

Committee: Security Council

Topic: The Question of the Ongoing Tensions between Serbia and Kosovo

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Introduction

The ongoing tensions between Serbia and Kosovo have its origin in 2008, when Kosovo, unilaterally, proclaimed itself an independent state. Subsequently, Serbia did not agree with this decision and rejected it, not recognising Kosovo's state and thus claiming it as the Autonomous Province of Kosovo and Metohija. This resulted in Serbia refusing to make deals with Kosovo, several protests against its independence and the relations between these two states being affected and worsening as the years went by.

The Issue

An important event regarding this conflict and vital to understand its background is the existence of the Kosovo Liberation Army (KLA), founded in 1993, which began to actively engage in coordinated attacks in 1996, targeting several Serbian police stations and wounding many officers. The KLA outlined in its first public statement its position and objectives, which included the secession of Kosovo from Serbia and the eventual creation of a "Greater Albania".

In response, the Serbian government began to attack the Kosovar Albanian population, raiding villages and expelling people from their homes. Massacres by the Serbian police were reported, and suspects taken into police custody were often beaten and tortured to extort confessions.

The crackdown on the Kosovar Albanian population only increased support for the KLA, which attracted thousands of new recruits and was removed from the United States' list of terrorist groups in 1998. Throughout that year, the KLA escalated its attacks, and Serbia answered with reprisals.

As the conflict continued between the KLA and forces from Serbia (and later Yugoslavia as well), an international meeting supported by the North Atlantic Treaty Organisation (NATO) brought delegations from the Serbian government and from Kosovo into truce negotiations in France, in February 1999. The Kosovar delegation, led by a KLA leader, was eventually persuaded to sign the treaty, but the Serbian delegation refused. In response, in March 1999 NATO commenced air strikes on Serbian targets.

Following the war, the UN sent a multinational peacekeeping force into the region, and all Serbian and Yugoslav forces were removed. The KLA eventually submitted to demilitarization and disbanded.

After the Kosovo War and the NATO bombing in Yugoslavia, on 17th February 2008, Kosovo declared its independence, ignoring the Action Plan instituted by the government of Serbia to combat Kosovo's anticipated declaration (which stipulated, among other things, recalling the Serbian ambassadors for consultations in protest for any state recognising Kosovo).

On 24th March 2008, the minister for Kosovo and Metohija proposed partitioning Kosovo along ethnic lines, asking the United Nations to ensure that Belgrade could control key institutions and functions in areas where Serbs formed a majority, but this was denied by other members of the government and the President.

Serbian Foreign Minister Vuk Jeremić filed a request at the United Nations, seeking a non-legally binding advisory opinion of the International Court of Justice on whether the declaration of Independence was legally permitted. In July 2010 the ICJ issued its opinion, which found that Kosovo's declaration of independence did not violate international law.

From then onwards, Serbia refused to deal with Kosovo directly, and used intermediaries to do so. However, in 2011 the EU convinced Serbia to discuss some minor matters with Kosovo, and in 2013 both Presidents met in Brussels, where they signed the Brussels Agreement, which allowed both Serbia and Kosovo to advance in European integration. The governments reached agreements such as freedom of movement, regional representation and on trade and international customs. However, Serbia still opposed any initiative by Kosovo to join UN agencies.

On 21 November 2018, Kosovo announced an increase in the tax rate on goods imported from Serbia to 100%, saying it was due to unfair trade practices and destructive behavior towards Kosovo. However, in April 2020 this tax was abolished. On 3 October 2022, and despite several tensions occurring throughout the year, some Serbian parties met and signed a declaration for the "reintegration of Kosovo into the constitutional and legal order of Serbia".

In December 2022, the European Union forwarded a draft agreement to the authorities in Serbia and Kosovo at the EU-Western Balkans summit in Tirana. Under the terms of the draft agreement, both sides would agree to "develop normal, good neighborly relations with each other on the basis of equal right" and that "both parties will recognize each other's relevant documents and national symbols, including passports, diplomas, vehicle plates and customs stamps."

The draft agreement further added that Serbia would not oppose membership of Kosovo in any international organization and Kosovo would form an "appropriate level of self-management for the Serbian community in Kosovo". In addition, both parties would exchange permanent missions in their

respective capitals. The EU hopes that the agreement could be signed by the end of 2023 and negotiations regarding the proposed agreement are expected to begin in mid-January.

The final text, known as "Agreement on the path to normalisation between Kosovo and Serbia", was reported to have been agreed by Kosovo prime minister Albin Kurti and Serbian president Aleksandar Vučić on 27 February 2023 at a meeting in Brussels with EU High Representative for Foreign Affairs and Security Policy and EU Special Representative for the Belgrade-Pristina Dialogue. The two are expected to meet again on 18 March 2024 to discuss a roadmap for its implementation.

However, in April 2023, Serbia, along with Azerbaijan, Cyprus, Georgia, Hungary, Romania and Spain, voted against approving Kosovo's membership in the Council of Europe.

Key Events

1993	Foundation of the Kosovo Liberation Army
1999	Disbandment of the KLA
2008	Kosovo declares its independence
2010	ICJ issued that Kosovo's Declaration of Independence was legal
2013	<u>Brussels Agreement</u> ; normalisation of relations between the governments of Kosovo and Serbia
2017	Serbian train incident viewed as an attack to Kosovo
2018	Kosovo's special police arrested a Serbian politician banned from entering Kosovo who was visiting Northern Mitrovica
2020	<u>Washington Agreement</u> ; normalisation of economic relations
2022	Declaration for the reintegration of Kosovo was signed by Serbian parties
2023	<u>"Agreement on the path to normalisation between Kosovo and Serbia"</u>

Previous Attempts to Solve the Issue

Brussels Agreement

As previously stated, the UN and several of its organisms have offered both Kosovo and Serbia chances to solve their tensions by signing treaties or attending meetings to solve common issues.

