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“Whither Serbia?
NATO, the EU and the Future of the Western Balkans”

SEMINAR REPORT

On 21 June 2007, the NATO Parliamentary Assembly (NATO PA) and the Centre for the Democratic Control of Armed Forces (DCAF) organised a panel discussion entitled “Whither Serbia? NATO, the EU, and the Future of the Western Balkans” in Brussels.

The future evolution of Serbia, including the resolution of Kosovo’s status, is essential to long-term stability in the Balkans and in Europe as a whole. It is also an important test for NATO and the European Union (EU). Both organisations have played a major role in promoting peace and stability in the region and remain deeply involved there through parallel processes of enlargement, as well as a strong presence on the ground. Equally, the two organisations will play a central role in the post-settlement arrangements for Kosovo and will be pressed to offer Pristina and Belgrade a credible perspective of integration.

Bringing together NATO and EU representatives, former and current government officials and independent experts, the seminar assessed these dynamics and examined possible scenarios for the future. It first focused on recent developments in Serbia and in Belgrade’s relations with NATO and the EU, then turned to the issue of Kosovo.

This event follows last year’s NATO PA-DCAF seminar on ‘NATO, the EU and the Challenge of Defence and Security Sector Reform’, with a view to encouraging a reflection on ways to enhance the NATO-EU dialogue on issues of common interest. A report of this seminar is available at:
<http://www.nato-pa.int/Default.asp?SHORTCUT=1111>.

SESSION 1: INTERNATIONAL PERSPECTIVES ON THE FUTURE OF SERBIA

The first panel provided a selection of international perspectives on the future of Serbia and of its relations with NATO and the EU. All converged on their assessment of the current situation: whereas there are clear indications of positive developments in Serbia, a number of very serious challenges remain. All panellists underlined that Serbia is at a crucial moment both domestically and in its relations with NATO and the EU, and that it is important not to waste the opportunities created by the current context. Nevertheless, a lot will also depend on Belgrade’s ability to address the major challenges it still faces, first of which is the resolution of Kosovo’s status.

Serbia at a Crossroads: Challenges and Opportunities

Events of the past few weeks seem to demonstrate a major shift in Serbia’s domestic situation, characterised by a number of positive developments and the emergence of a new optimism. The new coalition government is fully democratic, pro-European and pro-Atlantic and realises that Serbia’s future lies with the EU. It has set itself 5 main priorities: Kosovo within Serbia’s borders; European integration; co-operation with the International Criminal Tribunal for the former Yugoslavia (ICTY); employment and social issues; and the fight against corruption and organised crime. A vibrant civil society and the emergence of an active middle class provide for a healthy political environment, allowing for checks and balances.

Most significantly, the arrival to power of the new government has been followed by the arrest and transfer to The Hague of two senior war crime indictees, Zdravko Tolimir and Predrag Djordjevic. These arrests seem to indicate a renewed political will in Belgrade to co-operate with the ICTY.

This was confirmed by the positive report of the Tribunal's Prosecutor, Carla del Ponte, given to the UN Security Council following her recent visit to Belgrade.

International perspectives on the future of Serbia have also significantly changed in the last few months. This shift began in November 2006 with the admission of Serbia to NATO's Partnership for Peace (PfP) programme at the Summit of Heads of State and government of the Alliance in Riga. It was further confirmed by the recent re-opening of talks between Belgrade and the EU on a Stabilisation and Association Agreement (SAA). These significant steps indicate a new attitude towards Serbia within the international community, characterised by inclusiveness and engagement and aiming at the continuation of reforms from within the Euro-Atlantic institutions.

Other positive steps include: the signing of the enlarged CEFTA agreement; the peaceful separation of Serbia and Montenegro; and the adoption of a new Serbian constitution.

Nevertheless, panellists agreed that these positive developments should not hide the fact that Serbia still faces a number of serious challenges. Firstly, radical forces remain strong across the country; in the January parliamentary elections, the nationalist Radical Party won 30% of the votes and 81 seats to become the largest in parliament. The elections also confirmed that the country remains deeply split between nationalist and pro-European camps. In a recent poll in the country, 36% of respondents were identified as Eurosceptic or Europhobic. A further challenge lies ahead as Serbia engages soon in another electoral cycle with the upcoming presidential and municipal elections. Winning these elections will be a major priority and a major challenge for the current Euro-Atlantic oriented coalition of the Democratic Party, the Democratic Party of Serbia and G17 Plus.

Panellists pointed out that a second area of concern is the state of the economy. Polls indicate that, whereas Kosovo and EU integration remain among the population's main preoccupations, many Serbians also worry about the economic issues that affect their daily lives. Several contributors thus argued that, in order to counter the radical rhetoric of its opponents and win upcoming elections, the current coalition needs to focus on the economy.

