



THE KOSOVO RUBICON

HOW DID IT HAPPEN THAT A LOCAL SERBIAN AND BALKAN ISSUE BECAME ONE OF THE CENTRAL GLOBAL DEADLOCKS AND, SO TO SAY, THE TURNING POINT OF CURRENT WORLD POLITICS?

The Kosovo crisis has repeatedly turned out to be a pitfall for numerous allegedly reliable political assessments and prognoses. Let's remember how many times and with how much sureness has been published that it would all be finished before the end of 2006! Then again in January, March, May, June, September, and December 2007. How much talk was there about the session of the Security Council in which a "new resolution, based on Martti Ahtisaari's proposal" would be adopted? That is why even the experts familiar with Serbian political circumstances do not dare to make any kind of prognostic as to what will follow after December 10. Yet, almost all of them agree that by the end of this (or the beginning of next year) moves will be made in Pristina, Washington, Brussels and Belgrade that will definitely change the Kosovo status quo and that such actions would have far-reaching consequences not only in the region, but also in terms of global international relations. Keeping the existing situation unchanged is, allegedly, unbearable and one has to "move ahead" where the "ahead" implies, first shyly and euphemistically and later openly and exclusively – the independence of Kosovo. But, how did it happen that a local Serbian and Balkan issue became one of the central global deadlocks and, so to say, the turning point of current world politics?

Small mistakes – big damage

Let's, for the moment, leave aside the outstanding symbolic status Kosovo has in Serbian history and Serbian national awareness building. This, naturally, is not unimportant, but we will focus instead on a series of wrong decisions and assessments about Kosovo issue made by various stakeholders in the recent past. The Serbs first generally underestimated the scale of demographic problem in Kosovo. Head-spinning natural growth of Albanian population, combined with pogroms during the Albanian-supported Nazi occupation and systematic half-century pressure imposed on non-Albanians made the Kosovo Serbs an absolute and increasingly hopeless minority. In the period before and directly after World War II, Serbian authorities wrongly believed that Kosovo problem could be solved with increased police repression on the Albanian population, while since the end of the 1960s, the communist regime adopted completely different extreme, trying to pacify the aspirations of ethnic Albanians by giving Kosovo broad autonomy and constitutive semi-state status within the Republic of Serbia and the Yugoslav (Con)Federation.

Milosevic wrongly believed that the Kosovo problem was solved after its autonomy level had been reduced and a partially police-based regime established in the Province at the beginning of the 1990s, and he



left it to the care of his incompetent and corrupted local staff. His biggest mistake was probably that he believed he could play games with Kosovo and make political manipulations.

On the other hand, western political factors, mostly Americans, wrongly believed – if they really did – that the Kosovo issue was of prevalently humanitarian nature, and not the conflict between two hardly reconcilable rights, two ethnic groups, and two state-constituting interests, as well as among several regional interests. They did wrong when they, without approval from the UN Security Council, without any legal or sufficiently ethical grounds, bombarded Serbia, i.e. FR Yugoslavia, because of Kosovo. They made an even bigger mistake when they additionally tried to somehow justify this act by supporting a picture of "genocide over Albanians" and of Gandhi-like resistance of the latter, systematically concealing the facts of criminal acts, crimes committed by ethnic Albanians and inhuman conditions the remaining Kosovo Serbs managed to survive in.

Besides, misled by erroneous information from their field commissioners, western officials wrongly assessed the degree of the Serbs' interest in Kosovo. They mistakenly thought that "Kostunica was only bluffing", that Tadic would in the end recognize Kosovo's independence, and that Kosovo was a "low-priority issue for Serbian voters". They were also making wrong estimations of the Russian position and possible role in the Kosovo crisis, continuously warning their Belgrade counterparts not to count on Russian veto in the Security Council, that Putin would make a deal with Bush and that "the Russians would betray them in the end".

What is worst, with such policy and direct or indirect promises to ethnic Albanians that their independence is guaranteed "as a reward for all they had suffered under Milosevic", the Kosovo Albanians were so strongly sensitized that now, no mat-

ter how favourable an option is offered to them other than independence, they take it as the end of the world and as exceptionally unjust.

Finally, a part of Serbian anti-Milosevic opposition seem to have believed that the Kosovo crisis had started with Slobodan Milosevic and would end with his departure. In addition, some of them experienced Kosovo as a "burden" and tried to get rid of it as soon as possible, while they believed, wrongly again, to have the support or at least the passive approval of a majority of Serbian citizens blinded with the glitter of European stars and hypermarkets. They were wrong.

All parties involved have made mistakes, but beside the Serbs, the big losers would also be the Albanians, the United States, western interests, regional stability and the "European Cause" in Serbia, the international law and order. And I believe that many would now see that the status quo from the beginning of this text could, in fact, be a better or less bad solution than the crash-course we seem to be heading into. It is, however, a big question whether there is at all a pilot in this plane – and whether there is enough time to have someone change the course and "pull the emergency brake".

Is Serbia's Russian allegiance a prophecy coming true by itself?

Beyond doubt, Serbian-American relations will be irreparably damaged in the light of open US support for Kosovo's independence. Even the air strikes against Serbia in 1999 and the heavily biased attitude of Washington and Brussels during the Yugoslav crisis of the 1990s could not significantly destabilize the unquestionably pro-western attitude of the majority of the Serbian public, and especially of the Serbian elite.

