goods and services. The respect between individuals and groups is reciprocal.
- Strong co-existence is based on a multicultural society where different ethnic groups will intertwine and function normally on all levels of society.

It is difficult to tell, when dealing with a context specific goal, whether that goal has been reached, as it is a multidimensional phenomenon that touches all levels of society, from the individual to groups of individuals.

## 2. The Ahtisaari Plan

After the protests in the Serbian enclaves in Kosovo in 2004, the international community (Contact Group and Quint) decided to negotiate proactively to prevent a further escalation of the violent protesting.

The Contact Group composed of Great Britain, Germany, France, Italy, USA and Russia started the process that led to the foundation of the principles that Kosovo would follow. For this purpose, the former United Nations (UN) Secretary-General Kofi Annan made an appeal to the former President of Finland, Martii Ahtisaari, asking him to lead the mediation process so an agreement could be reached. Ahtisaari mediated and negotiated between Serbia and Kosovo, achieving a compromise that would suit the parties involved and at the same time prevent further damage. As a result, this diplomatic parley led to the Comprehensive Proposal for the Kosovo Status Settlement (CSP), which is known as the Ahtisaari Plan.

In 2007, the Contact Group was dissolved. *De facto*, Russia remained a strong and loyal partner of Serbia and would not approve any attempt to grant Kosovo its independence. Russia took the position that, in an already fragile region, an independent Kosovo would work as a precedent for motivating other territorial regions to take a step towards independence as

<sup>1</sup> For more information on the definition of reconciliation see: <http://www.peacebuildinginitiative.org/>, [Consult. 13 Dec. 2013].

well. As was already clear, a new UN Security Council Resolution on this matter would have no effect. The Contact Group became the “Quint” States, including all the former states, with the exception of Russia. They would supervise the process from that point onward.

On 17 February 2008, Kosovo declared its independence. Meanwhile, the Ahtisaari Plan had already been drawn up on 26 March 2007. It played a leading role in Kosovo’s declaration of independence, because it provided it with the foundations to do so. This Plan was executed in coordination with the International Civilian Office (ICO), which integrates the European Union Rule of Law Mission in Kosovo (EULEX). On 9 April 2008, the Kosovo Assembly approved the recommendations on the fifteen articles and on the twelve annexes that elaborate upon them, entering into effect in June 15, 2008 (Ministry of Foreign Affairs, 2009, p. 11). The Plan was primarily focused on protecting the rights, identity and culture of Kosovo’s non-Albanian communities, offering them an active participation in society. The legislation envisaged in the Ahtisaari Plan provided the roots for the development of a constitution and for the subsequent implementation of its provisions, making it the blueprint for a Kosovo democracy. The implementation of the Plan was not fully completed in the north of Kosovo, despite the provisions for the north and the Kosovo Serbs in the north (International Crisis Group, 2012).

The ethnical minority of the Kosovo Serbs in the north would be entitled, according to the Plan, to its own local institutions within the framework of a multicultural society in Kosovo, as mentioned in Article 13.1 of Annex III:

- “In the territory of the current municipality of Mitrovice/Mitrovica, two new municipalities, Mitrovice/Mitrovica North and Mitrovice/Mitrovica South, shall be established, with the respective municipal boundaries as delineated in the attachment to this Annex III.” (Comprehensive Proposal For the Kosovo Status Settlement, 2007).

Furthermore, these Serb majority municipalities in Kosovo will have a certain degree of autonomy within the health, education, and social issues sectors, and will have their own police commissioner. As for the crucial issue of financing, Pristina and Belgrade are responsible for it, through associations linked to their respective municipalities so that funds are transferred and accounted for in a transparent process.

Cooperation with Belgrade is thus allowed on the condition that the Ministry of Local Government Administration of Kosovo is duly informed, as shown in Article 10.2 – Annex III (Comprehensive Proposal For the Kosovo Status Settlement, 2007). Social participation by minorities is essential and has its own set of tools, through governmental sessions providing additional protection by the government in Pristina for minorities and religious devotees such as the Serbian Orthodox Church (SOC), which is one of the autocephalous Orthodox Christian churches. Additional features are predicted in this plan, such as mechanisms of transparency, rule-of-law, education, culture, language, courts, customs, infrastructure and healthcare.

## 2.1. Municipal Competences

Provisions and competences for municipalities are laid down in Annex III of the Ahtisaari Plan, with special competencies for North Mitrovica, Article 4.2. It determines that north Kosovo Serbs can participate in the law-making process through elections and the National Assembly. Municipal Competencies, Article 3 – Annex III, provide an extensive list of competencies in a variety of sectors of society. Of particular note in these dispositions is that Belgrade, through cooperation and coordination with these local municipalities, is capable of exercising power and influence within these competencies. The central governmental intervention system would have to be informed of the decisions made between the local municipality and Belgrade. This created a triangular conflict of interests between the municipalities, Pristina and Belgrade. The issue of power is very sensitive in this matter and to solve this problem, the mediator –the EU – made an amendment to Article 6.2, stating that if a competence agreement was reached between a majority municipality and Belgrade, without infringement of any European norms or values and that would not have direct impact outside the borders of the municipality in question, the decision was final and would prevail. In any case, if there was to be an instance where the triangular parties could not find common ground, the issue would be presented to three international judges that would assess the problem in accordance with European norms, Article 6.1.3 – Annex I.

