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Eulex, for a new Kosovo

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The EU launches its biggest civil mission to date, hoping that its neutral status and focus on the rule of law in Kosovo will meet with more success than its UN predecessor

After months of delay and feverish negotiations among the EU, the UN and the authorities in Kosovo and Serbia, EULEX, the European bloc's biggest-ever civil mission, has begun operations in Kosovo.

And the political point-scoring has begun, with authorities in both Belgrade and Pristina proclaiming the launch of the EULEX mission on 9 December as their victory, outraging the opposition on both sides for apparent concessions.

In Kosovo, which unilaterally declared independence from Serbia on 17 February, EULEX will replace UNMIK, the UN mission that was deployed to the province in June 1999 after NATO's three-month bombing campaign against what was then the Federal Republic of Yugoslavia.

The EU mission will meet with more success than its UN predecessor, which has operated in Kosovo for the past nine years but whose tenure has been marked with frequent incidents, deepening ethnic animosity and increasing political obstructionism.

EULEX is described as a neutral mission in a report by UN Secretary-General Ban Ki-moon, and as such Serbia has also agreed to its deployment, as have its two allies in the UN Security Council - Russia and China.

Belgrade pronounced the arrival of the EU mission as a great diplomatic victory, emphasizing the mission's neutral status and the fact that it is being deployed in accordance with a UN decision, rather than according to the plan by former international mediator for Kosovo Martti Ahtisaari, who had envisaged independence for the former Serbian province.

Serbia's pro-European government has managed to avoid further confrontation with the EU, which certainly would not have been the case had Brussels failed to deploy its Kosovo mission.



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Despite having major objections to the UN secretary-general's plan, officials in Pristina also welcomed the EU mission, viewing it as the end of parallel Serb structures in northern Kosovo and an extension of the Ahtisaari plan.

Opposition rumblings

The opposition in both Serbia and Kosovo have been highly critical of the launch of the EU mission, calling for the resignation of both governments. The Serbian opposition has called for a confidence vote for the government, due to be held sometime in December, but without much chance of success.

"Instead of the UN mission, which, according to UN Security Council Resolution 1244, recognized Serbia's sovereignty over Kosovo, the current government has agreed to the deployment of the EU mission, which is status neutral," former minister for Kosovo, Slobodan Samardzic, now an opposition lawmaker with the Democratic Party of Serbia (DSS), told reporters in Belgrade.

"That is not success. It is dragging the Serbian government into the process of recognizing the independence of Kosovo."

Some in Pristina also were quick to refute any notion of success. A group of local NGOs organized demonstrations prior to the deployment of EULEX, claiming that there were no guarantees the EU mission would abide by the Kosovo Constitution and its newfound independence.

"EULEX stems from UN Security Council Resolution 1244 and does not benefit Kosovo. The mission is neutral on Kosovo's status, meaning that it sees the status as an unresolved matter," Albin Kurti, leader of the Self-Determination Movement (Vetevendosja), which in part organized the demonstrations, told reporters in Pristina.

That said, the opposition in both Serbia and Kosovo are unlikely to succeed in their attempts to dismiss their respective governments.

According to the latest opinion polls, the leading parties of the ruling coalitions in Serbia and Kosovo - the Democratic Party (DS) led by Serbian President Boris Tadic and the Democratic Party of Kosovo, headed by Kosovo Prime Minister Hashim Thaci - enjoy some 40 percent support among voters and have a relatively stable majority in their respective parliaments.

The new mandate

EULEX's mandate and the deployment of around 1,400 members began without incident on 9 December. By the end of winter, when the deployment process is to be completed, EULEX will have 1,900 members and 1,100 local staff. The task is to monitor and advise the local authorities in the rule of law. The mission's budget for the first 16 months totals €205 million (US\$ 279 million). EULEX comprises



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representatives of the EU member-states, along with the US, Norway, Switzerland, Turkey and Croatia.

Belgrade and Pristina have completely different expectations regarding the EU mission, but agree on one thing: The mission will face plenty of challenges in what is clearly the least-developed state in the region.