According to polls, citizens have had balanced but still rather confused attitudes partly due to the effects of continuous pro-western propaganda, and partly due

to repeatedly failing expectations of Russian support during the nineties. However, the manner in which the US are promoting Kosovo's independence, especially the arrogant and humiliating "argumentation" with which American officials like Nicholas Burns and Daniel Fried explain why such a solution would be both good and just for Serbia, can very easily result in deeper reconsideration or even change of Serbian post-Milosevic political course. In the long term, regardless of all media-political simulations, it will be difficult to explain to Serbs why someone who steals something from them is a better friend than the one who, though unsuccessfully, tries to help them keep something that belongs to them already.

Who wouldn't like to have the biggest world power as an ally? The more so as the generations of those who presently have the final say in Serbian politics and public life were essentially brought up in the strong multi-party spirit which, partly authentically and partly due to decades-long resistance to communist dogma, emphasized an almost cult attitude towards the tradition of American liberalism and the "American way of life". This attitude of slightly uncritical adoration spread to practically all spheres, from sub-culture, Disneyland, Hollywood and jazz to political organization and political philosophy. Knowing the major part of Serbian political establishment, one can say with certainty that – with the possible exception of Tomislav Nikolic – all of them would like to have the U.S.A. on their side in the ongoing Kosovo conflict or at least to be able to count on a balanced American attitude regarding that issue. But they cannot. And there is no longer any use in closing our eyes in front of such reality, in front of the fact that any text or analysis in the western media, talking of the Russian attitude in negotiations about Kosovo, as a sort of explanation, is necessarily accompanied by the remark of Moscow being "traditional ally of the Serbs". In other words, the western media remind us of what many have forgotten or are trying to forget here.

And this is presumably the greatest paradox in the entire geopolitical confusion. Due to doubts about the Serbs being traditionally inclined to Moscow and Russian interests, the West has been continuously taking the position contrary to Serbian national interests in practically all issues (Croatia, Bosnia, Montenegro, Kosovo) and this, at the end of the story, can result in Serbia's turning to the East, though its elite has been feverishly rushing for the West. Strict military neutrality and a balanced, pragmatic attitude towards the United States, the European Union and Russia are the most that the West can expect from Serbia.

Dorđe Vukadinović is editor-in-chief of the New Serbian Political Thought magazine.

WHO FRAMED THE TROIKA?

IF THE TROIKA PROCESS DIES WITH NO RESULTS, IT WILL NOT BE OF NATURAL CAUSES. LET'S BE BLUNT AND OPEN: THE TROIKA PROCESS WAS DERAILED, TRAPPED, ABUSED AND FATALLY CONCLUDED BY THOSE WHO SAW IT FROM THE START AS AN UNECESSARY NUISANCE, A FORCED 120-DAY EXTRA-TIME WHICH RESULT HAD TO END WITH A PREDETERMINED VICTOR.



When the idea of setting up the Troika came up in June 2007, following the failure to adopt a UN Security Council resolution based on the "supervised independence" plan by Martti Ahtisaari, the proclaimed goal was to give a new chance for the parties to negotiate and find a compromise solution.

But the proclaimed objective never came to life. Only three days before the first round of direct talks in New York on September 28, the U.S. Secretary of State Condoleezza Rice put it bluntly in a widely published interview: "How we get there, I think, is what's still to be determined. But there's going to be an independent Kosovo. We're dedicated to that."

Encouraged, the Pristina team came to New York with a proposal which did not have anything to do with status, but with post-status, a relationship between two "independent states". For the Kosovo Albanians, status had been determined already and all that remained to be done from their point of view (and from the point of view of those in Washington who actually wrote the Pristina proposal) was to negotiate a smooth imposition of the Ahtisaari plan on Serbia.

Ensuring "constructive disagreement" and "soft landing" of Belgrade – making sure that Serbia would not seek to actively obstruct Kosovo's independence -- became the objective of Western policy.

The US, and perhaps many in the EU, did not really want to talk status. That is why they allowed the mixing of apples and oranges, the mixing of status and post-status.

Had it been otherwise, EU representative Wolfgang Ischinger would have not pushed so hard for a solution

which focussed more on how Serbia would treat an independent Kosovo than on status.

The UN SC 1244 called for the resolution of the Kosovo status. This is what the process was supposed to be about and why it started in the first place. Instead, we had the Martti Ahtisaari process, which was about ensuring how the Kosovo Albanians would treat the Kosovo Serbs in an "independent Kosovo".

The Troika process – as some in Washington and Brussels imagined it – was about how Serbia would treat an "independent Kosovo".

That the "independent Kosovo" status had never been negotiated, let alone agreed on, was of no matter to those who see the entire process – since November 2005 – not as a search a creative solution for the Kosovo status, but as a way of finding a creative solution for the imposition of Kosovo's independence.

In that sense, the mantra phrase "we will leave no stones unturned" becomes particularly hypocritical.

Its goal was not to go one step forward in the process, but to justify going one step back – straight into the Ahtisaari process and the Ahtisaari plan:

- 1) Create an artificial 120-day deadline, which would make a landmark out of "December 10".
- 2) Instead of responding to well-elaborated criticism of the Ahtisaari Plan, put pressure on its opponents within the EU, satanize Russia's involvement and use the time to create a "coalition of the willing".
- 3) Set up a fait accompli ambience in which the talks had "failed even be-

fore they started" and in which the focus would not be on the content of talks but on the reactions to their aftermath.