## 2.2. Cooperation with Serbia

As was established, Serbian majority municipalities in Kosovo are allowed to foster cooperation with Serbia within their stipulated competencies and to notify the authorities in Pristina, Article 10 – Annex III. Serbia is able to provide technical and financial aid to further develop local competencies. Transparency is of importance, as it is required for the local municipality to provide the Ministry of Local Government Administration of Kosovo with a document concept; once this is done, the authorities can make amendments to the framework of technical and financial resources. If the amendments are not satisfactory after further examination, the case is handed over to a local court (Gallucci, 2011).

## 2.3. Additional Competencies for North Mitrovica

North Mitrovica benefits from additional competencies in the higher education and healthcare sectors, as stated in Article 4 – Annex III, such as: the possibility to register new educational and health related institutions, to create new jobs, decide over wages, to create workshops for administrative services, academic teachers and healthcare personnel. Local universities and hospitals were therefore, transferred to the responsibility of North Mitrovica or Serbia. This decision ended up creating significant problems, as the financial responsibility lay with Belgrade and Pristina; it was not unusual for people to be paid double or triple wages in one month due to the lack of a systematic review of salaries.

According to the Plan, Kosovo should have two official languages, Albanian and Serbian. This allowed people to choose in what language they would like to be educated academically. Article 7 – Annex III, would empower the central government in Pristina to decide on what sorts of books or academic courses were available (Gallucci, 2011). The reason behind this is concomitant to the contradictory interpretations of regional and bilateral history both sides experienced.

As previously mentioned, Mitrovica was divided in two by the Ibar River, and had a special board composed of five people: two chosen by South Mitrovica, two by North Mitrovica, with the fifth member coming from the International Civilian Office (ICO).

To avoid confusion, municipalities in the north of Kosovo would have to follow the general set of guidelines applied to all institutions of the same type nationwide, to ensure that Albanians, the ethnic majority of Kosovo, were not confronted with major differences. One of the tools used to create a favourable environment of equality was to hold the northern municipal elections on the same date as all other elections of the same category in Kosovo, with the supervision of the Organization of Security and Co-operation in Europe (OSCE), hereby masking the fact that even though the municipal elections were basically the same, one serves the purpose of the municipal majority of Kosovo Serbs in the north, and the other elections in the country serve the purpose of open elections, open to any political party, from any part of the political spectrum.

North Mitrovica benefited from special treatment in the framework of the Ahtisaari Plan, and this sheds light on the fact that it is not uncommon to state that, as early as 2008, Serbs were a de facto prerogative in Kosovo.

The Ahtisaari Plan, together with the UN's Six-point plan<sup>2</sup>, made it possible for Serbs in Kosovo to function within two separate public administrations. The intention behind this was to prevent any escalation in violent demonstrations and to maintain the political and territorial integrity of Kosovo. The pressure by the Quint States made the elaboration of the Ahtisaari Plan the first official step to resolve the problem of northern Kosovo in a diplomatic manner, and without any significant violence.

### **3. North Kosovo Serbs and the Normalization Agreement – ASM**

The northern part of Kosovo has four main municipalities of interest to this research paper: Leposavic, Zubin Potok, Zvecan and Kosovska Mitrovica. In these four municipalities, the Forum for Ethnic Relations of Belgrade and the Centre for Communities Development of Kosovska Mitrovica conducted a survey, which concluded that an astounding 70% of northern Kosovo Serbs did not read the normalization agreement of 19 April 2013. An explanation for this is the opaque manner through which these negotiations were conducted, away from the public eye. The populations of both Kosovo and Serbia were not involved in the negotiation process and were not consulted concerning the 15-point articles of the agreement (Forum for

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<sup>2</sup> For more information on the Kosovo Compromise Staff see: <http://www.kosovocompromise.com/cms/item/topic/en.html?sectionId=5>, [Consult. 26 Nov. 2008].

Ethnic Relations, 2013, p. 1). Only the mayor of northern Kosovska Mitrovica was consulted by Belgrade during the concession process and other subject related matters throughout the negotiations of the agreement<sup>3</sup>.

The fact that these negotiations were dealt in this non-transparent manner led to consternation in these four Serb-majority municipalities. There was insecurity and concern *vis-à-vis* local institutions, as people did not know what was going to happen to them; whether those institutions would be handed over to Pristina, due to the fact that many of these (parallel) institutions were still under Belgrade's management, with Belgrade already facing an unsustainable national budget deficit, or if Belgrade wanted to maintain their influence in the region. The numbers for unemployment and job opportunities in the public sector, the uncertainty of financing, social security, healthcare and education were of major concern (Forum for Ethnic Relations, 2013, p.4).

The establishment of the Association/Community of Serb majority municipalities (ASM) in the north of Kosovo and the nature of its structure is also unclear, even though it is a major part of daily life for the Serbs. The reason for the lack of clarity and for the insecurities felt by the local population is part of the game played by the triangle of the EU, Serbia and Kosovo.

