



Beyond the Asterisk Agreement

Pasqualina Lepore

Abstract

In the context of the ongoing EU-mediated dialogue, Serbia and Kosovo have reached several agreements, the most important of which being that on regional representation and cooperation. Also known as the “asterisk agreement”, the agreement reached in February 2012 allows Kosovo to represent itself at all regional meetings with the nameplate of “Kosovo*”. While widely appreciated by the international community, it has generated divergent interpretations in Belgrade and Pristina and has provoked turmoil in both countries. On the whole, the agreement has enhanced Kosovo’s and Serbia’s path towards the EU, with the mandate for a feasibility study for the former and EU candidacy for the latter being achieved. However, the agreement has not addressed the key bones of contention between the parties, namely North Kosovo and Pristina’s status. As a result, the situation remains unsustainable and a more comprehensive solution needs to be found.

Keywords: *Kosovo / Serbia / Bilateral relations / Kosovo legal status / European Union / Conflict mediation*

Beyond the Asterisk Agreement

by Pasqualina Lepore*

Introduction

On February 17, 2008, Kosovo unilaterally declared its independence from Serbia,¹ after a long and bloody struggle for self-determination. The declaration of independence provoked divergent reactions. On the one hand, Kosovo's independence was immediately recognized by 22 out of 27 EU member states and by the United States. On the other hand, it was vehemently opposed by Serbia and its ally, Russia. Furthermore, the 55,000 Serbs living in northern Kosovo violently protested against the declaration and Serbia claimed that Kosovo's independence violated international law and would have spurred secessionist movements across the world.² However, on July 22, 2010, the International Court of Justice (ICJ) ruled that Kosovo's declaration of independence was not illegal.³ The verdict represented a great setback for Serbia.

Since 2010 the situation has considerably improved. In the context of EU-facilitated negotiations which began more than a year ago and are still in progress, Belgrade and Pristina have reached understandings on the return of civil registries and cadastre records, the freedom of movement of persons and cars, the mutual recognition of diplomas, customs stamps, the integrated border management (IBM) and Kosovo's regional representation. However, the most complex issue, the question of Kosovo's legal status, remains unsolved.⁴

This paper will focus on the latest of the aforementioned achievements, also known as the "asterisk agreement", on its reception by the parties, as well as on its impact on the broader prospects for conflict resolution. Finally, it will analyze pending challenges and will provide a strategy to move forward.

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* Pasqualina Lepore is M.A. candidate at the Johns Hopkins University's School of Advanced International Studies (SAIS) and stagiare at the Istituto Affari Internazionali (IAI).

¹ Kosovo Assembly, *Kosovo declaration of independence*, Kosovo, 17 February 2008, <http://www.assembly-kosova.org/?cid=2,128,1635>.

² Steven Woehrel, *Kosovo: current issues and U.S. policy*, Washington, Congressional Research Service, 13 March 2012 (CRS Report for Congress, RS21721), <http://www.fas.org/sgp/crs/row/RS21721.pdf>.

³ International Court of Justice, *Accordance with international law of the unilateral declaration of independence in respect of Kosovo*, Advisory Opinion of 22 July 2010, <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&k=21&case=141&code=kos&p3=4>.

⁴ Stefan Lehne, *Kosovo and Serbia: Toward a Normal Relationship*, Washington, Carnegie Endowment for International Peace, March 2012 (Carnegie Policy Outlook), http://carnegieendowment.org/files/Kosovo_and_Serbia.pdf.