Thaci told local media that, above all, he expected EULEX to annul parallel Serb structures in northern Kosovo. He said that the foundation for EULEX's operations would be the Kosovo Constitution and dismissed any possibility of partitioning the province.

"There will be no partition whatsoever. The independent and sovereign state of Kosovo is inviolable. The EU mission serves this principle," the prime minister said.

Goran Bogdanovic, Serbian minister for Kosovo and Metohija, said that the success of the EU mission in the Serb-populated regions of Kosovo would depend on its readiness to solve the Kosovo Serbs' burning problems.

"We expect EULEX, unlike UNMIK, to make an additional effort to secure the most endangered ethnic community in Kosovo, in this case the Serb community, to introduce the rule of law, protect Serb property, ensure the freedom of movement, and to ensure a more significant return of about 200,000 people who left Kosovo in 1999," Bogdanovic told Serbian national television.

However, the depth of the discord over EULEX is best demonstrated by the Kosovo Serbs' position on the mission.

The Serbs living in the province's northern regions, which are well connected to Serbia, believe that the deployment of EULEX is a defeat for Belgrade. They say they will ignore the mission entirely.

On the other hand, the Serbs living in the province's central and southern regions, surrounded by ethnic Albanians, expect EULEX to solve their numerous problems.

After the war of 1999, some 135,000 Serbs remained in Kosovo. Two-thirds live in scattered enclaves in central and southern Kosovo, while the rest live in the north.

"EULEX is here to implement the Ahtisaari plan and open the door for an independent Kosovo. Today we see that all important EU officials say that EULEX will not be status neutral and that the mission will not bring any improvements to the Serb community," Marko Jaksic, a Serb leader from northern Kosovo, told ISN Security Watch.

On the other hand, Rada Trajkovic, representing a Serb organization from central Kosovo, expects things to start looking up for the Serbs.



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"I expect to finally see those who committed crimes isolated and identified; I expect the beginning of the return of usurped Serb property; the prevention of arms and drugs trafficking," Trajkovic told ISN Security Watch.

She also said she expected EULEX to enable protection of the Serb community from criminal factors within the community itself.

Belgrade political analyst Slobodan Antonic said that EULEX, like any other compromise, would bring Serbia some good and some bad things. "The good thing is that EULEX ensures peace and security in Kosovo, hence the security situation will not deteriorate for the Kosovo Serbs," he told ISN Security Watch.

"EULEX is, at least declaratively, status neutral, which gives Serbia a chance to prevent the secession of Kosovo from being a done deal, and to keep the issue open until a more favorable moment for Serbia," Antonic said.

However, according to the analyst, the EU mission will operate within Kosovo's legal framework and thus, regardless of its status neutrality, strengthen Kosovo's state status.

"It is possible that in two years' time no one will remember official statements on status neutrality and that EULEX will in fact help strengthen the state status of Kosovo," Antonic said.

At the same time, the EU itself expects a lot from its mission, which will be headed by French diplomat Yves de Kermabon.

EU Foreign Security Policy High Representative Javier Solana said that the mission was being deployed to "help Kosovo in progressing toward achieving European standards in the fields of police, judiciary, customs and penal services," adding that it would play "a key part in consolidating the rule of law" in Kosovo.

Solana went on to say that the development of the rule of law and the strengthening of multiethnic institutions would benefit all communities in Kosovo, adding that the mission was proof of the EU's firm commitment to the Western Balkans.

Antonic also thinks that the EU mission will have a difficult time of it, facing serious challenges, not least among them the irreconcilable interests of Belgrade and Pristina. "That is why it will not be easy at all for the EU mission. At some point, if things go wrong, EULEX could lose friends on both sides," Antonic said.

The EU has not revealed yet whether it also has a plan for that scenario, but its officials believe everything will go as expected as long as the Balkan countries have a clear European prospect. Still, it is not always easy to see all the way to Brussels from Pristina or Belgrade.