### 3.1. Political Interests and activities

The political interests and activities of the local communities are higher in Zvecan, followed by Leposavic, ZubinPotok and lower in Kosovska Mitrovica. An analysis of political preferences between left and right wing voters by region indicates that Kosovska Mitrovica, Loposavic and Zubin Potok are in the left political spectrum, which is justified by their priorities regarding the labour market, reducing unemployment, healthcare, education and the gap between social classes. The political right wing is strongest in Zvecan due to their priorities for the security of the population.

The interpretation of the "Brussels Agreement" by the ethnic minorities in these four municipalities is of concern. The fact that 70% of these people have not read the agreement, are unaware of its existence, are unaware of its contents, or cannot discern a proper interpretation of the articles because of their lack of education leads to more confusion regarding who has influence or who can profit from it. As for the implementation process, different interpretations may lead to manipulation. All these issues mean the agreement is generally seen as negative, but especially by the Serbian population in northern Kosovo (Forum for Ethnic Relations, 2013, pp. 7-11). This leads us back to the inexistent consultations with ethnic minorities of concern during the negotiation process, which should have been made more transparent by the mediation party – the European Union – or perhaps this was intended by the EU and the main mediator, Catherine Ashton, who needed to register a large success in the Western Balkans before her High Representative term came to an end, and before the European Parliament elections and the appointment of a new President of the European Commission in 2014.

<sup>3</sup> Information resulted from interviews with EU representatives and diplomats in Pristina and Belgrade, conducted during the period of research between March and April of 2014.

The insecurities felt by these people are very much alive, especially in the financing of the public sector. Pristina's funding mechanisms for social projects are seen as hostile and opaque, but financial support from Belgrade is also met with scepticism. In fact, the government in Belgrade is struggling with its own financial issues due to the exorbitant amount of its budget deficit and would see a decrease in expenses for northern Kosovo favourably. Still, Belgrade provides Kosovo Serbs with a yearly sum of €500 million and it is unlikely that this will change in 2015. The only difference will be that this sum will have to be channelled through the ASM (Kosovo Media Monitor, 2013). The €500 million is meant for the "operation of state and local government, public enterprises and institutions in the province". The process is likely to bottleneck, because as Kosovo's law on local finances dictates, it does not allow such income to be channelled through the ASM. Serbia has two possibilities: invest the sum directly into the four municipalities or transfer it to the government in Pristina, which is unlikely (Malazogu, et al., 2014, p. 4).

Another reason for these insecurities is best understood when we take into account the factor of identity. Thus, Kosovo Serbs do not want their children to be taught Albanian history, *vis-à-vis* differences of historical interpretations between Serbs, Albanians, Bosnians, Montenegrins, Macedonians, Croats and NATO member-states. The lack of education in the Serbian language is an additional concern. The essence of the problem is a question of identity<sup>4</sup>.

The idea behind the Association/Community of Serb majority Municipalities (ASM) is to preserve the identity of the northern Kosovo Serbs and to allow them to be integrated and accepted as citizens of Kosovo. The ASM does not come without its own problems. For instance, for the local Kosovo Serbs, the competencies are not enough and the statutes are not satisfactory. One can find these competencies in Article 4 of the normalization agreement, stating that the ASM will have a full overview of the areas of economic development, education, health, urban and rural planning. It does not have law-making features or judiciary powers and as such, the association is seen as precarious, an institution where northern Kosovo Serbs cannot fulfil or influence their rights. The provisions of the statute were least popular in Zvečan, with 24% of acceptability, and most popular in Kosovska Mitrovica with 53.1% (Forum for Ethnic Relations, 2013, p. 10).

As one can see in the title of the agreement, it includes the "normalization of relations", which is self-explanatory considering one of its purposes was to attempt to establish a 'normal' relationship between Kosovo and Serbia. As we have seen so far, the reality makes the purpose somewhat superficial as one analyses what it essentially means, and for whom. For the European Union it is a priority to keep corruption, criminal offences, organized crime and conflicts near its borders to a minimum to prevent a 'spillover' effect that could instigate further instabilities in the region. Therefore, in essence, reconciliation would be of great value for the EU. For the Kosovo Serbs in the north, the agreement is not perceived as a path to a brighter future. Two-thirds, around 65% of the interviewees, are confident that after the implementation process they will be in a more complicated situation. In the centre and

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<sup>4</sup> Information resulted from an interview with EU diplomats in Belgrade on 28 March 2014.

southern parts of Kosovo, this opinion among the Serbs does not change immensely. 56% are also pessimistic about the expected effects after the implementation. They fear that once the implementation process is completed, Belgrade will not support them and Pristina will perceive them as outcasts (Forum for Ethnic Relations, 2013, p. 11).

During the municipal elections in Kosovo in 2013, discontent was strongly present among Kosovo Serbs, who felt manipulated for being 'obligated' to participate in national elections, which in turn was seen as recognising Kosovo as an independent and sovereign state. The municipal elections of 3 November 2013 were predicted in the agreement, Article 11 – stating that these elections will be held in the northern municipalities with the collaboration of the OSCE, according to Kosovo law and international standards. The OSCE supervised the election process jointly with the Central Election Commission of Kosovo, placing two officials at every poll (Ejdus, et al., 2013, pp. 4-5). Participation in these elections - thus recognising Kosovo as a single state - was concomitant with intimidations by local mayors and political representatives of northern Kosovo Serbs, who used propaganda and boycotts to hamper participation. Fear of losing jobs and intimidation were the driving forces behind the elections on November 3. The reasons behind these tactics were: the elections were illegal; these were Kosovo elections; or those elections went against Serbia's Constitution (Forum for Ethnic Relations, 2013, p. 11).