1. The asterisk agreement

For the first time since Kosovo's declaration of independence, in March 2011 Pristina and Belgrade opened the door to official contacts and engaged in direct dialogue with the mediation of the European Union.⁵ This EU-mediated dialogue had been foreseen in UN General Assembly Resolution 64/298 (2010) and was welcomed as "a factor for peace, security and stability in the region".⁶ On February 24, 2012, after 9 rounds of negotiations chaired by the EU representative, Robert Cooper, the two delegations respectively led by the deputy prime minister of Kosovo, Edita Tahiri, and the political director of the Serbian Ministry, Borko Stefanović, reached a deal and agreed on the implementation of another one, previously achieved.⁷

First and foremost, the parties adopted the *ad interim* "agreement on regional representation and cooperation",⁸ nicknamed by the press the "asterisk agreement" or "footnote agreement". It confirms their commitment to "effective, inclusive and representative" cooperation in the Western Balkans and provides for Kosovo to be seated in regional organizations with the nameplate of "Kosovo*", not to be referred to as a "Republic" anymore. It allows the country to take part in conferences, sign agreements on "its own account and speak for itself at all regional meetings", including those with EU institutions, no longer being represented by UNMIK.⁹ The asterisk directs people to a footnote that states: "this designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ opinion on the Kosovo Declaration of Independence".¹⁰ It was Serbia that required the reference to the resolution 1244 (1999), which ended the Kosovo war and established the UN administration over the country, because it does not contain any reference to an independent Kosovo. As a consequence, Kosovo asked for the reference to the July 2010 International Court of Justice verdict, which affirms that Pristina's declaration of independence is not illegal.¹¹ According to Cooper, the fact that the resolution 1244 and the ICJ opinion exist is common ground and the footnote simply means that "the name Kosovo is in conformity

⁵ Aubrey Hamilton, *From Technical Arrangements to Political Haggling: the Kosovo-Serbia Dialogue and the North of Kosovo*, Prishtina, Group for Legal and Political Studies, February 2012 (Policy Report, 02/2012), <http://legalpoliticalstudies.org/download/Policy%20Report%2002%202012%20english.pdf>.

⁶ United Nations General Assembly, *Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law (A/RES/64/298)*, 13 October 2010, <http://www.unmikonline.org/Documents/GA64298.pdf>.

⁷ Council of the European Union, *Statement by High Representative Catherine Ashton following the meeting with Prime Minister of Kosovo Hashim Thaci*, Brussels, 1 March 2012 (A 93/12), http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/128352.pdf.

⁸ Serbia and Kosovo, *Arrangements regarding regional representation and cooperation*, Brussels, 24 February 2012, available in *Tanjug*: <http://www.tanjug.rs/news/33920/text-of-kosovos-regional-representation-agreement.htm>.

⁹ *Ibidem*.

¹⁰ Council of the European Union, *EU facilitated dialogue: agreement on regional EU cooperation and IBM technical protocol*, Brussels, 24 February 2012 (Press Statement No. 5455/12), http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/128138.pdf.

¹¹ "Belgrade moves closer to Brussels", in *The Economist blog Eastern approaches*, 2 March 2012, <http://www.economist.com/blogs/easternapproaches/2012/03/serbias-eu-bid>.

with international law and can be accepted by both sides” without interfering with the issue of Kosovo’s status.¹²

Furthermore, Serbia and Kosovo concluded a technical protocol on the implementation of the integrated border management deal, reached on December 2, 2011.¹³ This deal was of an operational, practical nature, allowing daily cooperation between customs, police and immigration officers, who will establish “joint, integrated and secure posts at all their common crossing points”.¹⁴ It is actually the first legal agreement between Pristina and Belgrade, which can “pave the way for the normalization of the situation”,¹⁵ and, as everything in the EU-brokered talks, it does not prejudice the question of status.

