

SERBIA - KOSOVO: A GLIMMER OF LIGHT AT THE END OF THE TUNNEL?

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Finally! On 24 February 2012, Serbia and Kosovo succeeded in reaching their first overall agreement. The two adversaries have, for the first time, moved to the foreground their wish to emerge from their isolation and seize the chance of becoming Europeans (nearly) like everyone else. While nothing is firmly in place, the two governments, which have taken what are no doubt calculated risks vis-à-vis their public opinions, have given way to international pressure coming from many sources and have ended up taking the first step.

Relations nevertheless still tense between Belgrade and Priština

The year 2011 saw a succession of miscellaneous incidents, more or less serious, on the border between Kosovo and Serbia. When the post of Jarinje was vandalised, President Tadić essentially called attention to the action of persons aiming at putting the bilateral dialogue in question, while the Kosova Prime Minister spoke of 'parallel Serb structures'¹. The Serbian President avoided implicating his fellow citizens of Kosovo, knowing that he had only a rather narrow margin for manoeuvre with them. In order to avoid in the future this type of attack, some observers suggested as the solution negotiations and assistance with legal commerce². These negotiations ended seven months later in results which no one expected any longer: a 'semi-recognition' by Belgrade of the existence of Kosovo. Meanwhile, Belgrade and Priština have understood that normalisation of trade between the two countries was without doubt the solution. Everyone is in fact interested in encouraging trade, but this is especially true in the Balkan space. Beginning from the moment when 'business' functions (and when everyone finds his place there) relations are normalised.

But in this very complicated game, one of the players is often kept on the sidelines and is therefore tempted to play at being an obstacle : namely the Serbian population of Kosovo. Profoundly anchored in the historic cradle of the Serbian 'nation', it has more and more the impression of being 'dropped' by Belgrade, while it is spurned and vilified by Priština. One must, nonetheless, limit the problem to just the Serbs of the North of Kosovo, who form a nearly homogeneous region (and bordering on Serbia) because those of the South, who are more isolated in 'Serbian pockets' submerged in an Albanian speaking region have, to a greater or lesser degree, agreed to integrate themselves (not having many other possibilities...). And yet it is not obvious that the Serbs of the North really have any illusions, and the recent organisation of a local referendum looks more like a cry of despair than a

¹ In the Kosovar acceptance, what is at issue is semi-official structures maintained in the North by Belgrade; certain nationalist groups are at times associated with this.

² NRC Handelsblad Rotterdam dated 29 July 2011.

political message. It is likely that everyone remembers the unhappy episode of the ephemeral RSK (*Serb Republic of Krajina*) and the sad lot of the Serbs of Croatia³. In the case of this self-proclaimed ex-republic, the support of Belgrade very quickly found its limits and, when the Croat army launched its offensive, there was no massive aid from the Serbian capital. Many hundreds of thousands of Serbs of the Krajina fled in great disorder in the direction of the *Republika Srpska* of the North of Bosnia, but a large number of them, for better or worse, continued their exodus right to Serbia. The Serbs of the North of Kosovo who are camped out on the area delimited by the Ibar and cling to Mitrovica (a new version of the Krajinas – borders, in English) must suspect that they also risk experiencing the limits of support from Belgrade where, for the moment, the nationalists who were (and still are) their best support, no longer continue to hold sway. If the next elections renew the present majority, their fate is sealed.

So why not respond to the advances of the Kosovo government and hold serious negotiations on integration into the new state? The problem is that until mid-2011, Priština often took cut and dried decisions founded on a simple principle: any bargaining over the status of Northern Kosovo was excluded⁴. The main reproach made to the Serbs was not showing enough flexibility during the negotiations on a variety of major subjects (identity cards, license plates, mutual recognition of diplomas, customs stamps, etc.). That led the Kosovo police to try to occupy, rather maladroitly, the border posts of Jarinje and Brnjak in July, eliciting a violent riposte from the Serbs (of whom, no doubt, a certain number came from Serbia). The incident was blown out of proportion by the Vetëvendosje movement, which thought it had really found in it the pretext for attaining its objectives, calling upon President Jahjaga to do no more or less than decree a state of emergency and general mobilisation. And the new tensions at the end of September, on the same border crossing points, doubtlessly also arose from a strategy of provocation. The initiator of the homemade bomb which wounded four soldiers of KFOR, and the authors of the shots fired at the Serbs in the two border points have never been identified. But, among other hypotheses, one can imagine that after having missed a chance, Vetëvendosje tried to relaunch its campaign. The origin of the incidents of 23 and 24 November is different, since the clashes between Serbs and KFOR originated in an attempt at dismantling a barricade at Zubin Potok and not in an Albanian provocation, as was suggested at the time by the Russian representative to the UN.

Supplies to Kosovo still come, for the most part, from Belgrade and the few Kosovar exports are sent out via Serbia. And, as always, when trade is at issue (or trafficking...), the situation has deteriorated little by little, and each side blamed the other. It is true that Belgrade, stuck on the question, invested massively in the North of Kosovo, since the latter was in 2011 still considered to be a Serbian province. The local security structures, but also various economic elements, are still Serbian, while the social infrastructures were the charge of Priština, according to Mr. Hoxhaj. For the Kosovo minister, the local population was taken hostage by the parallel Serb institutions. However, Mr. Hoxhaj seemed to make a not very credible summary of the situation, because the population, if it is a hostage, is more hostage to its own past and to an indoctrination which does not date from the fall of Slobodan Milošević. The ‘referendum’ organised at the start of 2012 in Mitrovica proved that the Serb population of Northern Kosovo has nearly totally rejected integration into Kosovo.

So, what is the solution for the Serbs of Northern Kosovo? To be sure, if the provisions of the Ahtisaari plan concerning the area and the status of the local Serbs were applied, this would, in part, defuse the situation. But the reasons for Serb refusal to apply this plan go beyond simple obstructionism. This is a systematic refusal to see themselves reduced to the rank of

³ Some Serbs from Kosovo have experienced this episode of modern history because, after the flight which followed the fall of the RSK, they were ‘transplanted’ in 1995 in Kosovo by Slobodan Milošević.

⁴ Enver Hoxhaj, Minister of Foreign Affairs to his French counterpart Alain Juppé in September 2011, on the eve of a new ‘round’ of negotiations in Brussels.

an ethnic minority (necessarily undermined and neglected) in an Albanian-speaking state fundamentally different in all respects from Serbian society, which underpins the reaction of rejection. From the Serbian point of view, it is logical that the only solution remains the complete attachment to Serbia (which is already *de facto* the case). Thus seven months ago an agreement seemed far off, and Mr. Hoxhaj played Cassandra, saying he was very concerned when he heard some Serbian leaders speak of Kosovo.

Whom do you turn to when you are an Albanian Kosovar?

In the face of this blockage, some did not hesitate, for their part, to warn against a final possible recourse of the Kosovar leaders, who are Muslim for the most part: rapprochement with the Arab countries and, most especially, with those who carried out the 'Arab Spring'. Based on a half-true but inappropriate assertion ('the Yugoslavia of Tito was close to the Arab world through its belonging to the Non-aligned Movement, but also to India, Indonesia and other non-Arab countries...'), Kosovo, still seeking recognition (just eighty-five countries had recognised it at the end of 2011) and integration into the international scene and the UN, could find allies among the Arab countries '*by playing a very important card, that of Muslim solidarity*', by discovering their common enemies (the case of the 'Croat and Serbian mercenaries' who were executed at Misrata – information absolutely not verified) has been exploited⁵. You would have to know Balkan realities and Kosovar realities in particular rather badly to make a link-up between the Libyan revolution and the Kosovar independence movement. But it is true that this idealist vision of good revolutionaries facing up to wicked dictators has become so widespread ever since the departure of Mr. Ben Ali! It has a tendency to be generalised to cover every insurgency, according to a rather hasty 'copy and paste' approach and the 'Untel... Move on!' brandished by some demonstrators in Tunisia, in Libya, in Egypt, in Bahrein and in Yemen, most recently (in Cyrillic...) in Moscow becoming the obligatory chant, springtime being often the preferred season of all the candidates of change. One must clearly admit that none of this is very credible. The search for recognition of the Kosovar state remains evidently a priority for Priština, but not only among the Arab countries.