The government of Serbia fought intensely for Srpska (Civil Initiative Srpska) to become the main list serving its own interests and so, public opinion saw the candidates' trustworthiness as doubtful. Due to this effort, the names of the people registered to vote increased steeply. 11 September 2013 was the final date for registering new names, a date that was pushed to 17 September 2013 (Forum for Ethnic Relations, 2013, pp.11-12). Belgrade submitted 40000 new names of displaced Kosovo Serbs, of which 6600 were allowed. The rejected 33400 could not provide legitimate evidence of their right to vote. Belgrade pressured Brussels to allow an extra 12000 Kosovo Serbs to join the electorate and was given the opportunity to do so (Ejdus, et al., 2013, p. 5). The opposition saw the sudden change in dates, followed by the permission to add thousands of extra voters and intimidation to vote Srpska, as exerting influence to corrupt the outcome (Forum for Ethnic Relations, 2013, pp. 11-12).

The power of Srpska is well known in almost all municipalities with a Serb majority in Kosovo. Srpska dominates in Northern Kosovska Mitrovica, Leposavic, Zvecan and Zubin Potok in the northern part of Kosovo and Gracanica, Novo Brdo, Ranilug, Partes and Klokot in the south, except for Strpce, which does not have a Serb majority (Malazogu, et al., 2014).

In Pristina, there is a real concern that five of the southern municipalities, with a Serb majority and where Srpska dominates, will distance themselves from the capital and seek cooperation and collaboration with the northern municipalities of Kosovo, leading to the possibility of creating a resistant autonomous region. Depending on the sort of lens through which one observes one could conclude that there exists a threat of an autonomous region within Kosovo (the ASM), just as Kosovo is an autonomous region within Serbia. An additional problem arises for the normalization or reconciliation process *vis-à-vis* the internal social

cohesion; looking at the other ethnic minorities in Kosovo, for instance: Goranis (Slav minority converted to Islam), Bozniaks/Slav Muslims (south Slav lineage), Croats, Roma, Ashkali and Balkan Egyptians, and Kosovo Turks (UNHCR & OSCE, 2001, pp. 20-45), one could state quite obviously that Kosovo Serbs have a special status in Kosovo, contrary to other ethnic minorities. A Serbian prerogative, associated to a selective form of positive discrimination, which could negatively impact civil society in Kosovo<sup>5</sup>.

### 3.2. Applicable Legal Framework

In the constitution of Serbia, Kosovo is still seen as an integrating region of the territorial integrity and sovereignty of the Republic of Serbia. If we now take a look at Article 2 of the normalization agreement, we encounter the legal basis for the creation of the ASM stating, "Legal guarantees will be provided by applicable law and constitutional law". The "applicable law" amidst academics, politicians, and both Serbia and Kosovo brought about confusion since there is no specification of which applicable law is to rule. To complicate things further, Article 19(2) of the constitution of Kosovo stipulates, that "ratified international agreements and legally binding norms of international law have superiority over the laws of the Republic of Kosovo"<sup>6</sup>, but the constitution of Kosovo does not recognise regional level organizations such as the ASM<sup>7</sup>. To simplify, no other organizations except central or local ones are recognised by the legal framework. The ASM cannot be registered as a non-governmental organization (NGO) because it is empowered with regional competencies; thus, a legal basis for the ASM continues to be an issue.

At its Extraordinary Session held on 13 January 2013, the National Assembly of Serbia adopted a Resolution on Kosovo and Metohija on the basic principles for political talks with interim institutions of self-government in Kosovo-Metohija (Armakolas & Maksimovic, 2013). In a wider context, it determines that all future negotiations with Pristina must be in agreement with this Resolution, with the constitution of Serbia and the Resolution 1244 of the UN Security Council. The content of the Resolution highlights the important role the "autonomous province Kosovo-Metohija" plays for the politics, economy, security and cultural identity of the Serbian Republic (B92, 2013a). To comprehend the importance of the issue, one must remember that for Serbian people, Kosovo is the heart of Serbia (Judah, 2008, p. xix). As indicated by Article 1(a) of the Resolution, "The Republic of Serbia, in accordance with international law, the Constitution and the will of the people, does not recognise and will never recognise Kosovo's unilaterally declared independence" (B92, 2013a). Three months later, on April 2013, the normalization agreement was signed. It is hard to understand how the ASM will be implemented within a legal framework that, for Belgrade, is within the legal framework of Serbia, and for Pristina within that of Kosovo. In Pristina, it is believed that during the negotiations Belgrade's political elite was aware of the issue and agreed that the ASM would function only in the legal framework of Kosovo<sup>8</sup>. The government in Belgrade,

<sup>5</sup> Information resulted from an interview with an EU official in Pristina on 26 March 2014.

<sup>6</sup> For more detailed information see the Constitution of the Republic of Kosovo: <http://kryeministri-ks.net/zck/repository/docs/Constitution.of.the.Republic.of.Kosovo.pdf>, [Consult. 4 Dec. 2013].