On the whole, the latest round of the Belgrade-Pristina negotiations widely addressed regional cooperation, referring both to high and low politics. Indeed, as Cooper noted, “whereas the first agreement on regional cooperation is about high level people, cabinet ministers and so on sitting around the same table together, the second agreement is about every-day officials, police and customs working together”.¹⁶

2. Perceptions and impact of the asterisk agreement

The *ad interim* Belgrade-Pristina agreement on regional cooperation has been praised across the world, most of all in the European Union and the US. EU High Representative for Foreign Affairs, Catherine Ashton, and Commissioner for Enlargement, Štefan Füle, welcomed it as “an important step forward” in the two countries’ path to Europe. By the same token, the US appreciated the achievement of the deal and Secretary of State, Hillary Clinton, declared that it would bring Kosovo closer to the EU and increase the number of states recognizing its independence.¹⁷

However, the footnote agreement has generated divergent interpretations on the part of Serbia and Kosovo, unlike the IBM deal that has been widely accepted in both countries, opening the prospect for a reduction of violence. Indeed, Pristina’s Prime Minister, Hashim Thaçi, declared that the achievement of the “agreement on regional representation and cooperation” would imply Serbia’s recognition of Kosovo’s independence. By contrast, former Serbian president, Boris Tadić, claimed that

¹² Statement by Robert Cooper, EU facilitator (Counsellor) for the Belgrade-Pristina dialogue, on 24 February in Brussels, in *TV Newsroom* - the multimedia platform of the Council of the European Union, 24 February 2012, <http://tvnewsroom.consilium.europa.eu/event/belgrade-pristina-dialogue/statement-by-robert-cooper311>.

¹³ Serbia and Kosovo, *IBM Agreed Conclusions* (Agreement on administrative boundaries/border crossings), Brussels, 2 December 2011, http://www.kryeministri-ks.net/repository/docs/IBM_agreed_conclusions_eng.pdf.

¹⁴ Council of the European Union, *EU facilitated dialogue: Agreement on IBM*, 2 December 2011 (Press Statement No. 18095/11), <http://register.consilium.europa.eu/pdf/en/11/st18/st18095.en11.pdf>.

¹⁵ Security Council Report, *Update report: Kosovo*, February 2012, http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.7966261/k.135F/February_2012brKosovo.htm.

¹⁶ Statement by Robert Cooper, cit.

¹⁷ “Clinton: number of states recognizing Kosovo will increase”, in *Beta Press*, 24 February 2012, available in the Serbian Ministry of Foreign Affairs’ *Daily Survey* of 27 February: http://www.mfa.gov.rs/Bilteni/Engleski/b270212_e.html.

Belgrade's attitude toward Kosovo remains unchanged¹⁸ and Stefanović clearly stated that his country has not accepted Kosovo's independence by signing this deal.¹⁹

Moreover, the agreement has caused internal divisions in both countries. In Kosovo, there is a discrepancy of views about whether the asterisk should be inserted next to the name. Public opinion is irritated that the country will not be referred to as a Republic in regional fora and feels to have been used by Serbia as a tool to get EU candidate status. Kosovo's Self-Determination Movement (*Vetëvendosje!*), that is the greatest opposition party led by Albin Kurti, accuses the government of having removed the word "Republic" in exchange for a footnote that compromises and damages Pristina's independent status.²⁰ By contrast, Thaçi and his supporters argue that the footnote is only a temporary formula, "a snowflake that will melt as soon as the weather warms up"²¹ and Tahiri claims that the omission of the word "Republic" does not change the substance of the agreement.²²

In Serbia, the government considers the deal as "an inevitable compromise" to proceed along the path to EU membership and a way to ease tensions with Kosovo.²³ However, Serbian nationalists are angry that Kosovo* will have a seat at regional meetings and the main opposition parties, the Democratic Party of Serbia (DPS) and the Serbian Radical Party (SRS), fear that the deal could lead to Belgrade's recognition of Kosovo as an independent state.²⁴ Moreover, North Kosovo's Serbs are "upset and disappointed" by the asterisk agreement,²⁵ claiming that Tadic worked against the interests and wishes of Serbia's citizens in Kosovo, whose existence as a free community has been endangered.²⁶

However, divergences and grumblings aside, the agreement has already had some concrete positive effects. Up until February 24, 2012, Serbia thwarted any participation in regional meetings by Pristina's representatives, walking out or refusing to join them. From then on, under the asterisk agreement, Belgrade has accepted to take part in meetings in which Kosovo speaks for itself and behaves as an independent actor rather than being formally represented by UNMIK.²⁷ This solution has allowed Serbia to

¹⁸ Erhan Türbedar, "Hope for normalization in Kosovo-Serbia ties", in *TRT English*, 2 March 2012, <http://www.trtturkmenca.com/trtworld/en/newsDetail.aspx?HaberKodu=92143510-ae41-46e7-931f-8aa5df2ae239>.