4) Do everything to relativize UN SC resolution 1244 by trying to find alleged legal loopholes and dubious interpretations.

5) Try to break Serbia's resistance and unity by sending it mixed messages and mild "indecent proposals" through a fast-track to EU candidate status in December 2008, which would, it was thought, ensure "soft landing" of Kosovo's independence.

While these tactics might be successful in short term, the strategy is likely to fail at the end: it will not lead to a

stable and united Kosovo, to an "unhappy but consenting" Serbia, to a secure and good-neighbourly Balkans region, to an unhindered European path.

It will not be a return to square one – the Ahtisaari plan – but a big loophole back to square "1991" – to frustration, tension, irredentism and instability that marked the gloomy nineties.

Time is not up yet. Could we please roll it forward, for a change?

Aleksandar Mitić is editor-in-chief of this newsletter and director of the Kosovo Compromise project. (www.kosovocompromise.com)



KOSOVO AS AN ASYMMETRICAL CONDOMINIUM

IN POLITICAL TERMS, A CONDOMINIUM IS DEFINED AS THE SPLITTING OF SOVEREIGNTY OVER A SINGLE TERRITORY BETWEEN TWO DISTINCT STATES. THE KOSOVO STATUS ISSUE COULD THUS BE RESOLVED BY THE ESTABLISHMENT OF A CONDOMINIUM OVER KOSOVO BY SERBIA AND THE EU, WHICH WOULD BE CALLED AN "ASYMMETRICAL CONDOMINIUM", BECAUSE THE EU IS NOT A STATE.

SERBIA AND EU WOULD JOINTLY APPOINT A HIGH REPRESENTATIVE IN KOSOVO. THE CITIZENS OF KOSOVO MIGHT OPT TO HAVE SERBIAN CITIZENSHIP ALONG WITH THE CITIZENSHIP OF THE CONDOMINIUM. THEY COULD ALSO CHOOSE TO BE A PART OF THE SERBIAN EDUCATION, HEALTH-CARE OR SOCIAL SYSTEM AND PAY TAXES TO SERBIA. SERBIA AND KOSOVO WOULD BE JOINING THE EU SEPARATELY. KOSOVO'S FINAL STATUS WOULD BE RESOLVED BEFORE KOSOVO JOINS EU.

As far as I know, the idea of resolving the Kosovo issue through some sort of condominium was first advanced by Dušan Proroković. Two months before he became the State Secretary in the Serbian Ministry of Kosovo, speaking of what Belgrade might propose by way of a solution, Proroković said that the "legal and political framework within which the district of Brčko in Bosnia was functioning should be given careful consideration". In the sense of sovereignty, that district is part of both Republika Srpska and the Muslim-Croat Federation. The residents of Brčko may choose whether to take the citizenship of Republika Srpska or of the Federation and whether they will vote in the elections as citizens of one or the other entity.

"Something similar may be a solution for Kosovo and Metohija", Proroković said at that time. "We would have the entity institutions in Priština and national institutions in Belgrade. Each citizen of Kosovo could make a personal choice: whether he wanted to be in the legal and political system of Priština or Belgrade. Whether he wanted his child to attend school with Priština curricula or the schools financed by Belgrade in accordance with our national plans and curricula? Whether he wanted to exercise his right to vote in the elections for the Parliament of Kosovo or in the elections for the Parliament of the Republic of Serbia."

According to Proroković, the difference between Kosovo and Brčko would be that this district is unitary whereby Kosovo would be decentralized as much as possible. "Through decentralization, a huge set of powers would be transferred from the Provincial to the local level. Here I mean also local security and investment programs (...) to enable a balanced development of both communities and to avoid the possibility of out-voting."

This solution, Proroković opines, would satisfy the aspirations of both sides: the Albanians would be totally independent from Belgrade while Serbia would have a formal sovereignty over Kosovo i.e. it would be able to say that "Kosovo remained an integral part of Serbia".

This proposal looks like a fundamentally good compromise. It may satisfy both sides, it corresponds to the situation on the ground and appears sustainable. Of course, the proposal is not

fully developed. I will therefore try to develop it a little bit further so that we might together have a closer look at what it offers.

There is a difference between the status of Kosovo and Brčko which is very important from the political and legal point of view. In certain elements, Brčko is a kind of condominium. However, in the case of condominium, there are two sides, two sovereign states sharing sovereignty and power over a territory (along with the residents of the condominium). In the case of district of Brčko, the two ideal co-owners are Republika Srpska and the Federation of Bosnia and Herzegovina. In the case of Kosovo, clearly Serbia would be one of the co-owners and co-rulers. The question is who would be the other.

Under Proroković's proposal, the other partner of Belgrade would be Priština, i.e. Kosovo entity. If Kosovo, according to his analogy, corresponds to Brčko, it cannot at the same time be both Brčko and the Federation, district and the entity, the whole and its part.

So if we seek to keep an analogy with Brčko, it is necessary to find a State with which Serbia could establish a condominium over Kosovo. The first that comes to mind, primarily for ethnic reasons, is Albania. However, so far Albania kept off the Kosovo issue (or was kept off, whichever). Her involvement in this phase of the Kosovo crisis would hardly be acceptable by anyone in the international community. So, Albania is not the partner. Who else could it possibly be? The next most logical and acceptable choice which comes to my mind, is the European Union.