<sup>7</sup> Information resulted from an interview with an EU representative at the EU liaison office in Pristina on 27 March 2014.

<sup>8</sup> Information resulted from an interview with EU representatives and diplomats in Pristina on 27 March 2014.

through informal talks, was indeed aware of the legal authority of Pristina to preside over the ASM, but *vis-à-vis* its peoples and politicians, it could not afford to show signs of weakness<sup>9</sup>.

The administration of the ASM is statute-based and is one of the aspects that are paramount to the implementation process. In June 2013, Ivica Dacic, former prime minister of Serbia and Hashim Thaçi, prime minister of Kosovo, made the decision of assembling the management team, Article 2 of the official implementation plan. The composition of the team is based on four representatives coming from the four northern municipalities in Kosovo. Serbia has the privilege of choosing these individuals without interference from Pristina, assuring a steady cooperation. As determined in Article 2, the management team's first task will be to produce a draft statute. Belgrade plays a supervising role, but at the same time, Pristina decided to draft a statute of its own and provided Brussels with the documents for approval. The draft from Belgrade was based on Article 3 of the First Agreement, a statute composed of President, vice President, Assembly and Council, but through an unilateral appointment of positions, while Pristina opted for a majority rule. Both drafts had nothing in common, which caused this process to be postponed pending further negotiations (Malazogu, et al., 2014).

The Centre for European Policy Studies (CEPS), Belgrade Centre for Security Policy (BCSP), Democracy for Development (D4D) and the Polish Institute of International Affairs (PISM), hypothesize that because of confusion and unclear indications regarding the applicable legal framework, Serbia instructed the mayors of the Serbian majority municipalities to either bottleneck or completely disregard cooperation with Pristina, which would have a tremendous effect on the implementation process as a whole (Malazogu, et al., 2014). As an example to verify this proposed hypothesis, one can look at the case of the official ballots during the elections on 3 November 2013 and at the incidents that took place that day, forcing the election to be repeated on 17 November 2013. The official ballots came from Pristina bearing Kosovo's coat of arms, which was unacceptable for Serbia and Kosovo Serbs. The EU and OSCE provided a simple solution by placing stickers on the escutcheons to resume elections, removing the stickers at the end. It demonstrates that the EU will be lenient, when necessary, to achieve its goals. But the EU has also had its mishaps in the normalization agreement, for instance, in Article 2, where "constitutional law" is mentioned, which was incompatible with the situation at hand due to the terminology being inconsistent with Kosovo's legal and judiciary vocabulary, giving Belgrade the opportunity to once again interpret "constitutional law" as its own (Malazogu, et al., 2014).

#### 4. Determinants for the EU

The European Union has spent years working and promoting international security and peace in the Balkan region. This provides us with information on why it is of crucial importance for the EU, its institutions, organizations and for the individuals that work under this 'umbrella', to achieve success in the Balkans, and for the purposes of this research, success in Kosovo and Serbia. Fifteen years have passed since the European Council established the

<sup>9</sup> Information resulted from interviews with EU diplomats and an employee of the Forum for Ethnic Relations in Belgrade on April 2014.

European Security and Defence Policy (ESDP) in June 1999. Meanwhile, the Treaty of Lisbon changed the name of the ESDP and is now known as Common Security and Defence Policy (CSDP), which is still a major part of the Common Foreign and Security Policy (CFSP)<sup>10</sup>.

The biggest mission planned by the EU within the framework of the ESDP took place on 16 February 2008, known as EULEX Kosovo. This mission is larger than other ESDP missions, such as: EUPM in Bosnia, EUPOL in Afghanistan, EUJUST LEX in Iraq, EUPOL COPPS in Palestine and EUMM in Georgia. The goal of the civilian mission EULEX is providing assistance, strengthening Kosovo Rule of Law Institutions (police, courts and customs), and mentoring, monitoring and advising Kosovo authorities. EULEX is covered by the UN Security Council Resolution 1244 from 1999 (NATO, 1999). It is common knowledge that Kosovo is of paramount importance for the EU within the European External Action Service (EEAS) framework<sup>11</sup>. A staff of 1250 international individuals and 1000 locals carry out this mission. The yearly budget is around €111 million. The EULEX mission, following a decision by all 28 EU member states in June 2014, was extended until 14 June 2016. Support is provided for key objectives such as visa liberalization process, the Stabilization and Association Process (SAP) (EU Office in Kosovo, s.d.), and the Belgrade-Pristina dialogue<sup>12</sup>.

The presence of the EU in Kosovo and Serbia was determined through a multilateral decision, which involved a considerable amount of pressure by the Quint States. The Quint States are considered here as the Directoire that was created on 17 September 1958 by the former French President Charles de Gaulle, the former British prime minister Harold Macmillan and the former President of the USA, Dwight D. Eisenhower, with the purpose of reforming NATO, fostering global cooperation for security policies and managing weapons of mass destruction (WMD). After years of negotiations, the Directoire was deployed during the informal Gymnich summit in April 1974. The member states accepted consultations with the US on a bilateral basis even before Foreign Affairs Ministers' decisions were made. The Political Directoirs and the Working Groups of lower levels of EU institutions were not to be consulted. In 1980, Great Britain, Germany and Italy officially agreed to coordinate with the US at all levels of the EU decision-making process, which was not accepted by the French, as the US had gained a quasi-permanent status within the policy-making process of the EU (Gegout, 2002, pp. 1-2).