Although the arrests of Tolimir and Djordjevic were major breakthroughs in relations between Belgrade and the ICTY, various panellists insisted that Serbia still needs to fully acknowledge its responsibility in past events in the Balkans. The fact that none of the recent arrests actually took place in Serbia could indicate that the country is struggling to overcome sources of domestic resistance to ICTY co-operation. One panellist also explained the potential implications of Kosovo negotiations on Belgrade's co-operation with the ICTY, noting, as Carla del Ponte had herself hinted recently, that imposing the independence of Kosovo now could be detrimental to the search for war criminals in Serbia.

The future of Kosovo certainly represents the single greatest challenge for the current Serbian leadership, as discussed in the second panel.

Serbia and the European Union

Relations between Serbia and the EU have recently witnessed a breakthrough, when the EU agreed to re-open SAA negotiations with Belgrade. The Serbian government hopes to receive candidate member status by 2008, an overly-ambitious goal according to most panellists. Although there is general agreement that SAA discussions should be concluded as soon as possible, there are still many outstanding issues. These include in particular the adoption of the required legal framework; completion of the reform of public administration; and full co-operation with the ICTY. Several panellists emphasised this latter requirement, which in their view implies the delivery of remaining war crime indictees to The Hague. This, however, should be complemented by an in-

depth reform of the rule of law and of all related institutions in Serbia, including the Defence Ministry.

A major focus of the discussion on Serbia and the EU was the ongoing negotiations over Kosovo's final status and the process of European integration. EU Enlargement Commissioner Olli Rehn has declared publicly that Kosovo is an entirely separate issue and will not be brought into the SAA negotiations. The Serbian government has also set EU integration and maintaining Kosovo within Serbia as two parallel goals.

Nevertheless, panellists acknowledged the difficulty of separating the issue of Kosovo from Serbia's integration process in practice. One speaker argued that, in reality, Serbia was already faced with a choice between the EU and Kosovo and will probably choose Kosovo, while the EU may have to choose between Serbia and Kosovo. Another panellist rejected this as a false dilemma, noting that while the SAA is a responsibility of the EU, the final status of Kosovo would be decided by the United Nations. The population in Serbia should not be led to believe that by giving up EU integration, they would be able to keep Kosovo.

While it is generally agreed that Serbia and Kosovo belong in the EU, Belgrade and Brussels disagree on the means to achieve this goal. Serbia claims that only it is capable of bringing Kosovo into Europe and that it has given sufficient guarantees that it can do this in full respect of international standards. Defending this view, one panellist warned the EU that it is dealing with future member states and that it should be careful not to create a failed state in Kosovo. Another speaker remarked that, while it is understandable that Serbia cannot give up Kosovo, from a technical perspective keeping Kosovo may seriously slow down Serbia's integration process.

In the end, panellists agreed that the integration of Serbia into the EU will eventually require a resolution of the Kosovo issue. Belgrade should recognise that EU integration is in the best interests of both Serbia and the Serbian community of Kosovo.

Serbia and NATO

NATO and Serbia have had very difficult relations in the recent past; the 1999 NATO bombing of Belgrade remains present in the collective memory of the country and resentments will take time to fade. Misperceptions about NATO are also commonplace. Many see it as a purely military organisation and not as a broader alliance. Improving NATO's image among the population would require an active campaign of information on the multi-dimensional purpose of NATO.

Nevertheless, NATO was quick to establish relations with Serbia following the arrest of former president Slobodan Milosevic and his transfer to The Hague. Although Serbia is a latecomer to PfP, NATO-Serbia relations are already well established and the Alliance recognises the importance of Serbia for stability in South-Eastern Europe, its professionalism and contribution to the security of the NATO area. The door to NATO is open and it is up to Belgrade to decide whether it wants to take advantage of this opportunity.

NATO's relations with Kosovo are also very strong. Whereas it is not up to the Alliance to solve the status issue, NATO will have to stay in Kosovo regardless of the settlement outcome, in order to keep stability there. However, it is hoped that as the region comes closer to the EU and as this process builds long-term stability, NATO troops can progressively draw down their presence in Kosovo.

SESSION 2: WHAT FUTURE FOR SERBIA AND KOSOVO?

The second part of the seminar focused on the future of Kosovo and implications for Serbia. The discussion confirmed the difficulty of reaching consensus both on the timing and on the outcome of the status process. Panellists examined in particular possible scenarios for Kosovo, for Serbia and for the Serb minority of Kosovo.

Belgrade and Pristina: the Impossible Compromise?

Since the recent G8 summit in Germany, a new consensus seems to have emerged in favour of a new round of negotiations and of postponing a final status decision. This solution satisfies Belgrade, which argues that previous negotiations have failed in part because they had a pre-conceived outcome. A new round of real and open-ended negotiations might lead to a compromise solution. It would also give the ruling coalition time to consolidate its position and erode the influence of radical views in Serbia to the benefit of the government's pro-European agenda.

This view however, is rejected by Kosovo Albanians, who insist that the status process has already suffered too many delays. New negotiations will not bring anything new, they argue, but merely serve the interests of Belgrade and Moscow to the detriment of Pristina's own interests. Further postponing a final decision will only exacerbate impatience among Kosovo's population and could lead to radical action.