It is nonetheless astonishing to read in the article cited above that '*Priština hopes to establish close relations with the transitional government in Libya and with the new Tunisian leaders, in particular those coming from the Ennahdha party. The Muslim identity of Kosovo must be amply highlighted by Pristina, which already benefits from many heavy Muslim points (sic), like Turkey, Saudi Arabia and Malaysia*'. The involvement of Turkey in the Balkans is very real, but, up to now, Turkey is still a secular republic, even if its 'moderate Islamists' are in power. As in Bosnia-Herzegovina, it is very much present and more and more active, but one must see more in this a hegemonist determination and the placing of a firm foot in Europe (because since 1963 it has been refused integration into the EEC, then into the European Union), on lands once colonised by the Ottoman Empire for more than four centuries, where Ankara still enjoys great prestige, rather than some 'missionary' activity. And this is not because the Organisation of the Islamic Conference has called upon its members to recognise the independence of Kosovo⁶ that one must see in this an integration of this organisation by itself. It is the same for the Arab League, within which eleven out of twenty-two members have recognised Kosovo.

Meanwhile, the Kosovar authorities absolutely cannot make such a change of direction without the risk of immediately provoking a violent reaction from the Americans (and, without doubt, of Europe) all of which would ruin all the progress made till now. Not to mention the reaction of Serbia and the Balkan states, which could lead to a new regional destabilisation. For Mr. Thaçi and his allies, 'the match is truly not worth the cost' and these

⁵ *MEDIAPART* of 17 November 2011.

⁶ Twenty-four of the member states out of fifty-seven had already done so at the end of 2011.

assertions are beyond the point. Having said that, the speed with which the agreements of 24 February came prompts one to think that this hypothesis may have been taken into account. The first Serbian-Kosovar agreement undercuts the partisans of this extreme solution.

What status awaits Kosovo?

It becomes interesting to consider an essential question, a bit like in Bosnia-Herzegovina: what status awaits Kosovo? An excellent discussion took place on 17 November 2011 in Paris, more precisely in the prestigious context of the Sorbonne, and it produced a goodly number of very relevant explanations⁷, given the high quality participants. The absence of the ambassador of Kosovo to Paris, though announced, was nonetheless regretted (it is true that the discussion was supposed to deal with the future of Kosovo... and that adopting an untimely position could have doubtlessly harmed him...).

The need to forge a 'community-style democracy' in the new country is evident nowadays⁸, but going from the status of an autonomous province to that of a sovereign state is obviously turning out to be very sensitive. After a 'territorial and ethnic war', the UN was charged with facilitating the transition to democracy and the rule of law, helped by an international force placed under the command of NATO. Presently, Kosovo has proclaimed its independence, but six international missions are still present.⁹ UN resolution 1244 expected that Kosovo would become a democracy after the war under an international protectorate. It is true that the idea of a multi-ethnic state was not initially included there: however, it will be that next, because a 'classical' democracy could not be envisaged for Kosovo. This form of democracy must then become multi-ethnic, hence community-style, with the provisions stipulated being to render the institutions in parity. The Parliament of one hundred twenty seats has in this way welcomed ten Serb representatives and ten representatives of the other minorities: Roma, Turks, Bosnians, etc. This concern for parity will soon be noted in the administrations and a ministerial post is systematically reserved for the Serbs.

But this somewhat special type of democracy must also apply the principle of decentralisation written into the peace plan of Mr. Ahtisaari, then into the Kosovar Constitution. The objective was praiseworthy, because it permitted the big municipalities (in the broad sense) to have more power, with, however, the corollary risk of seeing these entities fall back on themselves. In the Serb areas, this rapidly led to grotesque situations, such as seeing the central authorities designate in 2000 the Serb representatives, because a boycott of the elections had been decided upon by the local Serbian authorities. The principle of decentralisation is formally challenged by Albin Kurti, the charismatic leader of Vetëvendosje, which has turned it into its hobby horse.

During the discussion of 17 November 2011, cited in this article, Mr. Ricco very rightly remarked that what he called the 'paradox of Belgrade' was poisoning Serb-Albanian relations in Kosovo. In fact, since the end of the war, Belgrade has found itself isolated, banished by Europe, due to its refusal to change its vision of Kosovo, which it still considered to be part of Serbia. The Serbian attempt to have the Kosovar authorities condemned for the

⁷ Anaïs Delbarre and Pauline Joris, "Kosovo: from province to State? (discussion of 17 November 2011)", Nouvelle Europe [online], Tuesday, 29 November 2011, <http://www.nouvelle-europe.eu/node/1326>.

⁸ Odile Perrot, doctor of political sciences and specialist from Kosovo, participating during this discussion.

⁹ Including EULEX, which Simon Ricco, co-editor-in-chief of the *Courrier des Balkans* [*Balkan Herald*], described, during the cited colloquium, as the successor to MINUK, but whose mission of monitoring and assisting the rule of law is often hindered by one or another side. The fight against corruption is one of the main tasks, but in an overall manner; it repeatedly comes up against the activists of Vetëvendosje, who want all foreign presence to disappear. This movement (partly well anchored in the Left, but also very nationalist and pan-Albanian...) placed the anti-EULEX fight on the agenda of all its demonstrations.

anti-constitutional nature of their declaration of independence has, in part, failed. The International Court of Justice has, in effect, issued a somewhat biased opinion by not responding to the Serb charge, but by declaring the declaration of independence to be constitutional, not the independence itself. The State of Kosovo, recognised at present by eighty-eight countries as of 17 February 2012, is no longer a matter for discussion¹⁰ and all that remained for the Serbian leaders was to negotiate, at best not to lose everything – and above all not to see their access route to the EU barred definitively. Nevertheless, it is still difficult for the team in power in Belgrade to announce *ex abrupto* to its citizens, and still more, to the Serbs of Kosovo that, for reasons of *realpolitik* the case of Kosovo has been settled. Euroscepticism has meanwhile gained more ground in Belgrade, according to a poll carried out in mid-December 2011¹¹. Nearly 60 % of those questioned rejected the prospect of ‘dropping’ Kosovo to win integration into the EU. While the sympathisers of liberal and democratic parties were in favour of European integration, the nationalists continued to be united against this idea. And they still represent a very important political force (and possibly with prospects for violent agitation). At the start of January 2012, Tomislav Nikolić, the leader of the DSS, left no ambiguity regarding the position of his party: ‘*if the EU demands the elimination of Serbian institutions in the North of Kosovo, we must break off the dialogue with Brussels*’¹².

But Kosovo, despite the recognition of its independence, still has no representation in international organisations, whatever they may be. This is why Priština presently attaches so much importance to the integration of its sportsmen in the various competitions under the Kosovo flag. For the moment, they can participate in a few rare competitions under their name and their flag (for example, during the European table tennis championships in Sarajevo in 2006). As a general rule, they must be content to compete under the flag of the International Federation of the sport concerned. Sometimes, these sportsmen ‘profit’ from some errors, as at the end of October 2009 in Paris during the Junior World Championships of Judo, where a young Kosovar, who had won in his category, was surprised to hear the Kosovar anthem. But what the political and sporting organisations now want is to see the Kosovar flag fly at the Olympic Games in London. It is likely, however, that the time remaining is too short and that the International Olympics Committee (IOC) will not issue a decision before the Games.

Finally, the discussion mentioned *supra* raised the question of local disparities which gave rise to conflict as well as the international and regional aspects¹³. In Kosovo also, the North (Serb) is the richest area (everything is relative, to be sure). But this region is in the periphery, both of Priština and of Belgrade. The standard of living of the South is clearly lower and, as we have experienced various stages of the breakup of Yugoslavia, we can indeed think that the Serbs would not want to be integrated in order not to become the ‘milk cows’ of a poor state. But, as the participant very justly underlined, it is certain, in any case, that the persistence of parallel institutions does harm to the economic development of the country.

Kosovo, paradise for organised crime and kingdom of corruption?

Kosovo is still, above all, a haven of peace for traffickers of all kinds despite the efforts of the International Community. In this vein, the former military commanders, many of whom have

¹⁰ If Moscow refuses to recognise an independent Kosovo, it is as much by ‘Orthodox solidarity’ (the same goes for Greece, and, to a lesser degree, Romania) as to concern not to tolerate a separatist precedent which could give ideas to its most extremist non-Russian populations. The latter motive is shared by EU states which have not recognised Kosovo and which also have either problems with ethnic minority claims (Spain, Slovakia and to a lesser extent Romania) or division (Cyprus).

¹¹ *Courrier des Balkans*, 2 January 2012.

¹² *Blic*, 2 January 2012.