In the beginning, the Contact Group, as it was known by, was composed of Great Britain, Germany, France, Italy, the USA and Russia. After the disintegration of Yugoslavia on 25 June 1991, the Contact Group came together at the London Conference in 1994 to discuss the crisis in Bosnia. In the Treaty of Maastricht, only the Presidency or the Troika had powers to implement CFSP and no other ad hoc bodies were empowered to do the same. The first official mention of the existence of the Contact Group was during the Kosovo crisis in 1998, when it was mentioned in the General Affairs Council (GAC) on the topic of the Western Balkans

<sup>10</sup> For more information about the Treaty of Lisbon see: [http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/lisbon\\_treaty/ai0026\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0026_en.htm), [Consult. 7 May 2010].

<sup>11</sup> For more information on civilian missions in Kosovo from EU member states see: [http://diplomatie.belgium.be/en/policy/policy\\_areas/peace\\_and\\_security/peace\\_operations/with\\_belgian\\_participation/esdp/civil\\_operations/](http://diplomatie.belgium.be/en/policy/policy_areas/peace_and_security/peace_operations/with_belgian_participation/esdp/civil_operations/), [Consult. 22 Apr. 2013].

<sup>12</sup> For more information about this dialogue see the European Union External Action link: [http://eeas.europa.eu/dialogue-pristina-belgrade/index\\_en.htm](http://eeas.europa.eu/dialogue-pristina-belgrade/index_en.htm), [Consult. 15 Feb. 2013].

(Europa, 1998). Russia essentially became a problem when dealing with NATO; thus the Quint States resumed (the Big Four and the USA). The Quint States are secretive in their meetings and decision-making, so much that they rarely include the European Commission or the rotating Presidency in their negotiation or consultation process. Meetings are accomplished in the framework of the EU, but only during NATO, OSCE or UN gatherings. Former Italian Minister for Foreign Affairs, Lamberto Dini admitted at a press conference with US Secretary of State, Madeleine K. Albright, that humanitarian aid for Serbia was continuously present during negotiations between the Quint, EU and USA (US Department of State, 2001).

The EU member states are free to disagree with one other and this is also the case with Kosovo's recognition of independence. Spain, Greece, Slovakia and Cyprus still deny its independence<sup>13</sup>. The Quint States, on the other hand, showed an assertive position towards Serbia, stating: "we have tolerated until now the Serbian aggressive rhetoric regarding Kosovo, because we believed that with time passing it could be taken off the agenda" and strongly suggesting that Serbia refrain from any adventures once the International Court of Justice (ICJ) delivered the verdict of the legality of Kosovo's independence. This demonstrates the firm diplomatic stand of the Quint *vis-à-vis* Serbia-Kosovo relations (Bancroft, 2010).

The EU needs to achieve success in its efforts in Serbia and Kosovo to recover the credibility of the CSDP in the framework of the CFSP, and as such the High Representative for the Union has pushed for the normalization agreement to be reached before the end of her term in 2014. The time, energy and financial aid of the EU channelled into this project can only mean that the EU will do everything in its power to prevail.

Major efforts promoted by the EU are the use of soft law, good governance and the creation of an environment stimulated by peace, but when dealing with major players there is no such thing as a free lunch. This is why the EU is determined to succeed; by reforming the western Balkans with the Stabilization and Association Process (SAP), the EU gains a new market to explore. A persisting situation that can cause future problems and that the EU seems to undermine is the isolation and unwillingness of the northern Kosovo Serbs. In the hopes that it will disappear on its own, the EU minimizes this problem. Thus, there is a real scenario that if the isolation and unwillingness of Kosovo Serbs is not tackled appropriately, the whole process will be confronted with bigger problems in the future (Deda, 2014, pp. 6-9).

## 5. Determinants for Kosovo

In 1999, the EU gave its commitment to the western Balkans by being permanently present in Kosovo and Serbia. Kosovo profits from this presence, with nearly €2 billion in financial aid. Initially, these funds were meant for relief and reconstruction, but have now evolved into specialized services for institutional developments, sustainable economic development and for offering a brighter future to its people (EU Office in Kosovo, s.d.).

Kosovo has the goal of one day becoming a member state of the EU and is an advocate of European norms and values, which the EU wants to implement in the western Balkans. In

<sup>13</sup> For more information see the following website: <http://www.kosovothankyou.com/>, [Consult. 24 Apr. 2014].

2008, the European Commission (EC) held a donor conference for Kosovo that should ensure financing for the period of 2009-2011, for the socio-economic development of the country. The EC and EU member states donated €794 million (EC - €508 million to the Instrument for Pre-Accession Assistance (IPA) and Macro-Financial Assistance (MFA) + €286 million from EU member states for the bilateral assistance budget) and other donors added another €400 million to that amount. The IPA for Kosovo in 2010 was focused on: Rule-of Law (EULEX), governance, reforms of public administration, communities and education, financing of the state, regional economic development, agriculture, rural development, veterinary and food safety, restructuring of the energy sector, environment, general technical assistance and communication<sup>14</sup>.