On the substance of status negotiations, Serbian authorities insist that because Kosovo is a unique case, the international community should be more creative and propose a unique institutional set-up, moving away from models used in the past, unlike the proposal of the UN Special Envoy Martti Ahtisaari. Serbia's goal is not to return to the pre-war situation. Its positive track record of the past few years, its democratic credentials and contribution to regional co-operation and stability, should reassure the international community about Serbia's intentions and its ability to bring Kosovo into the EU as part of Serbia.

Kosovo Albanians feel that they have already made major concessions during previous rounds of negotiations. For instance, the Ahtisaari proposal does not mention statehood for Kosovo. It also imposes measures for the protection of the Serb minority that go beyond what is normally required by international and European standards. This could in fact prove counterproductive, it was argued, as it could set precedents for minority rights claims in other regions. Kosovo Albanians also insist that a clear future trajectory is required. Young people are deemed to be most affected by the current limbo; a recent UNDP report indicates that 50% of them intend to leave the country. In this context, there is a need for a clear and complete resolution with which to define the region's future.

According to one panellist, several misperceptions have undermined status negotiations. Kosovo Albanians wrongly believe that they can achieve independence by talking solely to Washington and Brussels, but not to Belgrade. Serbia wrongly believes that it can retain Kosovo by talking to Washington and Brussels, and not to Pristina. There is also a misperception within the international community that Serbia can be made to recognise the independence of Kosovo. This is unlikely to happen, as no Serbian politician is willing to take the responsibility for losing Kosovo. The fourth misperception relates to the role played by Russia, with Kosovo a component of Moscow's broader agenda. In this context, several panellists indicated that they see no prospect for a compromise on the status issue.

What Possible Scenarios?

- Will there be a UN Security Council (UNSC) resolution?

Representatives of the international community continue to insist that a UNSC resolution based on the Ahtisaari proposal is the best possible outcome. This, however, has become more unlikely since Moscow opposed a series of drafts submitted to the Security Council. A unilateral declaration of independence by Kosovo in the absence of a UNSC resolution could seriously endanger the unity of NATO and of the EU. It could also threaten the planned transition from UNMIK to an EU-led international presence in Kosovo. Finally, one panellist pointed out that the legitimacy of the international presence would be put into question; as the EU requests Serbia's full compliance with international legal obligations in relation to war criminals, the international community would find itself in a difficult position if it were to act in Kosovo outside the boundaries of international law.

Several panellists argued that the international community appears unprepared for such scenarios; no 'plan B' has so far been articulated. Although UNSC 1244 would probably continue to apply, many questions would need to be resolved. Several panellists hinted that a two-track resolution was now being considered as a possible alternative. In this scenario, a first resolution would provide the legal basis for the transition to the new international civilian and military presence, while a final decision on the status would be dealt with in a second resolution. A major factor in these discussions will clearly be the role of Russia.

- How likely is a new conflict?

Panellists agreed that fears of a new conflict are largely unfounded. In particular, no-one seriously expects Belgrade to intervene militarily in Kosovo. Nevertheless, there are serious fears that imposing the independence of Kosovo under present circumstances could favour radicalism in Serbia, as well as among Kosovo Serbs. On the other hand, postponing a final decision on the status would increase the frustration of Kosovo Albanians and feed radical rhetoric there.

- What will happen to the Serb population of Kosovo?

In the current context, an immediate risk is the mass departure of the Kosovo Serbs, particularly from the southern enclaves, which are home to 60% of the remaining Serb population of Kosovo. According to one speaker, there are indications that this process has already started. The coming months, which mark the end of the school year, will provide further indicators of the situation on the ground. Families will be making decisions whether to stay or go, regardless of the progress of status negotiations. Large scale population displacement could cause instability in Serbia, not least because radical parties will use these groups' frustration to recruit support. The international community should pay particular attention to the situation in the enclaves. It has an important role to play in convincing Kosovo Serbs that Kosovo can be stable and provide the necessary protection for them to stay. Regrettably, the violent incidents of 2004 have seriously undermined the Kosovo Serbs' confidence in the international community to protect them.

Unlike populations from the southern enclaves, Kosovo Serbs from the northern regions are unlikely to leave Kosovo. This could create tensions along the dividing line, which could favour calls for a partition of the northern part of the province. Some parties could also be tempted to put partition on the table as part of a new round of negotiations. However, there was general agreement on the panel that partition would not be a desirable solution. It would mean the end of multi-ethnicity in Serbia, potentially triggering a wider trend in the sub-region as a whole. To avoid such a scenario, the international community needs to demonstrate that it is willing to protect multi-ethnicity in the Balkans.

One panellist suggested that to defuse current tensions, new elections could be held in Kosovo, in which the Serb minority should engage fully. This would focus attention on those topics that matter most to ordinary citizens, such as education, health, infrastructure, etc. Municipal elections in Kosovo are already one year late, which undermines the legitimacy of current institutions. Other panellists appeared sceptical that elections would foster discussion of anything beyond the status issue. They would only cause further delays and would run the risk of turning into a blame game.