¹³ Olivier Haener, historian and independent political analyst specialised in Southeast Europe.

close ties with the Mafia and have to answer for various abuses committed during the black years, are, overall, rather calm.

However, the *Guardian* of London on 25 January 2011 cited documents presented as coming from NATO which made a serious dent in the aura of the most controversial personality on the Kosovar political scene: Prime Minister Hashim Thaci. He was directly named as one of the main elements in the 'affair' of traffick in organs which was brought to light by the report of the Swiss parliamentarian Dick Marty. The revelations are all the more shocking because Mr.Thaci is reputed to be an ally courted by the West.

According to the *Guardian*, he was in fact one of the 'big fish' of organised crime in Kosovo. This was not necessarily a discovery for specialists, but the general public could not fail to see a troublesome parallel with the status of preferred interlocutor accorded to him by the Western powers. To support in such a constant manner one of the old leaders of the UÇK against whom weigh strong suspicions of collusion with the Albanian Mafia is in fact somewhat shocking if not astonishing.

According to Mr. Marty, the Prime Minister has a nasty past as drug trafficker and was involved in the trafficking of organs attributed to the Kossovo Liberation Army. He also was behind (and carried out, it would seem) a certain number of assassinations. But it is true that 'loans are only made to the rich'.

Mr. Thaci, obviously, sees in these accusations and in the investigation directed against him only a Serbian-Russian plot to discredit and destabilise Kosovo (which cannot be excluded, but for the moment, no proof of that has been provided, to be sure). On the other hand, the *Guardian* also cited documents coming from KFOR and presenting Mr. Thaçi as a member of the top trio of Kosovar criminality.

But in the shadow of the Prime Minister there was in fact a certain Xhavit Haliti, one of the 'founding fathers' of the UÇK, for whom he was the financier and logistics chief, a multi-faceted personality, probably a former (?) member of the KSHik (intelligence service of PDK, in opposition to the AIK, the 'official' Service). Now integrated into the team in power, Mr. Haliti is also a powerful 'businessman', mixed up, it would seem according to the Marty report, in all kinds of trafficking going on in Kosovo.

But one must say that more than a year later nothing has managed to disturb Mr. Thaçi and his friends. The most we see is that he was constrained to take a more measured tone than the aggressive and threatening one which he used in reaction to the document of Mr. Marty. One year ago, a Canadian police officer, a former department chief in MINUK (UN Mission in Kosovo) Stu Kellock, said: *'I was quite aware of the activities of Mr. Thaçi and of the influence which he had. However, in the circles where I was working, any criticism directed against him or his collaborators was immediately rejected [...] It was perfectly clear that Thaçi had been chosen and that he would never face charges for his criminal activities. However, he had a direct influence on the collection of taxes [NDLR: called revolutionaries, according to Marxist phraseology], on trafficking in drugs, women, arms and contraband of all kinds'*¹⁴. He also added that *'The services of at least five countries charged with fighting against drug trafficking state in confidential reports covering more than ten years that the trade in heroin and in other narcotics was controlled in a violent manner by Hashim Thaçi and other members of the 'Group of the Drenica'*¹⁵.

One must say that, overall, the very many court cases initiated several years ago against some people are advancing very slowly, both in Priština and in Brussels The revelation of strong suspicions regarding trafficking in organs resulted in the creation of an EU commission of inquest, but the work of this 'Task Force' is anything but simple. It takes in those behind crimes, the victims, but also the structures which have harboured the activities presented as having been directed by the UÇK, for which the sale of organs was an important source of

¹⁴ <http://www.recherches-sur-le-terrorisme.com/.../kosovo-trafics-thaci-kouch>.

¹⁵ The 'cradle' region of the Kosovar insurrection.

revenues. But certain sites suspected of having housed secret structures of the UÇK are situated in Albania, its rear base during the conflict, which complicates the task further.

In Kosovo itself, seven persons have, for the moment, been accused in the context of the inquest into the Medicus clinic of Priština, including a Turkish doctor. Dick Marty, when preparing his report, found a curious resemblance between this clinic and the presumed removals on persons who disappeared after 1999. The scandal of the Medicus clinic, described as a place where organs were removed, is perhaps still not over. To be sure, the surgical acts of the postwar period and this criminal 'industry' do not have the same 'donors' and the operations did not take place in the same location. But the similarity is troubling, all the more so that most of the persons involved, including the present Prime Minister and many of those close to him, all old members of the UÇK, have been incriminated in the two cases.

Meanwhile, Russia has seized hold of the scandal and raised the tone, demanding in particular that the inquest into those who disappeared after 1999 be entrusted to the United Nations. In mid-January 2012, Moscow promised the worst for the 'butchers of Kosovo' and feels still more bothered because two Russian citizens were among the 'victims'. Drawn there by the money¹⁶, like citizens from Kazakhstan, Moldavia and Azerbaijan, they were, according to them, subjected to removal of a kidney in the Medicus clinic. According to the Marty report, there were nearly three hundred 'donors' involved (according to Serbia, this number reached at least 2000). The Russian agency was not particularly optimistic as to the results of the inquest led by prosecutor Williamson and clearly questioned the disappearances and retractions of witnesses or the destruction of proof to explain the poor results recorded..

The involvement of Hashim Thaçi is, to be sure, vigourously denied by him. On the other hand, right up to November 2011, he showed his disapproval of the conclusions drawn by Dick Marty in his report and threatened to file a complaint with the rapporteur of the Council of Europe as well as to divulge a list of the informers of the Swiss senator which appeared as an appendix to the report¹⁷. At the beginning of November, the Deputy Prime Minister announced that Mr. Thaçi in the end decided against filing a complaint, considering that he was not directly affected by the inquests under way. This was a curious about-face of the Prime Minister, whom it took more than a year to understand that he was not under threat! Most likely, the imminence of the agreements with Serbia¹⁸ rendered the opening of a risky procedure very annoying for the main interested party, while he had just seen his prestige considerably increased by putting on the robes of 'saviour of Kosovo' thanks to the agreement with Serbia.

But at the start of the month of February, Russia renewed its campaign, seeing the absence of results from the investigations being conducted by the EU in the case of assumed trafficking in organs¹⁹. It called upon the Security Council to support the proposal of Serbia that an institution be created aimed at inquiring into the involvement of certain Kosovar leaders in the trafficking of human organs. One must wonder about the real motivations of this action which appeared, on the Russian side, as a demand for reciprocity to the nomination of Mr. Williamson to head the mission of inquest placed under the authority of the European mission EULEX, due, according to the Russian representative to the UN, to intense American lobbying. As for the Serbs, one can see a last attempt to arrive at conclusions making it possible to curb the ambitions of the Kosovar Prime Minister.

¹⁶ *RIA Novosti*, Andrei Fediachine, 19 January 2012.

¹⁷ This appendix never existed; the sensitivity of the identities of the witnesses necessitated a protected and distinct treatment.

¹⁸ A favourable outcome was expected for mid-December, but it was finally pushed back.

¹⁹ *RIA Novosti* of 08 February 2012.

This final attempt used a statement by Carla Del Ponte, the former prosecutor of the TPIY during an interview given to the Serbian daily 'Nedeljnik'. In this interview, Mme Del Ponte accused NATO and the MINUK of having hindered the investigation into trafficking in organs by not providing essential elements for the inquest. In addition, she said that proofs of criminal acts had been destroyed without her knowing it a little after their arrival at the TPIY. She drew a scathing response from Serge Brammertz, the current Prosecutor General, who said that Mme Del Ponte was perfectly informed about the destruction, in 2005, of these material proofs. In a letter addressed to Mr. Marty in December 2009, Mr. Brammertz said it already, adding, for information, that these items had been photographed before being destroyed. It is obvious that no research in a laboratory can be carried out on negatives! The two prosecutors are in agreement on one point: real proofs existed and it was an error to destroy them. Who did it and why? It remains a total mystery, even if it is rather easy to deduce who are the beneficiaries of this.

Still the affair is far from being buried and a week after the Russian action at the UN, Rasim Ljajić, the president of the National Council of Serbia for Cooperation with the TPIY sent an explicit letter to Messrs Ban Ki-Moon and Brammertz, demanding the opening of an investigation into the circumstances in which the TPIY had destroyed in 2005 the proofs of trafficking in human organs which it held²⁰. Vuk Jeremić, the Serbian Minister of Foreign Affairs, also demanded on 1 March, while recognising the role played by the Council of Europe in the affair, that a UN commission be designated in order that the Organisation undertake a wider work on this subject. In the Security Council, the two alternatives have their partisans: China and Russia for the UN commission, and the United States, Great Britain and France for the present Task Force.