¹⁹ "Stefanovic: Serbia has not recognized Kosovo" in *Tanjug*, 25 February 2012, <http://www.tanjug.rs/news/33912/stefanovic--serbia-has-not-recognized-kosovo.htm>.

²⁰ Matthew Brunwasser, "Serbia and Kosovo Reach Agreement, With an Asterisk by Kosovo's Name", in *The New York Times*, 25 February 2012 p. 5, <http://www.nytimes.com/2012/02/25/world/europe/25iht-kosovo25.html>.

²¹ Erdoan A. Shipoli, "Kosovo*-what next?", in *TransConflict*, 5 March 2012, <http://www.transconflict.com/2012/03/kosovo-what-next-053>.

²² Matthew Brunwasser, "Serbia and Kosovo Reach Agreement, With an Asterisk by Kosovo's Name", cit.

²³ Erhan Türbedar, "Hope for normalization in Kosovo-Serbia ties", cit.

²⁴ David B. Kanin, "Two concessions, one winner", in *TransConflict*, 29 February 2102, <http://www.transconflict.com/2012/02/two-concessions-one-winner-292>.

²⁵ "N. Kosovo Serbs disappointed by agreement", in *B92*, 25 February 2012, http://www.b92.net/eng/news/politics-article.php?yyyy=2012&mm=02&dd=25&nav_id=78969.

²⁶ "Nine percent against the fourth reich and its Belgrade proxy", in *The Serbian Roundup*, 21 February 2012, <http://www.serbianroundup.com/2012/02/ninety-nine-percent-against-fourth.html>.

²⁷ Matthew Brunwasser, "Serbia and Kosovo Reach Agreement, With an Asterisk by Kosovo's Name", cit.

live with Kosovo without formally recognizing its independence. It thus represents a key step towards a normalization of Belgrade-Pristina relations, which will have a positive impact on the political and economic stability of the entire region.

With this deal, Kosovo has gained a place at the diplomatic table,²⁸ not only with Western Balkan states but also with EU institutions, opening the way to the establishment of formal relations with Brussels. Indeed, immediately after the achievement of the aforementioned deal, the European Union Council of Ministers launched a “feasibility study” for Kosovo, with the approval of the five members that have not recognized Pristina’s independence.²⁹ This study represents the first tangible benefit stemming from the asterisk agreement, which paves the way for Kosovo to ultimately sign a Stabilization and Association Agreement (SAA) and eventually join the EU.³⁰ Moreover, considering that Kosovo is the poorest country in Europe, with an average annual per capita income (PPP) of USD 6.500,³¹ the footnote agreement represents an incredible headway, ensuring Kosovo’s participation in regional trade and economic cooperation schemes. Indeed, the country can attract investment if its products can easily access the regional market and if it can be part of regional production chains. Another crucial point is that Pristina, from now on, can sign regional cooperation agreements. As a result, the Central European Free Trade Agreement (CEFTA), blocked by Serbia and Bosnia since 2008 because of disputes over Kosovo’s status, can now go ahead, to the benefit of the whole region.³²

During the negotiation process Serbia gained the footnote which puts a severe restriction on Kosovo’s sovereign status, by referring to UN Security Council resolution 1244. As a result of its commitment in the dialogue with Pristina, Serbia also received the green light as from the European Union, being recognized as an EU candidate.³³ Indeed, it was granted this status on March 1, 2012, after the refusal obtained in December 2011, due to the erection of barricades by North Kosovo Serbs in response to the deployment of special police units by Pristina to take control of border checkpoints.³⁴ The recognition of EU candidacy is very important for Belgrade, for at least two reasons. First, conditioned by its long-standing involvement with the International Criminal Tribunal for the Former Yugoslavia (ICTY), EU candidacy proves that the country is moving beyond the legacy of the Milosević era,³⁵ beyond its racist

²⁸ Stefan Lehne, *Kosovo and Serbia: Toward a Normal Relationship*, cit.