The Civil Society Dialogue that is carried out by the European Commission (EC) liaison office to Kosovo plays a vital role in the reforms for candidates and potential candidates for EU membership. As the Progress Report of 2013 shows, Civil Society Organizations and Kosovo institutions cooperate on an ad hoc basis, but there continues to be a lack of willingness and initiative by the central and local authorities of Kosovo to consolidate cooperation further and to carry out government policy (European Commission, 2013d).

Kosovo benefits from the Stabilization and Association Process. These negotiations started in 2003 during the EU-Kosovo dialogue. In this framework, Kosovo has priorities that are in accordance with the UNSC Resolution 1244. These are: Rule of Law, Human Rights, transparency, protection of ethnic minorities and religious freedom. These priorities are meant to achieve social reconciliation, sustainability in a multicultural and multi-ethnic society, and to make the return of displaced people possible.

The EU would only consider expanding negotiations to Stabilization and Association Agreements with Kosovo if the SAP priorities are met with a degree of satisfaction. On 28 October 2013, after the normalization agreement was concluded, Stabilization and Association Agreement (SAA) negotiations started to take form. It was a case of tit-for-tat where Kosovo had to agree with the normalization agreement in exchange for the SAA. This process will provide benefits for Kosovo, such as a bilateral free trade zone for services, goods and capital; alignment of regulations with those of the EU for competition, intellectual and industrial patents; safety for consumers; and working conditions (European Commission, 2013b).

It is of paramount importance for Kosovo, as a state, to further consolidate its commitment to the EU in the hope that this will lead other states to recognise Kosovo as an independent and sovereign state. This will also ease Kosovo's chances to become a UN member state, but there still is a long road ahead, because without Serbia's consent, Russia, which benefits from UNSC Veto power, will block any attempts for UN membership.

If Kosovo's trajectory is to continue on the path to the EU, it cannot permit itself to be reluctant towards EU demands.

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<sup>14</sup> For more information on European Union's political and financial commitment to Kosovo see: [http://eeas.europa.eu/delegations/kosovo/eu\\_kosovo/tech\\_financial\\_cooperation/index\\_en.htm](http://eeas.europa.eu/delegations/kosovo/eu_kosovo/tech_financial_cooperation/index_en.htm), [Consult. 17 Dec. 2010].

## 6. Determinants for Serbia

After the independence declaration of Kosovo in 2008, the only solution for Kosovo Serbs to preserve their identity and protect themselves as an ethnic minority was by negotiating an agreement that would grant them an association with its own statute and competences, which would allow them to integrate within Kosovo.

Ivica Dacic stated that the normalization agreement presented the fastest route for Kosovo Serbs to achieve some degree of security. In addition, Dacic confirmed that the armed forces of Kosovo were not allowed to enter the northern Serb majority region in Kosovo and that this was a joint decision with the Secretary-General of NATO, Rasmussen and HR Catherine Ashton (B92, 2013b).

The former minister of foreign affairs from Serbia and Montenegro, Vuk Draskovic, said that Belgrade was acquiescent and only accepted the agreement because it did not imply the recognition of Kosovo, and it provided the chance for intensive economic and political relations with Pristina, creating an interdependence. This interdependence would give Belgrade the opportunity to influence Kosovo within the borders of democracy and international law. At the same time, Serbia could continue its path towards EU integration and maintain the good neighbourly relations required by the Copenhagen criteria<sup>15</sup>.

Serbia's main priority is the ascension to the EU, which offers better economic opportunities than its Russian counterpart. Since the year 2000, Serbia has profited from the bilateral economic relations with the EU. It has also obtained a kind of most favoured nation (MFN) status concerning trade, turning the EU into its main trading partner since 2007, with an increase of 56% for import/export relations. The Interim-agreement that is part of the SAA from 2008, which came to an end on 1 January 2008, boosted the Serbian export sector by €2.7 billion to the EU alone (B92, 2014).

The EU offers not only economic benefits, but the social factor as well, which is also more attractive than Russia's. Social reforms will take place after economic reforms have met the essential requirements<sup>16</sup>. EU integration is not unanimous among Serbia's population; only 51% of Serbs see the EU as a solution for their troubles. Around 68% of the people agree to reforms and cooperation with the EU without the conditionality of EU integration.

Aleksander Vucic won Serbia's national elections on 16 March 2014 and has been the prime minister of Serbia since 27 April 2014. His overwhelming victory was predictable and thus, Vucic and his political Serbian Progressive Party (SNS) were involved in the EU-Serbia negotiations even before the elections. The SNS are known to be pro-EU and anti-corruption. Although serving as an information minister during Slobodan Milosevic's reign and having apologized for his involvement, Vucic is seen with scepticism both in Kosovo and Serbia. For EU representatives linked to Kosovo-Serbia relations, Vucic plays an important role; he has been part of the problem in the past and can now be part of the solution. Vucic's past and

<sup>15</sup> Information resulted from an interview with EU diplomats in Pristina on 24 March 2014.

<sup>16</sup> Information resulted from an interview with an employee of the Forum for Ethnic Relations in Belgrade on 1 April 2014.

current position means that he can influence and persuade the pro-Yugoslavia radicals, which are still active, to adopt a new perspective.