One must note that alongside the work accomplished by the services of the Prosecutor, the Serbian government has carried out its own inquest into the incriminating events in five countries, in cooperation with the Russian prosecutors. Some convincing results will be provided in the near future according to the investigators.

Many trials relating to the war are still not completed

The affair of the presumed trafficking in organs, which has received a lot of media attention, not only due to the unusual nature of the deeds but also because they could tarnish the reputation of the Kosovar Prime Minister and a certain number of those close to him from the PDK, has pushed a certain number of other rather serious scandals into the background. One trial of importance has, at present, reached its conclusion : that of Sabit Geci, the former chief of military police of the UÇK and three of his subordinates, accused of war crimes and torturing civilians in the camps of Kükes and Cahan. After more than four months of discussions, four prison sentences ranging from fifteen years for the main plaintiff to six years were handed down. A number of the individuals cited at the start of 2011 did not appear among the persons sentenced and it is not certain whether they were judged in this trial.

The new trial of Ramush Haradinaj, the former military chief of the UÇK, which resumed on 18 August 2011, for its part, is still under way²¹. On 17 February 2012, a particularly important witness did not appear at the audience and has since then refused to testify... You don't have to set up an inquest to understand that this witness has, without doubt, been menaced and/or is afraid of experiencing the same fate as a number of those who dared 'to speak'.

²⁰ *Glas Srbije* 13 February 2012.

²¹ The first began with the release of Mr. Haradinaj. It should be noted that nine witnesses have disappeared under suspicious circumstances during this trial.

As regards the 'affair of Klečka' and Fatmir Limaj, another historic figure of the UÇK (*Commandant Çeliku, or 'Mr. 20%*) and Vice President of the PDK, charged by EULEX with war crimes in September 2011, the trial against him, opened in November, is going slowly. When he was questioned, he invoked his parliamentary immunity to avoid being imprisoned. On 10 February 2012, a demand for his incarceration was made by EULEX, but the regional Court of Kosovo once again rejected it. However, Limaj remained under house arrest for two additional months and his trial is dragging on. In this case, there is reason to wager that the Kosovar officials and judges will not want to take any risk...to themselves. It is true that since September 2011 Fatmir Limaj threatened to have Hashim Thaçi called upon to testify and to reveal a certain number of things in court, disclosing 'the names of high local and international officials who hide behind the two cases against him'²² ! It is highly probable that in this matter some of these personalities are not going to be obliged to testify and that the Prime Minister will be prudent in a period which is so propitious to his interests. Moreover, as in the other cases previously mentioned, testifying in a trial of this kind is not the least bit easy and no one, including the UN, was surprised to learn of the 'suicide' of an essential witness (witness X) in the Limaj trial. Agim Zogaj, was 'opportunistically' found hanging in a public garden in Duisburg, Germany, at the end of September 2011... It seemed as though we were back in the period when Tito's UDBA settled accounts among the Yugoslav diaspora in Europe or, farther back still, in the somber times when they applied the *Kanun* ²³!

In the context of the 'Limaj affair', the case of Blerim Kuci seems, for its part, to have been closed. Questioned by EULEX at the start of April 2011 because he refused to testify, the present mayor of Suhareka and secretary of the Alliance for the Future of Kosovo (AAK) of Ramush Haradinaj was an important witness. He continued to refuse to testify and was released a month later. In June of the same year, the statements of the famous 'witness X' (Agim Zogaj), previously mentioned, accused Fatmir Limaj of having condemned Kuci to death during his arrest by the UÇK in 1999, because he considered him to be a deserter due to his political and military allegiances. Kuci, who belonged to the FARK (an armed faction competing with the UÇK), owed his wellbeing to the NATO air campaign and to the actions of the witness. Zogaj explained in detail the role of Fatmir Limaj and the living conditions and interrogations in Klečka. He also said in June 2011 that Limaj wanted him dead from this action. Is it for this reason that he committed suicide (or 'was suicided') three months later? Or is it because he mentioned without ambiguity the visit of Hashim Thaçi to the Klečka camp?

We have learned elsewhere very recently (*Koha Ditore dated 21.03.2012*, cited by the *Courrier des Balkans* of 22 March 2012), that the charges against Fatmir Limaj and his nine co-defendants have been dropped...and that the statements of 'witness X » (Agim Zogaj) have been ruled as inadmissible after the judge in charge of the so-called 'Klečka affair' decided that 'the Court had not fulfilled certain procedural norms'. The defence and the prosecutor's office have a month to file an appeal.

The farce continues and the fears that the affair would be closed under pressure are perhaps on the way to being realised. The 'homage' rendered by Fatmir Limaj to the Jašari family at the cemetery of Prekaz following his release is in any case very significant, because it is the legitimacy of the acts committed by Limaj (or those with which he is accused) under the banner of the UÇK which is invoked by this gesture. It cannot be excluded, in this order of

²² *Courrier des Balkans* 7 September 2011.

²³ Christian Gut, *professor emeritus of the National Institute of Oriental Languages and Civilisations (INALCO) and of the Ecole Pratique des Hautes Etudes [Practical School of Higher Studies, EPHE], Courrier des Balkans, 13 November 2003*: 'The Kanun is a common law code going back to the 15th century which cannot be reduced to the *gjakmarrja*, literally the "taking" or rather "retaking of blood", but goes back to a corpus which gathers together all the rules which govern institutions. This code, which provides for civil and penal proceedings, as well as for the institutions, has never really stopped functioning in parallel with other more official legal settings'.

thinking, that Limaj will join the government, as was suggested by Deputy Prime Minister Hajredin Kuçi !

Four years of independence and threats of destabilisation still exist

The celebration of the fourth anniversary of Kosovo's independence was held on 17 February in a relatively tense climate. At Priština, a rather numerous crowd saluted the parade of Kosovar Security Forces waving Albanian...and American flags. Even if President Atifete Jahjaga asserted in her speech that 'All citizens (...) see the future of Kosovo within the EU and NATO' and 'in eternal friendship with the United States', the presence of Albanian flags shows nonetheless that the myth of Greater Albania is not dead in certain Kosovar milieus and that once again Vetëvendosje was not very far from the event.

But why do Albin Kurti and the Vetëvendosje movement worry? Perhaps because it is the only potentially dangerous force for Hashim Thaci and his party (PDK- *Partia Demokratike e Kosovës*- Democratic Party of Kosovo) which finally no longer have many structured opponents. The LDK (*Lidhja Demokratike e Kosovës* – Democratic League of Kosovo) has lost ground since the death of Mr. Rugova and other parties are insignificant.

Indeed, the threat comes essentially from the protest movement Vetëvendosje! (Self-determination), which rejects the name of 'Party' and is directed by its founder, Albin Kurti, the rising star on the Kosovo political scene. This former leader of the student union has incorporated the UÇK (Kosovo Liberation Army) and, more precisely, its political organ, directed by Adem Demaçi since 1999. It began to talk about him at the end of the same year when he was arrested by the Serbian authorities. His courageous and firm attitude was noted during his trial (he was sentenced to fifteen years of prison but served only two and was released after the departure of Mr. Milosević in 2001).

He officially left politics after his release from prison, but showed himself to be a ferocious adversary of the UNMIK and at the same time denounced corruption. He drew attention to himself by charitable operations which he organised for the benefit of the families of those who disappeared during the war. He also launched a certain number of demonstrations and argued openly in favour of self-determination, revealing himself to be a convinced nationalist.

Nevertheless, he found common objectives with the KAN ²⁴(Kosovo Action Network) and joined the movement. He quickly became one of its main leaders. In 2005, the KAN openly displayed its political views, and it wrote them on the walls of the headquarters of UNMIK: 'No negotiations, self-determination'. *De facto*, the KAN transformed itself, no doubt under the impetus of Kurti, into a clearly defined protest movement, nationalist and pan-Albanian, the Vetëvendosje. It constantly advocated non-violence as the means of struggle, but this line of conduct was often violated.

In February 2007, two of the movement's supporters were killed during a demonstration. Arben Xheladini and Mon Balaj became martyrs of the cause and points of reference for future actions. Kurti was again arrested, briefly imprisoned, then assigned to his residence.

