

Alliance for New Kosovo/CSIS, Lunch Address, 15 November 2005
THE WESTERN BALKANS NEED FINAL STATUS
Janusz Bugajski

A pivotal time has arrived in the Western Balkans, with two critical issues coming to a head. First, the final status of Kosova will need to be decided over the coming months as even the United Nations Secretary General has concluded that any further delay will prove counter-productive for regional stability. And second, the final divorce between Serbia and Montenegro looks to be only a few months away as Montenegro prepares for a national referendum on statehood in the spring of 2006. In this context, I will focus on five sets of issues:

1. International involvement remains essential for smoothing the resolution of the two outstanding post-Yugoslav questions. Military, political, and economic engagement has helped to ensure peace in the region since the NATO interventions in the 1990s. But long-term stability is more problematic without a full commitment by international bodies.

Full commitment signifies clear decisions and the implementation of final status for all three remaining federal units of ex-Yugoslavia -- Serbia, Montenegro, and Kosova -- which can then become sovereign and legitimate international entities. The alternative to resolving the status issues and establishing legitimate states is the rise of resentment and possible violence directed not only at other ethnic groups but even against international agencies present on the ground.

Kosova is preparing itself for international decisions on timelines for status and statehood. Special representative Kai Eide's recent report to UN Secretary-General Kofi Annan's outlined the achievements and shortcomings in Kosova's democratic development. Clearly, a great deal still needs to be accomplished in ensuring the rule of law, minority rights, anti-corruption, anti-criminality, and institutional reform.

However, with the appointment of an international mediator, Kosova's political future cannot be delayed for much longer as any further obstruction could raise tensions in the territory to breaking point, and without legitimate status further economic and democratic progress seems highly unlikely. Standards cannot be met without a roadmap to status.

2. The notion of **conditional independence** for Kosova is misleading and unrealistic. It implies that independence and statehood can somehow be curtailed, reversed, or annulled altogether. It would be preferable and more accurate to call it "staggered independence," in which the government in Kosova systematically acquires all the features and mechanisms of sovereignty and independence within a specific timetable. The timeframe itself must be tied to meeting some basic standards of governance while authoritative and legitimate powers should be steadily transferred from international bodies, including UNMIK. In addition, NATO and other key international players must maintain temporary supervision over Kosova's embryonic security structures.

3. Regarding **incentives and benefits for Serbia**, Belgrade will have a voice in the upcoming status talks, even if the most rational decision is full separation between Serbia and Kosova, or in fact the *de jure* recognition of *de facto* separation. Serbia can be offered extensive protection for

the Serbian minority (whether in self-governing zones in Kosova or through administrative decentralization and minority inclusion as in Macedonia), the international supervision of major religious shrines and historic sites, a NATO umbrella over the emerging state, a speedy track for Serbia through the EU's Stabilization and Association process, with a timetable for eventual accession talks, inclusion in NATO's Partnership for Peace (PfP) program, U.S. military assistance, and enhanced prospects for business investment.

In the Western Balkans, each of the new democracies and emerging states must be offered realistic prospects for EU and NATO membership. Whatever the precise time frame, a set of standards must be specified, monitored, and implemented in order to achieve full inclusion. The indefinite postponement of such prospects would exacerbate the very problems that the EU is evidently seeking to avoid – radicalization, corruption, criminalization, instability, state weakness, out-migration and potential violence.

In this context, the status of Kosova must be decided within the coming months and both the EU and the US need to be closely involved in the process. Simply assigning the status talks to a UN representative or the Contact Group, in which Russia has a major voice, and without leadership exerted by Washington and Brussels working in tandem, could exacerbate tensions in the region. This could precipitate further delays in meeting international standards for statehood, democracy, and EU and NATO integration. The longer the talks drag on without firm decisions, the greater the likelihood that they will escalate tensions in Kosova, with Serbia, and between international actors.

4. Certain dangers and pitfalls must be avoided during the status talks. In particular, pressing Montenegro to postpone or revoke its planned referendum on independence would be a strategic mistake. Some foreign diplomats calculate that such a maneuver can somehow compensate Serbia for the loss of Kosova. Manipulating the destiny of Montenegro, one of the oldest countries in the Balkans, will not assuage regional nationalism, but is likely to further provoke it in Serbia by distracting attention from the country's essential domestic reforms. It will also generate immense resentment among the pro-American and pro-EU majority of the Montenegrin population that supports independence. International players should accept the results of the planned Montenegrin referendum in the spring of 2006, as the process itself is legitimate by any international standards and international agreements.

Serbia's most important compensation for the loss of Kosova and Montenegro **is** the loss of Kosova and Montenegro. Without constant disputes with Prishtina and Podgorica over state structures, administrative responsibilities, and international legitimacy, Belgrade will finally be able to stand on its own feet, build an independent Serbia, pursue more rigorous structural and economic reforms, and move forward on the track to NATO and EU membership. Serbia can then become a factor of stability in the Western Balkans rather than a factor of uncertainty, ambiguity, and insecurity. Hence, the independence of both Kosova and Montenegro will help Serbia achieve its main targets. Although the EU and the U.S. continue to waver over the question of independence, I suspect that there would be little resistance if Serbia itself accepted statehood for the remaining three federal units of the defunct Yugoslavia.

In this context, Russia could become a spoiler during the process of status decisions and may prove to be more opposed to Kosova's independence than even Belgrade. Putin's Kremlin has an interest in maintaining Serbia, Montenegro, and Kosova together in one Balkan state where it can exert and project its economic and political influences. Ultimately, Moscow may have to accept Montenegro's and Kosova's independence, but instead of claiming that this would set a precedent for the independence of Chechnya, it may then claim that it sets a precedent for the independence of Transnistria from Moldova and of Abkhazia from Georgia. The political and strategic exploitation of Kosova's final status by Russia must be closely monitored by the U.S. administration and support for both Moldova and Georgia must be strengthened.

5. There are two **alternative futures** for the Western Balkans – Europeanization (or more accurately EUization) or marginalization. Europeanization signifies a realistic roadmap for accession into both the EU and NATO, as was the case with the recently admitted members from Central Europe and the next acceding states from the Eastern Balkans, Bulgaria and Romania. If there are long delays in EU entry or the prospect is eliminated altogether, then there will be precious little incentive for reform and for meeting international standards in effective governance. In reality, unstable states, fragile unions, and international dependencies cannot enter either the EU or NATO. Only sovereign and internationally recognized states can accede to these institutions,

We must therefore avoid scenarios that could assign the West Balkan region to a peripheral and pauperized gray zone. This would increase opportunities for cross-border criminal organizations and other non-state interests, result in potential depopulation as locals seek to escape to the EU, and radicalize a younger generation with few chances for employment and personal improvement. Ultimately, it will be less costly and disruptive to have these states Europeanized rather than marginalized. That should be the final status of all three emerging states.