The EU is not a State – that is why the solution is called asymmetrical condominium. On the other hand, the EU is a subject of international law and it is fully involved in the resolution of the Kosovo issue. Formally, it could assume a share of sovereignty over Kosovo. All current UNMIK competencies could be transferred to it. UN Secretary-General Special Representative would become EU High Representative, with the same authority. The only difference would be that from now on it would have to seek Belgrade's approval for those appointments. NATO troops would remain to keep peace, and the Kosovo Protection Corps would be maintained at the same level.

Also, the presence of the Serbian State

in Kosovo, as it is today, could be legalized i.e. formalized. The decentralization of Kosovo, which would not necessarily imply the creation of separate entities, would formally protect the existing Serbian municipalities. Functionally, Kosovo would be set up as a consensual democracy, where the rights of ethnic communities would enjoy powerful protection. Separate agreements between Serbia and the EU would regulate property and debt issues.

The relationship between Kosovo institutions and the EU would depend on the Union. As a European half-dominion, i.e. European province, Kosovo could send its representatives to the European Parliament. In that case, the Brčko formula could be applied. The Serbs, i.e. the residents of Kosovo that opt for the Serbian citizenship would vote in the general Parliamentary elections in Belgrade. The Albanians, i.e. the residents of Kosovo who opt for the citizenship of the European dominion would vote in the elections for the Parliament in Strasbourg. It does not mean that the Kosovo Serbs would not be represented in the European Parliament. They would, in line with the principles of consensual democracy, have their quota on the provincial list. In addition, the Kosovo Albanians could have their quota on the Kosovo list. However, that quota would be exactly the same as the Serb quota on the Strasbourg list – exactly in line with the principles of consensual diplomacy.

The problem to the Serb side regarding this solution would probably be that the Kosovo as a co-ruler would be a powerful partner. Serbia would have a partner on which it would be dependant in many respects, most of all in one – for wanting to unite with it. Moreover, it could even happen that both processes – the protection of Serb interests in Kosovo and EU accession – end up unsuccessful precisely due to Kosovo. Corruption capacities of the Albanian community in Kosovo are huge. It is realistic to assume that they will continue to be used to satisfy Albanian interests. The only thing is that the main address instead of New York and Washington would be Strasbourg and Brussels.

On the other side, there are good sides to this solution. Only a powerful partner can truly maintain some kind of

peace in Kosovo including basic protection of local Serbs. It would be better to have NATO and European bureaucrats there instead of UCK and the police of independent Kosovo. Also, outwitting the bureaucracy in Brussels and Strasbourg is not going to be easy. On the other hand, it would have at least theoretical chance of success compared to any attempt to ensure Serb interests with the bureaucracy of an "Independent State of Kosovo".

Finally, there is a question of what would happen after Serbia's possible accession to EU. Would Kosovo gain independence in that case? First of all, that process would last at least some ten years for Serbia. Even then, it is not likely that Kosovo will be ready to join the EU. At best, it will need another ten years of preparations for European integration. Throughout that time the condominium of Serbia and EU over Kosovo would be maintained. Only Kosovo's accession to EU would open up the question of its status. But then, Serbia would be in a much favorable position than it is today. She would already be a part of the EU.

This would help avoid a trap that is today placed before Serbia which is asked to recognize the independence of Kosovo in return for a vague prospect that at one point it will join the EU. In this case, Serbia joins the EU first and then we discuss Kosovo's independence. Actually, this question merits to be placed on the agenda only when Kosovo becomes developed enough.

At the moment when I am completing this text, the breaking news on TV is the proposal of Koštunica and Tadić to resolve the status of Kosovo in line with the Hong Kong model. It should also be recalled that the Serbian side, before this solution, proposed the model of South Tyrol and the Aland Islands. If we add the model of the district of Brčko, i.e. asymmetrical condominium – as it appears in this developed form – one can hardly say that the Serbian side was stubborn, uncooperative or even lacking imagination in seeking to offer a fair compromise for Kosovo. If no compromise is reached, it is not the Serbian side that is to be blamed.

Slobodan Antonić is an associate professor at the Faculty of Philosophy in Belgrade.

INTERPRETATIONS OF UN RESOLUTION 1244 AND ITS IMPLICATION ON THE TROIKA PROCESS

RESOLUTION 1244 HAS BEEN GENERALLY ACCEPTED AS A BASIS FOR THE NEGOTIATIONS ON THE NEW STATUS OF KOSOVO. THE CONTENT AND FUNCTION OF THIS DOCUMENT ARE HOWEVER HEAVILY CONTESTED. WITHOUT AGREEING ON THE FUNDAMENT OF THE MAIN AND RELEVANT CONTENT OF THIS DOCUMENT, ANY NEGOTIATION WILL NECESSARILY FAIL. THE TROIKA AS A RESPONSIBLE FACILITATOR OF THE NEGOTIATIONS DID NOT TRY TO CLARIFY THE CONTENT AND THE FUNCTION OF THIS BASIC DOCUMENT. THIS COULD HAVE HELPED ENORMOUSLY TO FIND COMMON GROUND FOR A COMPROMISE SOLUTION.