In 2009, the movement found a new challenge: the struggle against the Ahtisaari plan and, in particular, the measures of decentralisation. Meetings, rallies, seminars and demonstrations followed one another over the whole territory. But above all the movement showed its pan-Albanian objective by participating regularly in activities to organise the pan-Albanian RrOSH (Network of Albanian Organisations). It also positioned itself as a declared adversary of Belgrade and, for example, published the names and positions of one hundred seventeen

²⁴ Founded in 1997, the KAN presented itself as the defender of human rights and more especially of the rights of children, as well as of freedom in the Balkans. Acting in three domains (human rights, social justice, education and culture), this movement enjoyed a certain success.

members of the 'Serb parallel structures operating on the territory of Kosovo'²⁵. The movement continued to organise rallies and demonstrations, but also to maintain close relations with the other Albanian movements in the Balkans²⁶. At the same time, Kurti became more and more popular. He was in demand everywhere to give conferences (even the American University of Kosovo sought him out...).

Albin Kurti also showed his nationalism by participating openly in 2009 in the celebration of the 131st anniversary of the 'League of Prizren'²⁷. He alternated between spectacular actions and lobbying, venomous speeches and nearly normal participation in political life, using either good humour or derision, and he never hesitated to provoke MINUK, the EU, the Kosovar government or the International Community. He also never forgot to protect, to maintain and sometimes to create the best relations with the very numerous diaspora and to make many trips to Denmark and Sweden. He missed no occasion to taunt the Prime Minister, whom he reproached for his allegiance to the Americans (whom he also did not spare in his criticisms) and for his 'tolerance' vis-à-vis Serbia, which continued, according to him, to 'feel at home in Kosovo'.

But there were also, from time to time, some 'blunders' and failings of the non-violence claimed by the movement. Thus, on 25 August 2009, fifteen vehicles of the EULEX mission were overturned by demonstrators from Vetëvendosje, who were shocked to see fifteen of their militants cross-examined, while, according to the movement, the activists of the Serb 'parallel structures' were not arrested. During this same year, the movement did not disarm. It set off demonstrations over the usual topics, to which it added demands for the release of activists imprisoned and compensation to the families of the two 'martyrs' of February 2007, calls for the boycott of the local elections, and curses on the Serb communes of the North of Kosovo. The activism of Vetëvendosje on behalf of Greater Albania assumed unusual importance on 28 November and, apart from the cultural elements, the movement reaffirmed its adherence to the idea of unity of the Albanian Nation by replacing the flag of Kosovo present at the entrance to Priština by the flag of Albania. One cannot be more clear: the movement is definitely ultra-nationalist, pan-Albanian, finally purely 'ethnic'.

Albin Kurti, who denies being the personification of the movement, nonetheless crystallises in his person many different sympathies, in Kosovo and abroad. He was elected to Parliament, along with twelve other representatives of Vetëvendosje. He is presently the vice president of the Committee of Foreign Affairs.

His popularity has continued to grow, the more so as he regularly denounces the failures of the government in his view²⁸. At the end of December 2011, he was named man of the year during a broadcast of Kosovar television having a very large audience. He also became the *bête noire* of the authorities. Petrit Selimi, Deputy Minister of Foreign Affairs, accused the movement of professing an absolutist doctrine which does not answer any of the present day questions. Kurti reiterated his attachment to the originality of the movement, for which he

²⁵ For Belgrade, Kosovo is still a Serbian province and must be administered as such. It is obvious that these structures and the unofficial bureaucrats are located only in the Serb enclaves.

²⁶ In May 2009, for example, Albin Kurti was in Macedonia to participate in the third annual congress of the organisation 'Zaloju' (wake up !).

²⁷ On 10 June 1878 at Prizren a meeting took place (The League of Prizren) among three hundred representatives of the Albanian territories, as well as representatives from Bosnia and from the Sandjak.

²⁸ Vetëvendosje directly accuses Mr. Thaci of violating the Constitution, because he has not made public the contract signed with the American-Turkish consortium Bechtel – Enka. According to the movement, the Prime Minister lied about the cost of the section of the 'Highway of the Nation' from Vermica-Merdare. This highway has in any case stirred up passions... and attracts indelicate scandals (a Croat was arrested in May 2011 for having signed a great number of 'fake contracts' worth several hundred thousand Euros in total).

does not want to see a move into the ranks of political party. But, in fact, is there really a difference? It would seem not, because this movement/party was made 'new from old' and is just a resurgence of the recent past, with the addition of some whiffs of Stalinism, a bit of populism and a good dose of ethno-nationalism.

Vetëvendosje, subversive and non-violent movement?

Vetëvendosje does not apparently have any intention of changing its methods, but the patience of the Kosovar government is visibly beginning to wear thin. On 14 January 2012, a demonstration said to be peaceful was, despite everything, violently broken up by order of the Prime Minister and the Minister of the Interior, Bajram Rexhepi. Albin Kurti had mobilised his troupes on this day at the border crossings of Merdare and Kamenica, in the North of Kosovo, as well as in the surroundings. He wanted, by this gesture, to apply pressure on the economic exchanges between Serbia and Kosovo, which are much too much in the deficit for Priština, according to him, by hindering the traffic of Serbian lorries. He also indirectly involved in his action the government of Tirana, by saying that this action would have an importance as great for Kosovo as for Albania. In the context of this demonstration, close contacts were established with many personalities.

The Prime Minister did not fail to take advantage of the violence, real or supposed, of the movement, by playing on the contradiction with its pretended non-violence, declaring that the future of Kosovo was in Brussels, not on the barricades. He was joined in his evaluation by.....Goran Bogdanović, the minister in charge of the question in Belgrade. For the latter, it was obvious that the period chosen by Vetëvendosje was not fortuitous and that the beginnings of a possible agreement disturbed the overall strategy of the movement. The organisation of provocations is, to be sure, one way of countering the action undertaken in the direction of the EU. Moreover, one wonders about the 'reciprocity' demanded by M. Kurti on the economic plane to the extent that Kosovo neither produces nor exports almost anything headed for Serbia!

In any case, Albin Kurti has succeeded in putting in place a relatively well structured activist organisation, since twenty-eight offices were listed in Kosovo and the important diaspora²⁹ is also infiltrated, as in the good old days (five offices)³⁰. His political credo could be summarised by saying that he is calling for two things, essentially: the immediate departure of the international administration present in Kosovo and the unification of the former Yugoslav province with neighbouring Albania. And, for this purpose, he demands that the population be directly consulted and says he favours self-determination.

It is thus obvious that the movement could only respond unfavourably to the agreement of 24 February 2012. Its first reaction was the announcement that the struggle would continue and that the demonstrations would resume in the spring. It is true that milder weather is in general more favourable, and the gathering organised on the day after the announcement of the contested accord brought together only a thousand or so sympathisers³¹. Nevertheless, it is not certain that all the more or less declared supporters of the movement will continue a sterile combat, worthy of some outdated irredentism and taking on all the formulae of the great totalitarian periods (mobilisation of young people, pseudo-non-violence, organisation of local 'cells' and cells in the emigration, uniform dress). It is not evident that disturbing

²⁹ No credible data are available, but it is estimated to be around two million persons.

³⁰ The Kosovar diaspora is very numerous and represents a potential reservoir of agitators.

³¹ Controlled by Albin Kurti and his assistants, this demonstration had the goal of blocking access to the Parliament for as long as possible, but without entering the building. The leader of the movement otherwise explained that they were not there to 'take over the Parliament', but to control its points of access. Here certain historical parallels can be made, but the credibility of the movement is subject to caution. However, the simple implicit threat ('another day this will be to take over the parliament), can only cause concern.

economic relations with Serbia by blockading the roads, systematically sabotaging peace plans, demanding the departure of international institutions from Kosovo and boycotting the EU or the United States are deemed sufficient by the militants to create a basis for credible claims. It would be delightful to see Vetëvendosje take up the 'recipe' of the 'Otpor' movement of Ivo Marović³² and try to overthrow the Thaçi government. It is not certain that Vetëvendosje has the means to achieve a result of this scale, but prudence should be the order of the day for Mr. Thaçi.