The most relevant ones are and start with the Brussels Agreement, **the First Agreement of Principles Governing the Normalisation of Relations**. The agreement, negotiated and concluded in Brussels under the vigilance of the European Union, was signed on 19 April 2013.

Negotiations were led by Serbian Prime Minister Ivica Dačić and Kosovo Prime Minister Hashim Thaçi, mediated by EU High Representative Catherine Ashton. The government of Serbia still did not recognize Kosovo as a sovereign state, but began normalizing relations with it.

After the agreement was signed, meetings were held regularly to implement its provisions. A judicial agreement was reached in February 2015, followed by agreements on energy and telecommunications operators. On 25 August of that year, an agreement was concluded to establish the Association of Serbian Communities.

Washington Agreement

On the same page, the Washington Agreement, or **the Kosovo and Serbia economic normalisation agreement**, was signed on 4 September 2020 by Serbian President Aleksandar Vučić and Kosovo Prime Minister Avdullah Hoti. The signing ceremony took place in the Oval Office at the White House in the presence of President Trump.

While participating in negotiations with the United States over economic issues, Kosovo and Serbia have continued to participate in a parallel dialogue led by the European Union that has focused on the political disagreements between the two sides.

Ohrid Agreement

Lastly, the Ohrid Agreement, or **the Agreement on the path to normalisation between Kosovo and Serbia** is an agreement mediated by the European Union that aims to normalize diplomatic relations between the Republic of Kosovo and the Republic of Serbia. On 27 February 2023, it was verbally accepted by Kosovar prime minister Albin Kurti and Serbian president Aleksandar Vučić and a plan for its implementation was agreed on 18 March 2023.

While the agreement does not explicitly require that Serbia recognises Kosovo as independent, it does prevent Serbia from opposing the accession of Kosovo to international organisations such as the Council of Europe, European Union or NATO, in addition to requiring Serbia to recognise Kosovar national symbols, passports, diplomas, and vehicle registration plates.

Kosovo is required to ensure an appropriate level of self-management for its ethnic Serb community. The ultimate goal of the agreement is to create "a legally binding agreement on comprehensive normalization of [Kosovo–Serbia] relations". Within the text of the agreement, the name Kosovo is used without an asterisk and both parties are referred to by name, as Serbia and Kosovo, rather than as Belgrade and Pristina.

Current Situation

With the war in Ukraine, Moscow has been subjected to Western sanctions and has accelerated its efforts to build an alternative power center to the US-dominated international system. Using grain and energy as leverage, Russia would have a favorable condition to deepen its relations with Serbia in the event of a possible escalation in the region.

Ultimately, if the conflict were to spill over to Europe, strained relations would lead to increased European security concerns. At this point, Washington is approaching the situation with a proactive policy, and every member country in the UN should work together and cooperate towards a plan or a solution to not permit this alliance to strengthen, as it would put Europe at risk.

In the trans-Atlantic security equation, the military relationship between the US and European actors is maintained through the North Atlantic Treaty Organization (NATO). At this point, NATO is seen as a risk factor to prevent potential menaces and ensure political stability in the region.

Considering the US influence on NATO, it can be argued that Washington is trying to address the security concerns of its European allies through NATO. Given the geopolitical location of the Western Balkans, a potential conflict would have a direct impact on Europe, reminding the EU of its political and the US of its military power.

It is possible to say that NATO has been very influential in Kosovo-Serbia relations. It would be an incomplete approach to say that NATO is present in the region only for its European allies. This is because Serbia aims to deepen its relations with the West without harming its relations with Russia and China.

In conclusion, the power struggle in global politics manifests itself in different geographies. The tension between Kosovo and Serbia is seen as a risk by the EU and therefore the US due to its

geopolitical location. Considering that trans-Atlantic security relations are shaped through NATO, it is possible to say that Washington will increase its presence in the region to address the security concerns of its European allies and to prevent Russia's influence.

The political status of Kosovo's northern Serbs will be the toughest challenge in negotiations and poses the greatest risk of violence at present. Although Serbia formally continues to claim sovereign right to all of Kosovo, it has in practice given up trying to take grip of most of Kosovo's territory.

This is not true in the north, however, where Belgrade and Pristina both hold elements of state power, and where local authorities, who retain close ties to Serbia, enjoy substantial self-rule, all in an uneasy equilibrium. This is because Serbia wants the north's autonomy expanded and made official, but Kosovo is dragging its feet.

Possible Solutions

- Working closely with the parties (including northern Kosovo Serb representatives) as well as other influential countries, such as the US, to reach agreements on a suitable model for northern Serb autonomy that allows for the northern municipalities to receive certain services from Serbia while also linking the region to national Kosovar governance would be a good step towards achieving peace and contentment among civilians and citizens.
- Recognising the important role that NATO's KFOR (Kosovo Force) peacekeeping mission plays in deterring conflict, look for ways to demonstrate political backing for the mission – such as directing EU representatives in Kosovo, including in its EULEX* rule of law mission, the European Commission's liaison office and member state embassies, to make their support clear and avoid reaching a greater conflict.

(*EULEX: a rule of law mission, which supports specific rule of law institutions in Kosovo on their path towards increased effectiveness, sustainability, multi-ethnicity and accountability, free from political interference, and in full compliance with international human rights standards and best European practices through monitoring and advising activities and limited executive functions.)

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