The Contact Group has asked negotiators to be bold, creative and open for compromises. If one would ask a ropedancer to be creative; he/she can only perform creativity on the rope. By taking away this rope any creativity will fail.

We have been told that there are many interpretations of Resolution 1244. For lawyers, who are guided by the principle of good faith, when interpreting the wording of 1244, its content guiding our negotiations is explicit and self-evident. It does not need additional interpretation. Whenever a legal text contains a clear wording, there is no space for additional interpretation of the words. The words are taken as everybody can understand them. Only if words were vague, additional tools of interpretation might be used.

With regard to the guarantee of sovereignty and territorial integrity of Serbia over Kosovo including its guarantee for substantial and meaningful autonomy within Serbia, the words are lucid and unambiguous. Nevertheless I will hereby disclaim all the arguments which I could read up to now, pretending that 1244 can be interpreted in such a creative way as to accept without amendment either the unilateral declaration of independence or the recognition of Ahtisaari's supervised independence plan.

Arguments Questioning the Validity and Applicability of Resolution 1244

First argument:

1244 is not applicable to Serbia because it was dealing with former Yugoslavia.

a) All competent bodies of the UN have always accepted that Serbia is the addressee of 1244.

If this weren't the case, the Security Council would not have involved Serbia as a party in its procedure to change 1244.

b) Serbia has always been considered with regard to this issue as the legal successor of FR Yugoslavia and thus as the bearer of the relevant rights and obligations valid for Yugoslavia in 1999.

c) Article 60 of the Constitutional Charter of the State Union of Serbia and Montenegro has explicitly stated that in the case of secession of Montenegro "the international documents related to the Federal Republic of Yugoslavia, particularly United Nations Security Council Resolution 1244, shall pertain and apply fully to Serbia as its successor." This agreement has been signed by Mr. Javier Solana on behalf of the European Union.

Second argument:

Resolution 1244 allows the international community to establish supervised independence for Kosovo without any amendment because it does not oblige Kosovo to remain part of the territory of Serbia.

a) On three occasions, the Resolution not only recognizes, but even commits the international community to reaffirm the sovereignty of Yugoslavia (and now of Serbia) and its territorial integrity:

"Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the FR of Yugoslavia and the other States of the region, as set out in the Helsinki Final Act and annex 2..."

"Reaffirming the call in previous Resolutions for substantial autonomy and meaningful self-administration for Kosovo..."

"Authorizes the Secretary-General, with the assistance of relevant international organizations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the FR of Yugoslavia..."

b) Only based on bad faith one can argue that the word sovereignty is only used in the preamble and in the annexes but not in the decision as such.

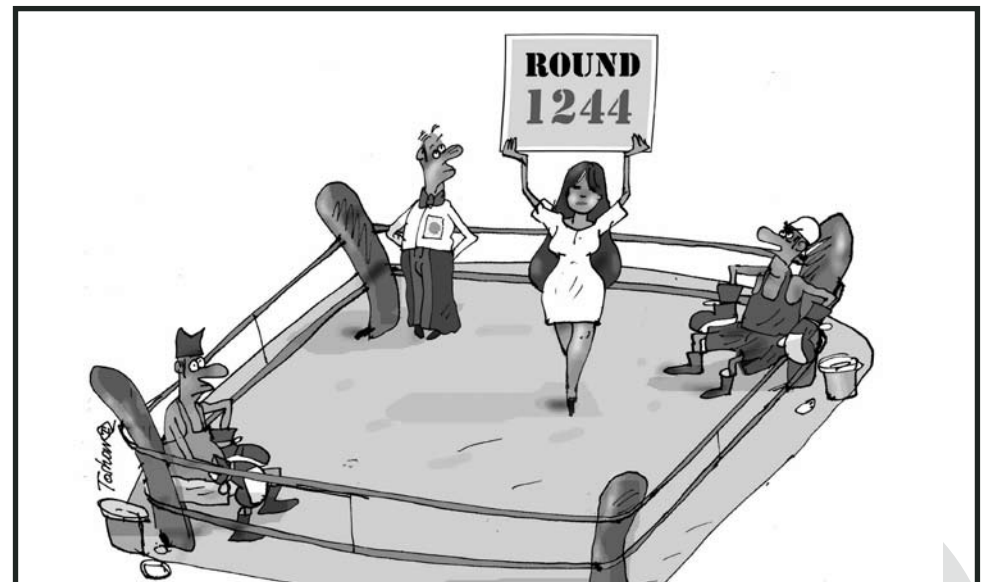
First: Preambles and annexes are always part to the binding legal document. The question is not which part of a document is more or less binding. The essential question is whether the wording is open and gives space for interpretation. This wording such as "sovereignty" and "territorial integrity" however is so clear that any court would have to consider it to be self-executing.

Second: The first and thus most eminent paragraph of the decision reads as follows: "Decides that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other required elements in annex 2;"

Thus the decision refers explicitly to annex 1 and 2 of the Resolution which repeat the commitment to the sovereignty and integrity of the territory of Yugoslavia and now Serbia over Kosovo. By this reference, Annex 1 and 2 become an integral part of the Resolution. Moreover, this part of the Resolution is not only binding for organs and all institutions of the UN, but for every body which is seeking a political solution for Kosovo, including the negotiations.