Certainly, the movement has a real capacity for creating trouble, but its influence will grow, especially among the young, only if the recent accords remain without positive consequences for the Kosovars (knowing that for Serbia, the objective is nearly reached). Concretely, young people in particular must have motives for believing in their future within Europe lest the ranks of Vetëvendosje grow. It is therefore indispensable that concrete proposals come very quickly or ammunition will be given to Mr. Kurti and his movement. The latter, whatever he may say, must doubtlessly act more openly as a political party or see itself marginalised. However, its founder is opposed to this because the political game would risk going against him given the absence of first quality personalities in its ranks. That is, no doubt, why Mr. Kurti has not until now 'made the jump' and it is not certain that he wants to do so. Moreover, if it were converted into a party, the movement could lose credibility if it allowed violent demonstrations to take place in which its followers and sympathisers were involved, whereas its current status permits that, moving back behind the benefit of the doubt, discounting the 'control' that it can exercise on its more or less listed sympathisers (not members).

When everything collapses, we will vote!

In the meantime, the Serbs of Northern Kosovo have organised a referendum on 14 and 15 February. The question asked could only have one response³³: 'No'! Without surprise, a clear message was delivered by the thirty-six thousand voters who came (spontaneously?) en masse to the voting booths: an independent Kosovo was rejected by nearly all the votes and the 'concessions made by Belgrade were denounced'. This vote was, for once, unanimously rejected by the stakeholders³⁴ and the International Community. It managed, nonetheless, to tarnish the encouragements noted by the International Community, which on the same day acknowledged *'the remarkable progress of Kosovo as an independent State'* (Pieter Feith, Special Representative of the EU in Priština).

The RSUE nonetheless called upon the Kosovar leaders to *'demonstrate their commitment in favour of a future in this country for the citizens of the North'*. Otherwise, this referendum, organised only by the Serbs of Northern Kosovo was especially counter-productive for their compatriots in Southern Kosovo, who are more numerous, but who are enclosed in ethnic 'pockets'. One must therefore consider this referendum more as a desperate appeal of the Serbs of Northern Kosovo to Belgrade not to sacrifice them to its European ambitions rather than as a provocation directed against the Kosovar government.

³² This movement is sometimes considered as being at the source of the fall of Slobodan Milosević.

³³ "Do you accept the institutions of the so-called Republic of Kosovo ?"

³⁴ Oliver Ivanović, Secretary of State in charge of Kosovo in Serbia has even said that this election was not in fact aimed at the authorities in Priština, but at the authorities in Belgrade, adding, however, that *'Four municipalities cannot determine the long-term interests of Serbia'*. One should note the ambiguity of the speech, Mr. Ivanović having, to be sure, condemned the referendum, while making clear that for him the four municipalities (without saying that he was talking about the Serb municipalities of Kosovo) cannot determine the interests of all of Serbia.

The surprise of 24 February

Everything accelerated the day after the ‘referendum’. Milivoje Mihajlović (secretary general and spokesman of the Serbian government) now said that ‘*the recognition of the independence of Kosovo was a grave error which violated international law*’, and he added: ‘*This error could be corrected only if an acceptable solution were found for the Serbs and the Albanians*’. Meanwhile the Serbs of Northern Kosovo unblocked, without explanation, the border crossing points of Brnjak and Jarinje which they had occupied since the incidents of July 2011, without violence or protest, at the request of the police! At the same time, the EU urged Serbia to renounce organising the next municipal elections in Kosovo³⁵. It is certain that if this happens the parallel structures which remain there will no longer have any legitimacy and will disappear, starting with the Serb municipalities of Zubin Potok, Zvečan (where mandates end on 6 May), then of Mitrovica and Leposavić. The coincidence is astonishing... Afterwards we understood that the statement of the spokesman of the government was the announcement of an historic change which was being prepared for the next day (and about which in view of their action, the Serbs of Kosovo knew already). The mayors of the four municipalities met on 9 March and, in a joint communiqué, they advised those they administer not to rush to request Kosovo identity documents.

But the news of the signing of the agreement of 24 February caused a veritable shock, because if observers believed it was inevitable at more or less long term, the suddenness of its conclusion came as a surprise. To be sure, the paternity of this historic agreement has been claimed both by Belgrade and Priština, and both immediately underlined (by embellishing somewhat for their respective citizens), the advantages each of them would draw from it.

For Belgrade, the accord is a great victory and it was presented as opening for Serbia the door to the EU (but, of course, not a word on recognition of Kosovo which, in fact, is neither implicit nor explicit in the agreement). For Priština, this is a triumph because the independence of Kosovo has been recognised *de facto* by Serbia. These extreme statements were quickly toned down in the two capitals when it was recalled that the negotiations were not over. However, Mr. Taçi stated that the greater part of the accord was in favour of Kosovo and that one had to be very vigilant regarding the ‘small print at the bottom of the page’. He also said he was certain that this formulation was only temporary. Catching on the fly the accusations from Vetëvendosje, he replied that no concession had been made to Serbia, that nothing had been added to Resolution 1244, which remained completely in force and that the opposition movement was being populist and illogical in its statements. He believed he had done what was necessary for Kosovo to come out of the negotiations strengthened and to head towards integration and not isolation.

Who benefits from the crime?

However imperfect, this accord is still historic. It has been welcomed as such by the international community, all the more so as it came after long bargaining that attracted a lot of media attention. On Friday, 24 February, this agreement surprised observers somewhat, above all after the disappointment which the two parties experienced in December 2011 – the Serbs even more than Priština, because they firmly believed they would be allocated the status of candidate for European membership. The opposition of several members of the EU, including Germany, which had demanded that Serbia make greater efforts, had been without appeal. It is rather difficult to believe that in just two months Belgrade had completely changed its approach to the Kosovar problem without having received solid guarantees.

³⁵ *Blic* of 24 February, cited by *M-Magazine*.

Evidently, the agreement which was signed, against all hope, between the Serb and Kosovar parties is described in Priština as benefiting essentially Belgrade³⁶! This conclusion is simplistic, but rather realistic in the immediate days ahead. But if the Serbs are the great beneficiaries (the approaching status of candidate member state of the EU), then what did the Kosovars get in exchange for their uncustomary tolerance? It is not very likely that it was due to generosity of spirit that Priština accepted this accord which it deemed to be 'on the cheap', even if, carried away by his emotions, Prime Minister Hashim Thaçi believed he could say that the accord turned Kosovo into a European State. One may suppose that big pressure was brought to bear for the Kosovars to 'swallow the pill' of the 'small print at the bottom of the page'³⁷ and one has to think that Mr. Obama, a great friend and support of the Kosovar government³⁸, but also of President Tadić³⁹, had decided to present himself as the inspirer of the peace in this region of the Balkans, above all as the U.S. presidential elections approach. Hillary Clinton, for her part, directly mixed into European affairs by expressing her hope of seeing Belgrade taken from its isolation. But one can also think that the signing of this accord was due to the authorities in Brussels and that an association agreement with the EU will be signed (preceding a possible candidacy for membership). On the other hand, it appears premature for the Kosovar authorities to rush to populist speculations by saying, for example, that 2012 will be the year of the EU for Kosovo⁴⁰.

Renewal of Serbian diplomacy

But then an immediate question presents itself: for Belgrade to have accepted a major change so quickly, no doubt some important promises were made. The same is true for Priština which, whatever the majority of commentators may say, must have been promised a radiant and near future in Europe⁴¹ and, by the same token could be inclined to believe that the last holdouts to its recognition among the twenty-seven⁴², finally agree to make the long awaited gesture towards the small State in the Balkans. Having said that, the arrival of a new generation of politicians in Belgrade⁴³ also doubtlessly counts for something. Three men are mentioned in this context who, under the firm rule of Mr. Tadić, have changed the way of running Serbian diplomacy. They have come to political maturity at a good moment and have enabled Serbia to recover a respectability which it had long lost. For ten years Serbia

³⁶ Veton Surroi, chronicler of *Koha Ditore* on 27 February.

³⁷ In the text of the accord and with the agreement of the two parties, the term 'Kosovo' (the name of the Republic of Kosovo does not appear) is followed by an asterisk which sends the reader to the following explanation: "*this designation is without prejudice to the positions on the status and conforms to the United Nations Security Council resolution no. 1244 and to the ruling of the International Court of Justice (ICJ) regarding the Declaration of Independence of Kosovo*". This explanation is accompanied by reference to resolution 1244 and to the decision of the ICJ certifying the constitutionality of the declaration of independence (but not of the independence itself).

³⁸ The tone of the message of congratulations sent by the American president to his Kosovar counterpart, Mme Jahjaga, on the occasion of the fourth anniversary of independence on 17 February left no doubt on this subject. Transmitted to its addressee during a parliamentary session, it congratulated Kosovo on the occasion of its celebrating the fourth anniversary of the proclamation of the new State.