²⁹ James Ker-Lindsay, “The significance of Kosovo*”, in *e-International Relations*, 03 March 2012, <http://www.e-ir.info/2012/03/03/the-significance-of-kosovo>.

³⁰ Council of the European Union, *EU facilitated dialogue*, cit.

³¹ Central Intelligence Agency (CIA), “Kosovo”, in *The World Factbook*, updated 20 June 2012, <https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html>.

³² Andrea Lorenzo Capussela, “Kosovo: obvious thoughts on the footnote”, in *Osservatorio Balcani e Caucaso*, 13 March 2012, <http://www.balcanicaucaso.org/eng/Regions-and-countries/Kosovo/Kosovo-obvious-thoughts-on-the-footnote-113646>.

³³ Council of the European Union, *Serbia is granted EU candidate status*, Brussels, 1 March 2012 (Presse EUCO 35/12), http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/128445.pdf.

³⁴ “New Trouble in Kosovo”, in *The Economist blog Eastern approaches*, 26 July 2011, <http://www.economist.com/blogs/easternapproaches/2011/07/serbia-and-kosovo>; “Kosovo deploys police to Serbia border crossing”, in *Radio Free Europe/Radio Liberty*, 26 July 2012, http://www.rferl.org/content/kosovo_serbia/24276753.html.

³⁵ James Ker-Lindsay, “The significance of Kosovo*”, cit.

and ultranationalist past. Second, it increases the political might of Belgrade in shaping and guaranteeing regional stability and security.

The additional value of the agreement on regional cooperation is that it implicitly rejects the policy of territorial partition, which could destabilize not just Kosovo and Serbia, but the Western Balkans as a whole. Indeed, the agreement recognizes Kosovo's international subjectivity, at least in the region and in its relationship with the EU. Any claim to Kosovo's territory by Serbia, or to that of Serbia by Kosovo, would clash with international law. The agreement is also expected to consolidate the understanding that the question of borders in the Balkans has been settled.³⁶

3. Pending challenges and a strategy to move forward

Although the agreement on regional representation is a move towards the normalization of relations between Kosovo and Serbia, the road ahead is riddled with challenges and uncertainties, since the deal has not tackled the key bones of contention between the two countries, namely North Kosovo and Pristina's status. As Belgrade and Pristina have contrasting perspectives on these issues, the overall situation remains unsustainable and the mistrust between the parties continues to be high.³⁷ Indeed, on March 15, 2012, Serbia's delegation walked out of a meeting of the Regional Cooperation Council (RCC) in Sarajevo, because of disagreement over Kosovo's representation. Meanwhile, a Kosovo delegation, disappointed about Serbia's attitude, left a regional conference on civil society in Belgrade. Although the two countries agreed to Kosovo being represented as Kosovo*, Belgrade argues that the nameplate must also include the full text of the footnote, while Pristina claims that the asterisk is sufficient.³⁸

The main stumbling block to the normalization of bilateral relationship remains North Kosovo. Indeed, Serb parallel structures continue to operate in that area in the fields of security, education, health and public services, with Belgrade's support, thus undermining Kosovo's territorial integrity, its domestic sovereignty and its internal security. The four predominantly Serb municipalities in northern Kosovo, namely Kosovska Mitrovica, Zvečan, Zubin Potok and Leposavić, *de facto* reject Pristina's jurisdiction and reconfirmed their opposition to Kosovar institutions in a referendum that took place in February 2012.³⁹ Despite the asterisk agreement, in north Mitrovica, clashes and skirmishes continue to take place.⁴⁰ Since the end of May 2012, Pristina

³⁶ Vladimir Gligorov, "One step forward- will the next be a step back", in *Bosnian Institute News & Analysis*, 3 April 2012, http://www.bosnia.org.uk/news/news_body.cfm?newsid=2845.