Third: In Paragraph 10 of Resolution 1244, the Security Council decides as follows:

"Authorizes the Secretary-General, ... to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and



overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo;"

The expression substantial autonomy, self-governing institutions and meaningful self-administration refer to a territory which is within a clearly specified sovereign state and full recognized member of the international community.

Moreover, Paragraph 10 does not at all allow the institutions of the United Nations or the member states to recognize Kosovo as an independent state and subject of international law. They all have to recognize that Kosovo must have substantial autonomy and meaningful self-administration, but remain part of the territory of Serbia.

Fourth: This paragraph makes also clear for every body that the mandate of the Secretary General is clearly limited to the substantial autonomy and meaningful self-administration. The UN Secretary General has no power and mandate to go beyond any political action which would, for example, implement the Ahtisaari proposal without amendments to 1244. Only a revision of this Resolution or an amendment made by the same procedure which was applicable of the establishment of the Resolution 1244, i.e. by approval of the UN Security Council, would enable decisions and measures beyond substantial autonomy. Otherwise we would face a clear and intentional violation of the Resolution of the highest body of the UN by those who are obliged to execute them by virtue of their office.

Fifth: Paragraph 8 of Annex II reads as follows: "A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia

and the other countries of the region, and the demilitarization of UCK. Negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions."

This discloses explicitly that any negotiation process within the frame of 1244 can only contain solutions involving substantial autonomy including meaningful self-administration.

Sixth: The fact that Resolution 1244 always uses the word interim agreement with regard to the substantial and meaningful autonomy cannot be interpreted as a provisional agreement which can be replaced by granting final sovereignty. Any international agreement providing the right to autonomy for a region within the territory of a sovereign state must be an interim agreement because the final legal status for autonomy is due to be granted by the domestic constitution of the sovereign state.

Third argument:

Kosovo is de facto already separated from Serbia and for this reason one only has to ratify what already exists in reality.

For decades, the international community, including the International Court of Justice, has refused to recognize the territory of East Jerusalem as a territory under the sovereignty of Israel, although Israel maintains de facto control over East-Jerusalem. The basic principle of the rule of law prohibits any creation of de jure legitimacy out of a de facto situation. Undermining this principle would legitimize all kinds of violence, including terrorism.

Even Pristina claims to have legal power over the territory of northern Mitrovica, although it lacks de facto legal control within this area. Why should the territory of an independent state and member of the UN be "less inviolable" than the territory of its province which wants unilaterally secede?

Fourth argument:

By excluding the Albanian citizens of Kosovo from the calculation of the quota when the citizens voted for the new Serbian Constitution, Serbia has already implicitly and de facto recognized the independence of Kosovo.

First: Neither the statehood nor the right to unilateral secession from the territory of a sovereign subject of the international community can be deduced out of an implicit omission.

Second: If Serbia would have included the Kosovar Albanians in this calculation, the parties in Serbia would have needed to be able to campaign also within the territory of Kosovo in order to convince the people for the need of a new constitution. Current UNMIK regulations however impede such political campaigns.

Fifth argument:

1244 is deadlocked because Russia misuses its veto-power.

How can a permanent member of the Security Council misuse its veto power if it acts in support of the implementation of the Resolution of this very same Council? How can one pretend that veto is misused, if it serves precisely to uphold and to protect rule of law?

Sixth argument:

Kosovo is a unique case and therefore sets no precedent.

Nobody can know, when he/she decides a case, whether it will later serve as precedent. Only dictators would try to impose arguments and decisions on courts or governments of future generations.

However, in one sense I agree that Kosovo is in fact a unique case: No country except

Serbia can claim to have an internationally binding document such as Resolution 1244, which guarantees its sovereignty over Kosovo. If Kosovo would proclaim independence against 1244, this would not only encourage other minorities to exercise a newly internationally-created right for unilateral self-determination, moreover it would encourage them even to use military force in order to violate international law for pursuing their newly created right.

For the first time in the history of modern civilization, a unitary state would be divided against the will of its majority population and with the help of the international community. For the first time in the history of the United Nations, a Resolution of the Security Council as its highest body would be violated with the proactive support and explicit approval of those who are obliged to comply and implement this Resolution.

Seventh argument:

Serbia has lost its right to the province of Kosovo because of the atrocities committed during the Milosevic regime.

a) If this argument would hold, the Security Council would have decided to grant Kosovo independence immediately after the war. However, it did just the contrary, and for clear reasons: not to create an international precedent for many other minority conflicts with similar or even larger-scale human rights violations.

b) Thee the same argument should also be applicable to revoke the right of Kosovo Albanians on the province, given the wide-scale postwar atrocities and systemic human rights violations of the Serbian community (235.000 displaced, 2000+ killed or kidnapped, 4600 armed attacks, 176 churches demolished, 20.000 homes usurpated)

Eighth argument:

Kosovo's economic development and prosperity is preconditioned by an independent status

Why would mere independence lead the peoples of Kosovo into economic prosperity? Quite the contrary, only synergies which could be used for common economic cooperation within Serbia would promote and strengthen the economic development of the province.

Its not the lack of independence which impedes economic development, but rather the lack of mutual trust and readiness of cooperation with Belgrade, which could quickly be established in case of an agreement respecting the binding force of 1244.

A unilateral declaration of independence would actually destabilize the region and impede a prosperous economic development.

Ninth argument:

There will never be an agreement of the parties on the final status.