³⁹ "We hope that these accords will open the doors of Serbia's candidacy to the European Union, which will be beneficial to the whole region".

⁴⁰ It is curious to say that in Sarajevo, these were nearly the same proposals which were held out to the Bosnian citizens!

⁴¹ For example a study of the feasibility of its integration, but without going as far as the opening of the process of agreement on stabilisation and association.

⁴² Cyprus, Spain, Romania, Slovakia and Greece have still not recognised the Kosovar State. Is it a matter of fear that this issue might create a precedent for their own ethnic minorities or regions with vague desires for independence?

⁴³ *Le Figaro*, article by Alexandre Lévy dated 2 March 2012.

disappeared from the international scene, taking on the role of a pariah, not quite on the level of North Korea, but rather close.

Vuk Jeremic, Bozidar Djelic and Borislav Stefanovic are also succeeding at a challenge which was long deemed impossible: opening the doors of the EU to Serbia while not giving up anything – or almost anything - on Kosovo', writes a journalist from *Figaro*. And it is true: who would have thought just six months ago that everything would move so quickly! But in order to '*turn once and for all time the page of Milosević*', one had to wager on the new generation of politicians. The bet has paid off!

The first, Vuk Jeremić, Minister of Foreign Affairs at age thirty-one, has astonished many onlookers. A pure product of the Anglo-Saxon school, educated in the United States, he is a pragmatist with formidable effectiveness. At the same time nationalist and pro-Western, according to *le Figaro*, he has defended with tenacity the official position on Kosovo. But he is also deemed too intransigent, even arrogant. In 2010, he was especially charged with convincing the Non-Aligned States of the need to avoid recognising Kosovo. To do this, he reactivated the networks of the old Yugoslavia, which was only mildly appreciated by the United States, where he was considered a promising youth, even more....

Božidar Delić, is a bit older (forty-one), but he also has had a career of excellence. Educated in France, where he arrived at the age of ten not speaking a word of French, he spent time at the best Parisian establishments, including Sciences Po and HEC. He is reputed to be more subtle than Vuk Jeremić and better able to convince the Europeans. Friendly and open, he can nonetheless become curt when he is associated with the Serbian past of Slobodan Milosević.

Finally, there is Borislav Štefanović, thirty-seven years old, skillful negotiator, and craftsman of the 'yes' from Priština on 24 February. A diplomat by training, he was posted to Washington, where he made a solid reputation as a person who is very open and extroverted. He vigourously defended himself from virulent attacks of the Serbian opposition who, he says, have not made any constructive proposals and contented themselves during the negotiations which preceded the accord⁴⁴ with restating the need not to give up Kosovo.

These three brilliant politicians represent an ambitious and competent generation which is capable of restoring to Serbia a place worthy of its past, but also of its future ambitions. They have in common, apart from the fact of being well educated, ambitious and perfectly integrated into the international milieu, of being unfailingly loyal to President Boris Tadić who, one must remember, is himself relatively young (fifty-three) for the leader of a State in Central and Eastern Europe.

But perhaps one should put their success into perspective, to the extent that there is a real asymetry with the Albanian camp in Priština, beginning with Mr. Thaçi, who is more often cited for various disputes or suspicions of implication in criminal affairs than for his qualities as a negotiator and for his education in diplomacy. Moreover, even now we do not see any remarkable personalities in the Kosovar political class, which is either too old and marked by systems now overturned or have passed directly through armed struggle within the UÇK to holding political responsibilities which sometimes exceed their capabilities. Generally speaking, the Kosovar leaders seem to cruelly lack university educations and political experience. It is certain that when facing a country where part of the population still considers the 'Kanun' as a rule of life, a Western university education gives an advantage in the case of international negotiations in the 21st century.

⁴⁴ Mr. Štefanović on the Serbian Radio-Television just after the announcement of the accord: '*We have not given up Kosovo and we have not damaged the national interest or the Constitution of Serbia. The important thing is not what we have obtained but what we have avoided losing when we could [lose everything]*'.

And what comes after the agreement of 24 February?

The last major question is that Belgrade has perhaps also received other ‘recommendations’, in particular from Moscow, which is very much involved in supporting the Serbs and which, not so long ago, helped them in the decision not to recognise the Kosovar State. Unless, without renouncing the international Orthodox community, the new team has the intention of disassociating religion more strongly from the exercise of politics. If this option has been chosen, the Serbian leaders will need courage and great prudence, because this is still a very sensitive subject. One must also recognise that the two parties have wagered a great deal on this veritable about-face. Do they also believe they are able to muzzle their opponents for the respective reconciliation. And what if they, however virulent their statements have been, were just slowing down?

However it may be, this accord will greatly facilitate the political relations between the two countries, but also the functioning of the regional institutions. It will simplify relations between Kosovo and the European Union (EU), and will also enable this young country for the first time to participate directly in a certain number of forums and regional or international meetings. As was also foreseeable, new assistance from the EU has already been requested by Priština (on 9 March by Mr. Hoxhaj, Minister of Foreign Affairs).

In any case, the door remains open for further negotiations between the two countries to define the exact status of Kosovo. There remain a certain number of points to clarify, and both Serbs and Kosovars still have to discuss many dossiers, including the future of the area with a Serb majority in the North of Kosovo. One of them, and this is especially significant, has already been settled on 24 February: the ‘integrated management’ of the ‘border crossings’ between Serbia and Kosovo, which have been at the centre of many disputes and grave incidents these past few months, after which the Serbs of Northern Kosovo reopened the two border crossings which they had blocked since July.

One must nonetheless take care not to be smug: Belgrade must make concessions in order to claim access to the EU. Some have been made, but the negotiations are continuing and, thanks to the support of Russia and other countries, including the five EU member states which are ‘reluctant to recognise Kosovo’, Serbia will not sign everything blindly. On the other side, Priština will not accept just anything for the sole security benefit of the United States and the EU and despite possible promises or aid.

Yes, it is true, for Belgrade, the essential thing has been attained. The way to the EU is opening up⁴⁵ and President Tadic and the Democratic Party (DS) can go to their electors without being taken for traitors to the cause (even if the DSS of Mr. Kostunica suggests that the DS has exchanged Kosovo for admission to the EU).

But the most important thing is that – and Catherine Ashton, who is conducting the European diplomacy remarked on it without trying to conceal her satisfaction – these accords carry major importance not only for the two protagonists, but for the stability of the region, hence of the EU. It is nonetheless not certain that the populations understand all the subtleties of language which made possible the signing of the accord and one may fear that ‘shortcuts’ might be taken by those who want to discredit the signing parties.

What do the Serbian and Kosovar populations think of the accord of 24 February?

The reactions in Belgrade (apart from the nationalists of the DSS) have been moderate up to now. Many believe that it had become, in any case, inevitable for Serbia to make some concessions for it to hope to join the EU. But, despite this progress, without doubt more

⁴⁵ The German Minister of Foreign Affairs Guido Westerwelle has qualified the accord as a ‘*great step forward in the right direction*’. One must remember that the ‘round’ of December 2011 failed, largely because of German opposition.

limited that it appeared, the round has not been won by Mr. Tadić, because he must also calm the worries of his compatriots, in particular as regards the future of the religious sites and sites of the Serbian collective memory (monasteries, churches, cemeteries, the memorial at Kosovo Polje, etc...), a subject of major importance in Serbia. To be sure, the Ahtisaari plan already guaranteed their inviolability. To be sure, this principle was repeated, but curiously we already see, since the accord, some cases of defacement of Orthodox edifices. The latest concerns the church of the small Serbian village of Stanišor, near Gnjilane, in the region of Kosovsko Pomoravlje, where the door was smashed on 2 March. The official version speaks of a break-in, without an ethnic character (because one year earlier, the church had already fallen victim to the same incident and the thief was identified and arrested). According to the priest, the building had been the object of many acts of defacement and thefts since 1999. In any case, this would be the second instance in the region in one month, after the church of St Nicholas in Kosovska Kamenica.