³⁷ Stefan Lehne, *Kosovo and Serbia: Toward a Normal Relationship*, cit.

³⁸ Civil-Military Fusion Centre (CFC), *Kosovo. Bi-monthly Review*, 31 March 2012, https://www.cimicweb.org/cmo/ComplexCoverage/Documents/Kosovo/Bi-Monthly%20Review/20120331_Kosovo_Review_FINAL.pdf.

³⁹ Ian Bancroft, "A poll on Pristina", in *Business New Europe*, 13 February 2012, <http://www.bne.eu/story3244>.

⁴⁰ Gerald M. Gallucci, "Kosovo - almost time to deal with the north", in *TransConflict*, 10 April 2012, <http://www.transconflict.com/2012/04/kosovo-almost-time-to-deal-with-the-north-104>; "Clashes injure dozens as Serbs visit Kosovo battle site", in *BBC News*, 28 June 2012, <http://www.bbc.co.uk/news/world-europe-18636824>; Fatos Bytyci and Aleksander Vasovic, "Dozens wounded as Serbs, Kosovo police

has adopted a stronger political line towards the north, by calling for the closure of the UNMIK office and the establishment of its own administration in that area, provoking a negative reaction by Serb neighborhoods.⁴¹

Moreover, the asterisk agreement has left open the question of Kosovo's status. The content of the footnote posed next to the name of Kosovo creates ambiguity, as it refers to two documents contradicting one another. UNSC Resolution 1244 is the cornerstone of Serbia's arguments against Pristina's independence, whereas the ICJ opinion is the legal argument for it.⁴² This issue will arise again in future, as the two parts have conflicting viewpoints. On the one hand, the newly-elected Serbian president, the nationalist Tomislav Nikolić, recently claimed that Belgrade will never recognize Pristina's full independence.⁴³ Chief of General Staff, Ljubiša Diković furthermore identified Kosovo as "the biggest security challenge for Serbia".⁴⁴ On the other hand, Kosovo has no intention to return under Belgrade's rule, having been recognized as an independent state by 93 nations.⁴⁵ Indeed, its president, Atifete Jahjaga, appreciated the decision of the International Steering Group (ISG)⁴⁶ to bring to an end the supervised independence of the country, giving it greater leeway with the international community.⁴⁷

Consequently, no further time should be lost. Serbia should encourage Kosovar-Serbs to remove their barricades and accept Pristina's institutions and should allow freedom of movement to EULEX and KFOR. At the same time, Kosovo should not impose its authority over the North with forceful and unilateral methods and should engage with all elected representatives of the Serb community, who, by the same token, should be ready to engage in a dialogue with the government of Pristina.⁴⁸ To achieve these goals, political compromises and gradual transformation are essential, and they can be fostered within the EU-brokered negotiation process, which is the only way through which Serbia and Kosovo could reach substantial agreement. The Belgrade-Pristina

clash", in *Reuters*, 28 June 2012, <http://www.reuters.com/article/2012/06/28/us-kosovo-serbs-clashes-idUSBRE85R18W20120628>.

⁴¹ Gerald M. Gallucci, "Kosovo - Pristina's Potemkin 'North Kosova'", in *TransConflict*, 29 May 2012, <http://www.transconflict.com/2012/05/kosovo-pristinas-potemkin-north-kosova-295>; International Crisis Group, *CrisisWatch Database: Kosovo*, <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx>.

⁴² Jovan Kurbalija, "Ambiguity in footnote diplomacy", in *Diplo*, 26 February 2012, <http://www.diplomacy.edu/blog/ambiguity-footnote-diplomacy>.