This is not true. If both parties would respect the content of the basic document of 1244, there would be certainly a possible consensus. But as long as 1244 is interpreted in a way which theoretically allows both independence and substantial autonomy, there is not possible agreement. It is up to the international community to give its final and convincing word on the binding content of Resolution 1244.

Tenth argument:

The people (peoples?) of Kosovo have a natural right to self-determination.

A unilateral right to self-determination has never been guaranteed by international law.

In its decision on the Quebec secession case, the Canadian Supreme court clearly rejected a right granted by international law. In September 2007, the General Assembly of the United Nations adopted a declaration for the right of indigenous peoples, but even according to this declaration, indigenous peoples have the right for far reaching self-government, but not the right to unilateral secession. If the UN does not provide for indigenous peoples the unilateral right to secession, what reason could invoke other peoples in order to claim to have a natural right to unilateral self-determination?

And finally, if this "natural right" belongs to the Albanians of Kosovo, why should then the Serbs in Kosovo not have the same natural right of secession from Kosovo? In any case if such right would exist, then it should also be applied to the Serbs living in Kosovo.

Conclusion:

An unilateral declaration of independence would not only be an act of war against Serbia. In this specific case, because of the international legal guarantees of Resolution 1244, any unilateral declaration of independence would also be an act against the legal system of the United Nations.

For this reason, all solutions proposals for Kosovo going beyond Resolution 1244 have to indicate that they are intended as proposals for the Security Council to issue a new Resolution, or at least to amend the existing Resolution.

Thomas Fleiner is the legal advisor to the Serbian negotiating team.

The integral text of UNSC Resolution 1244 is available on www.kosovocompromise.com/docs/1244.pdf

THE BOOMERANG EFFECT

POSSIBLE CONSEQUENCES OF A "CREATIVE INTERPRETATION" OF UNSC RESOLUTION 1244:

Erosion of legitimacy of the UN Security Council to the benefit of various regional alliances, powerplays and *ad hoc* interpretations of international law;

Further straining of relations between Russia, the EU and the US;

Direct, if postponed, trigger for violent separatist aspirations in dozens of similarly "unique" hotspots worldwide, despite the *now-and-never-again* rhetoric;

EU sets up an expensive and shaky state-building mission; "EUnity" gradually falls apart following cost-benefits analyses of such an action.

Kosovo Albanians isolate Serbian enclaves, possible violence and humanitarian crisis;

Probable exodus of Kosovo Serbs from the enclaves; virtual partition line drawn at the Ibar river; Kosovo becomes "internationally supervised monoethnic state";

Long-term political radicalization and economic instability in the Western Balkans; severe blow to its European integration processes.

POSSIBLE STEPS FOR SERBIA:

Serbia rejects and proclaims illegitimate any interpretation of 1244 that leads to the recognition of Kosovo's unilateral declaration of independence;

Serbia summons UN Security Council to challenge legitimacy of Kosovo's declaration of independence before the International Court of Justice;

Serbia sues governments which recognize Kosovo, reviews diplomatic and economic ties with those countries;

Serbia continues to stress the need for renewed negotiation, without artificial deadlines or pre-determined solutions, until a compromise solution is reached;

Serbia undertakes a series of counter-measures against breakaway Kosovo, including soft to total energy, commerce and travel embargo;

In order to protect and look after the remaining Kosovo Serbs, the government in Serbia continues to strengthen the parallel institutions in the province.

Boris Mitić is the author of the Kosovo Compromise Charts and the copywriter of the Kosovo Compromise project.



NEUTRAL SERBIA

Advocating a new war against the entire world; dragging Serbia back to the 1990s; abandoning the European path; leading the country into renewed political and diplomatic isolation, economic and trade sanctions; sending a wrong message on Serbia... These are just some of the allegations leveled against the Democratic Party of Serbia, headed by the current Prime Minister of Serbia Vojislav Koštunica. These allegations are triggered in the wake of the party's adoption of a new program in which a reference is made to the commitment of Serbia's future military neutrality.

If Serbia is to be militarily neutral, it means that it shall not seek NATO membership. Although many were quick to note that this was not a question for Serbia but for NATO – because it is NATO that will make a decision whether they want to accept us in their membership or not, the above statements of Serbian NATO membership advocates still speak more of the nervousness within their ranks.

Some of these qualifications, for example, claiming that by its military neutrality Serbia actually declares a war on NATO or that such position will lead to renewed isolation, sound more like threats and should be understood as some sort of pressure on the Serbian public. Nevertheless, some of them should be responded to, especially the statements that military neutrality automatically implies abandoning Serbia's European orientation, excluding Serbia from the "global security system" and slowing down further reforms in the defense system, which may ultimately be very costly.

First of all, a distinction should be made between EU and NATO. No matter how much the background history of NATO and the EU was connected, the current ties between NATO and the EU are totally different. The European Union increasingly dislikes that connections be drawn between these two organizations. Three years ago, the European Defense Agency was established in Brussels, while the process of structuring a joint European military force (EUFOR) and joint European rapid reaction force was under-way (Euro-gendarmerie).