In Kosovo, the Albanian population is divided between satisfaction at seeing the existence of Kosovo recognised and the fact that the term 'Republic' is not placed side by side with the name of the country but is relegated to a 'reference note'. And some wonder about the dividends which will possibly accrue to Kosovo from this agreement. The EU must, in this sense, quickly study the possibility of arriving at an Agreement of Stabilisation and Association (ASA) with Priština, preliminary to a contractual relationship and the first indispensable step on the path towards the Union. But the accord is obviously not to the taste of the Vetëvendosje movement, which accused the government of having agreed to delete the word republic and receive instead a simple note at the bottom of the page; it added in its communiqué: *'We are a republic only for ourselves. And this is exactly the opposite of the concept of republic'*! Albin Kurti also called upon his supporters to demonstrate⁴⁶. But the opposition cannot hope for any support from outside, other than joining forces with the devil, whatever form he takes. It is hardly Tirana which will rush to the aid of Vetëvendosje, because Albania is in the same case as Serbia and even largely ahead⁴⁷. So, who? Putting aside Vetëvendosje, the other forces of opposition in Kosovo (on the way to disappearing) remained rather discreet. The LDK (Democratic League of Kosovo) has, of course, criticised the agreement and, more particularly, the formula of compromise because, it says, this encourages States to remain neutral on the question of independence. The reactions of the Serb minority are still very fragmentary. None have come from the 80,000 Serbs in the 'pockets' of Southern Kosovo, while in the North one could note a certain number of comments⁴⁸. No doubt encouraged by a cryptic statement from Oliver Ivanović⁴⁹, the Serbian Secretary of State in charge of Kosovo, certain leaders have contributed some views which do not provide grounds for optimism.

⁴⁶ In fact, a demonstration took place in the capital on 27 February at the call of Mr. Kurti. But it only gathered around a thousand persons (surrounded by twice that number of police officers...) who still blocked access to Parliament, though without violence. The leader of the movement announced that other demonstrations will take place to produce a 'Kosovo Spring' (*with the banners 'Thaçi Move out!'?*). The number 2 of the movement and deputy, Visar Ylmeri, has accused the Kosovar government of wanting to modify the status of the country and asked for his resignation.

⁴⁷ Coming into force of the ASA in April 2009 and official submission of candidacy the same month.

⁴⁸ B 92 dated 1 March 2012.

⁴⁹ Same source: *'The status of candidate is a good thing for all Serbian citizens, including those of Kosovo. Our candidacy is, undeniably, the first step towards a status of self-standing member, which is to say that our country will be organised according to the criteria held by all of Europe and the Western world. This also signifies that Serbia will benefit from new investments, from new jobs and this will lead to economic stability - and only a country economically strong can have great political power. And a Serbia politically and economically strong can effectively look after Serbs living in Kosovo and Métohija'*.

The president of the NGO 'Serbian European Movement', Rada Trajković, believes that the citizens '*must essentially work at reinforcing the Serb community in the province*' (use of this term is no doubt not a lapsus). She adds: '*It's not important how many times someone repeats that starting now everything will go better for the Serbs, that now Serbia will busy itself with us more, I believe that the work of the government in Belgrade will be focused on accession to the EU and that is why I say once again that it is very important to inform the population in good time and to tell it: we must all sit down around a table and discuss things in order to come to an agreement on the means of strengthening our positions*'.

The mayor of Mitrovica, Krstimir Pantić, for his part, welcomed the status of candidate member state conferred on Serbia, '*though this status does not signify a great deal*'. He is aware that the path to complete integration will still be long. But, very lucid and bitter, he said he is certain '*that after that one is going to demand that Serbia renounce all its remaining interests in the province, i.e. renounce interests in the sector of energy, in telecommunications and that the condition will next be recognition of Kosovo*'. Of course, the opposition groups of Northern Kosovo issued negative opinions on the status of candidate member which Serbia has just obtained.

Europe is not as united as that - resurgence of secular concerns

The signing of the agreement on the 24th was followed by several days of waiting in Brussels and on the 27th, the (mandatory) unanimity was not reached, with Lithuania and Romania having apparently blocked the vote on the official status of candidate. For Vilnius⁵⁰, certain diplomatic sources have mentioned two 'blocking points': the first concerns the presidency of the United Nations Assembly, a position which Lithuania had its eye on because it is expected to go in 2012 to a country from Eastern Europe and for which Serbia had proposed Vuk Jeremić, the present Minister of Foreign Affairs. The second was more subjective: Vilnius sees the hand of Moscow in the Serbian candidacy to the EU. Serbia is, in fact, often seen in Lithuania, as 'a part of Russia which is going to enter the European Union.' As regards Romania, (which has not recognised Kosovo and remains a member of the unofficial 'Orthodox group of solidarity'), the reasons for procrastination concerned a supposed ethnic concern: the fate of the Romanian populations of Serbia. The sudden emergence⁵¹ of this question in a discussion of the fate of Kosovo was evaluated variously by onlookers. Mr. Guido Westerwelle accused Romania '*of introducing elements of its domestic politics*' into a discussion which concerns the EU in the broad sense. Swedish Minister of Foreign Affairs Carl Bildt, for his part, said that Romania '*[lacked] a European spirit*'. It is true that the rights of the thirty thousand members of the Romanian minority have been protected for a long time just like those of the roughly dozen other minorities of Serbia (the case of the Croat minority is improving after the grave crisis of the 1990s). By raising this objection, Bucarest no doubt wanted to take advantage of the situation to settle a very old question: the inclusion, or not, of the forty thousand Wallachs (or Wlachs), about whose origin there is no unanimity (even if they speak a Romanian language) to the Romanian diaspora. The interested parties themselves do not demand this⁵², but Bucarest has automatically incorporated them into the Romanian 'nation'. Moreover, though it has never (or almost never) been talked about, one day Priština will also have to look into the fate of the other

⁵⁰ *La Croix* dated 27 February 2012.

⁵¹ <http://www.euractiv.fr/serbie-roumanie-accusee-manquer-esprit-europeen-article>.

⁵² According to Bucarest, the Romanian minority numbered 250,000 persons in Serbia, located mainly in the valley of the Timoc, in the East, and in the Voivodina, in the North of the country. The latter were officially recognised as a national minority during the Tito regime, unlike those of the Timoc – still called Wallachs – who never had access to the same rights. Whereas in Voivodina (the former autonomous Province, a veritable mosaic of peoples), the Romanians enjoy public schooling, television and radio broadcasts in Romanian, as well as a recognised Orthodox church, the Wlachs of Timoc, for their part, have none of these rights. *Courrier des Balkans* 29 February 2012.

minorities not linked to an eponymous State like the Serbs, the Croats, Bosnians, Slovenes and Macedonians, who still live on Kosovo soil⁵³.

And finally on 1 March, the status of candidate member was granted to Serbia, after the Lithuanian and Romanian objections were lifted⁵⁴.

But this obviously did not suit the most extremist elements among the Serbs of Northern Kosovo (the 'parallel structures'), who, on the same day that the candidacy of Serbia was announced placed selective temporary blockages along a certain number of routes at Zupč, Zubin Potok and Zvečan, intended to hinder the traffic of EULEX vehicles. It is, however, by no means certain that these blockages were finally a protest against the agreement on Serbian candidacy. It is manifestly the European mission which was targeted and the brevity of the action (one hour) allows us to think that the operation was intended to disturb someone...or that it came as a reprisal for the arrest on 27 February of six members of the 'parallel structures' by EULEX (apparently officials from the Ministry of the Interior in Belgrade).

Under present conditions, what can one hope for? To summarise, one could simply respond: peace for this region, which has suffered so much for the past twenty years. The new generation which was born at the moment of the break-up of Yugoslavia needs something other than to keep turning over the ethnic-religious antagonisms of the 19th century. It calls for change, but rests attached to the 'traditional' values, even though it can extract itself more from certain family and social contexts encouraging isolation and ethnocentrism. The explosion of the media and of modern means of information breaks down the isolation of populations which were in the past confined to the most remote regions and this opening up to the world will become preponderant. But it would appear to be naive optimism to go from there to the belief in the solution to all the disputes thanks to the initial agreement of 24 February 2012, to the belief that this will be sufficient, to the belief that the possible later agreements will be implemented without problems. The International Community and especially the EU must still for a long time watch benevolently but attentively over this region of the Balkans, and, above all, it must propose to all the peoples positive and European outcomes to this very long crisis.

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⁵³ For the moment, the Roma, Ashkalis, Egyptians and Goranis, who also were subjected to the war and still are suffering from discrimination, do not have many possibilities to make themselves heard. In the future, thanks to various programmes of access to education, they may also demand a better status. The existence of the Montenegrin minority was recognised on 7 March 2012 during the arrival of the Minister of Foreign Affairs of Podgorica.

⁵⁴ President Traian Basescu having found a compromise with the Serbs on the subject of the rights of the Wlach minority.