⁴³ "Serbia's Nikolic Gives Some Ground on Kosovo", in *Balkan Insight*, 11 July 2012, <http://www.balkaninsight.com/en/article/serbia-s-nikolic-gives-some-ground-on-kosovo>.

⁴⁴ "Kosovo poses biggest security threat to Serbia", in *B92*, 18 May 2012, http://www.b92.net/eng/news/politics-article.php?yyyy=2012&mm=05&dd=18&nav_id=80301.

⁴⁵ Levin Institute, "Intervention in Kosovo", in *Globalization101*, <http://www.globalization101.org/intervention-in-kosovo>.

⁴⁶ Following Kosovo's declaration of independence, upon the request of Kosovo's leaders, a group of states formed the International Steering Group (ISG), including the US, UK, France and Germany. Its main aim is to support the implementation of the Ahtissari Plan and to promote good governance, multi-ethnicity and the rule of law in Pristina.

⁴⁷ Kosovo Presidency, Statement of President Jahjaga on ISG's decision to end the supervised independence of Kosovo, 2 July 2012, <http://www.president-ksgov.net/?page=2,6,2420>.

⁴⁸ International Crisis Group, *Kosovo and Serbia: A Little Goodwill Could Go a Long Way*, 2 February 2012 (Europe Report No. 215), <http://www.crisisgroup.org/en/regions/europe/balkans/kosovo/215-kosovo-and-serbia-a-little-goodwill-could-go-a-long-way.aspx>.

dialogue is on the right track to establish normal relations between the parties, as it began with technical, relatively easy, issues, such as the return of civil registries, and moved towards more complex questions, such as regional representation, achieving positive results. However, a change of gear is necessary, because fundamental concerns have not been addressed yet.

That is why the EU should start a more comprehensive and ambitious dialogue, that, first and foremost, involves Belgrade and Pristina as well as representatives from northern Kosovo. This dialogue should be aimed at overcoming the separation between the north and the rest of Kosovo through arrangements for regional autonomy for the north, providing international guarantees for Serb Orthodox monasteries. It should also aim at reaching a comprehensive framework for cooperation, including contractual agreements and diplomatic representation, that preserves the parties' differing legal positions on status. Moreover, the dialogue should be focused not only on technical issues but also on political ones, and should aim at ending Serbia's opposition to Kosovo's membership in international organizations, such as the UN and the EU, and to further recognitions.⁴⁹

Finally, EU member states that still do not recognize Kosovo's independence, such as Greece, Romania, Slovakia, Spain and Cyprus, should move beyond the approval of contractual relations with Kosovo. The stability of the Western Balkans is fundamental for Europe and can be achieved only if Kosovo and Serbia reach a peaceful coexistence, which would be encouraged by a unified EU position. For instance, if Cyprus, currently holding the rotating EU presidency, continues to publically refuse Kosovo's unilaterally proclaimed independence, as its Minister of Foreign Affairs did on 11 July, 2012,⁵⁰ while the President of the European Commission Barroso stated earlier that "normalization of Serbia's relations with Kosovo remains an absolutely central condition of moving to Serbia's accession talks",⁵¹ EU misses a great opportunity to comprehensively resolve the Serbia-Kosovo conflict.

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⁴⁹ Stefan Lehne, *Kosovo and Serbia: Toward a Normal Relationship*, cit.

⁵⁰ Serbian Government, "Cyprus offers clear support to Serbia's European perspective", 11 July 2012, <http://www.srbija.gov.rs/vesti/vest.php?id=86549>.

⁵¹ Andrew Rettman, "Nikolic: EU does not demand Kosovo recognition", in *EUobserver.com*, 14 June 2012, <http://euobserver.com/24/116629>.

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Via Angelo Brunetti, 9 00186 Roma
Tel.: +39/06/3224360 Fax: + 39/06/3224363
E-mail: iai@iai.it - website: <http://www.iai.it>
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