During the Serbia-Germany Forum Association, Vucic has publicly stated that Serbia has a realistic goal to become an EU member state by 2020 and will continue to carry out the necessary reforms (In Serbia, 2013).

## **Conclusion**

No document can guarantee reconciliation, foster cooperation and progress with absolute success. No single document can guarantee the inexistence of overlapping and irreconcilable issues that hinder the implementation process. Reconciliation is a long-term process that needs the constant monitoring of progress, especially in the Balkans, which have been faced with territorial conflicts lasting for centuries. What a document can set out is clarity of conduct, transparency and diplomatic negotiations, which in the case of the normalization agreement has not been achieved with a high degree of success. When assessing the available sources concomitant to the quality of negotiations of the agreement, one cannot turn a blind eye. The critique falls upon the conduct by the EU, especially the main mediator HR Catherine Ashton, in handling the negotiations of the normalization agreement. It seems that no matter what, an agreement had to be concluded, and as soon as possible, even if this meant not involving the core problem, the ethnic minority of Kosovo Serbs. It is true that much has been said about the fragile stance of the European External Action Service and that the Kosovo-Serb situation presented an opportunity for the EU to regain some degree of credibility on the international arena, but its soft touch and its constant reliance on external factors make the EU, at times, careless and unsystematic.

In 1993, the Oslo I Accord, officially named the Declaration of Principles on Interim Self-Government, was concluded between Israel and Palestine. It was a peace process that nominated three people for the Nobel Peace Prize in 1994: Yasser Arafat (Palestine), Shimon Peres (Israel) and Yitzhak Rabin (Israel). Twenty years later the conflict continues and one cannot fully say that there is bilateral relation of normalization. This example illustrates that there are normalization or peace agreements reached that turn out to be ineffective in reality due to root problems not being tackled. The same goes for Kosovo and Serbia's bilateral relations; the posture and ideology of the communities are paramount to the normalization process. The normalization of bilateral relations between Kosovo and Serbia will continue to be fragile because the Ahtisaari Plan and the First Agreement of Principles Governing the Normalization of Relations have one tremendous difference concerning reconciliation or social cohesion. On the one hand, the Ahtisaari Plan's intention was to create a basis for a multi-ethnic society, although north Mitrovica benefited from special status with extra competencies, but in general it promoted multi-ethnic participation in society, ethnic equality and social consolidation. On the other hand, the normalization agreement creates a separation and isolation of the Kosovo Serb minority by creating an Association/Community of Serb majority municipalities in Kosovo.

The determinants for Kosovo, Serbia and the EU revolve around economic factors, such as financial aid, economic reforms, new markets for services, goods and capital, etc. For Serbia, preserving the Serb identity within Kosovo is of importance because as long as Kosovo Serbs maintain a status quo on its integration, Belgrade can exert influence through the ASM and political party Srpska. Some authors suggest that Belgrade's intentions are to rupture and separate Kosovo from within, promoting the idea of normalization of relations while fuelling intra-Kosovo disagreement between Kosovo Albanians (ethnic majority) and Kosovo Serbs (ethnic minority) (Deda, 2013, pp. 7-9.). As long as no party infringes European norms and values or the first agreement, one is free to play the game. Serbia is not required to recognise Kosovo, but has to maintain good neighbourly relations; it seems more reasonable to assume that the real agenda of the agreement is to facilitate EU accession rather than an effective approach to tackle social problems and to foster a satisfactory degree of reconciliation between two distinct ethnic groups and two countries.

As mentioned in the conceptual framework, one must keep in mind that superficial co-existence in which social interaction is promoted by an agreement between two ideologically distinct groups is a case of social apartheid and fragile reconciliation (Rigby, 2005, p. 2). A true form of reconciliation starts with a formal and publicly stated recognition of the atrocities committed and an apology to the victims.

The determinants for Kosovo Serbs regarding the implementation process are sensitive. On the one hand, they refuse to recognise the authority of the Kosovo government, and on the other hand, they feel betrayed by the government of Serbia. This ethnic minority was not involved during the negotiations, which says much about the agreement itself and the overall opinion of the Kosovo Serbs concerning the agreement. The opposition *vis-à-vis* the implementation of the ASM is explained through the lack of consultation, information and vague contents of the fifteen articles. First, for the fifteen articles to be implemented there must follow a series of reforms due to the lack of a legal basis; second, social uncertainty presents a barrier to its implementation. Almost two thirds of the people in the four northern municipalities perceive the agreement as a pillar of instability and doubt.

The European Union and its main mediator, former High Representative Catherine Ashton and her team, have played a crucial role in reaching an agreement. It is the largest EU mission in the framework of the ESDP and, after a financial crisis in the Euro Zone, and subsequent EU-scepticism, achieving success in the western Balkans will restore some confidence.

In 2015, the new European Commission and HR will have to resume negotiations, intensify dialogue and mediate in order to implement the agreement, which has not met its deadline. For satisfactory results, the Kosovo Serb minority should be involved; their perspective on the matter should be taken into consideration in order to promote a true collaboration between all parties. If this is not the case, no change will occur and ethnic apartheid will remain in place; Pristina will rule in a divided Kosovo and will continue to rely on the decisions and interests of the EU and Belgrade that prioritize self-interest and downplay social problems.

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