There are two reasons for such action on the part of EU. The first is that in the process of decision-making European states are less and less able to participate on a footing of equality, i.e. in a way defined by NATO foundation acts. The dominant role in the decision-making process is played by the USA. It is no secret that a number of NATO member states opposed

the intervention against the FR of Yugoslavia, and that an even bigger number opposed the intervention in Afghanistan. In the case of Iraq, "it was the last straw". In many European capitals, there are concerns that European NATO members will be able to play only two roles in the future: either support US actions and participate with the US army in future interventions or bear the consequences caused by the interventions of the "coalition of the willing", even though they would not participate in them.

Speaking of differences between EU and NATO, it should be noted that all EU states are not automatically NATO members. Austria, Cyprus, Finland, Ireland, Malta and Sweden are EU members but not NATO members – all for reasons of their own. Six out of 27 EU members equals 22 per cent. So, the number of EU members that are not NATO members is not negligible. Therefore, Serbia wishing to join the EU and not NATO is not seeking to be granted any special concession from the EU. It is just invoking the existing examples.

Finally, all those referring to the "global security system" have to admit that EU membership itself provides a proper "security guarantee". Surely, the European Union would not tolerate any action against one of its members and would resort to all political, diplomatic and, if necessary, military means to protect it. In any case, the EU's "Second pillar" is joint defense and foreign policy, which will be feasible in an operative sense after the establishment of the European military force.

Secondly, "global security system" needs to be defined. The picture of the world is rapidly changing. US-led military interventions against Afghanistan and Iraq several years ago have no end in sight. At the same time, potential new confrontations emerge with new military actions in the offing. Even though the interventions in Afghanistan and Iraq had a serious impact at the global scene, any new intervention is likely to complicate things additionally. There are many potential crisis spots: Caucasus, Darfur, Iran...

It is evident that the struggle for influence and interests on the "great chess board" has largely shifted to Central Asia and the Pacific. The Shanghai Cooperation Organization, established in June 2001, comprising Russia, China, Kazakhstan, Tajikistan, Uzbekistan and Kyrgyzstan, with India, Pakistan, Iran, Afghanistan and Mongolia in the observer status, is a response to the pretensions of the USA and of some of its

Western allies in Central Asia, which are already defined by their military presence in Afghanistan and Iraq and their wish to deploy their military forces in Iran. As far as the Pacific is concerned, the US is trying to expand the ANZUS alliance (a 1952 military union comprising Australia, New Zealand and USA), so as to counter-balance the Shanghai Cooperation Organization. In addition to the USA, Australia and New Zealand, the backbone of the new alliance would be strengthened by Japan, South Korea and India. The recent signing of the Agreement on nuclear arms signed by India and the USA and the latest developments in Myanmar should be viewed within this context.

It is absolutely evident that by entering NATO, Serbia would risk joining the "coalition of the willing" unwillingly, the same as other Eastern European states (under the pressure or under the pretext that it will facilitate their further integration), and thus risk potential confrontation or military conflict against Russia, China, Iran and many influential Islamic countries, since membership in the "coalition of the willing" does not imply solely political support to the "partners" but also active engagement, i.e. preparation and deployment of its military contingents to the crisis areas. This could never be in Serbia's interest.

Therefore, Serbia's military neutrality means military neutrality in relation to the existing and potential military interventions of the "coalition of the willing" in Central Asia and the Pacific.

On the other hand, at the moment when Serbia is politically supported by two permanent members of the Security Council, Russia and China, and when its positions are fully understood by Moscow and Beijing, it totally defies logic to enter a military alliance that has long-term interests directly opposed to those of Russia and China. So, Serbia runs the risk of losing the support it has and shall have in the UN Security Council. Thus Belgrade would sacrifice "something for nothing".

As far as defense system reforms are concerned, the Serbian public is often hearing that the army is costly and that it should be reduced and professionalized – to make it less expensive. One day, when we join NATO, we shall no longer need an army since we are going to be a part of the "global security system". I shall demonstrate on the example of Bulgaria that there is something terribly wrong with these positions.

Bulgaria is a NATO member and

as of recently, an EU member. The US army uses two military bases in Bulgaria. The Bulgarian Military Air Force monitors and protects the air space of two neighboring states – FYR Macedonia and Albania. Bulgaria has a large number of signed inter-state agreements and excellent cooperation with Serbia in the field of defense. Bulgaria's remaining neighbors – Romania, Greece and Turkey are also NATO members. It can therefore be argued that Bulgaria is a part of the "global security system" and that it is not facing any major security risk. Despite that, Sofia refused to reduce further its army from 45,000 to 19,500 as required by NATO.

Lastly, the subject that cannot be avoided: the question of Serbia's potential membership in NATO would bring to the fore the issue of interpretation and qualification of events from recent history.

By entering NATO, Serbia would directly acknowledge the legitimacy of NATO's military intervention against the FRY in 1999, which from the point of view of international law was an act of open aggression against a sovereign State, in accordance with the definition contained in UN General Assembly resolution 3314. Serbia and NATO will one day have to discuss this issue, as well as the consequences of the aggression. It is in Serbia's absolute interest to put the reasons and consequences of the military intervention against the FRY in true perspective. We cannot possibly accept the current explanation as the ultimate truth. Such picture is less convincing with the passage of time and it is obvious that the story of "humanitarian intervention" has many holes, secret motives and foul intentions. The time has also come to raise the issue of depleted uranium, collateral damage, civilian victims and other consequences of air strikes against Serbia.

Finally, it should also be pointed out that it is not in the interest of Serbia to strain its relations with NATO and that our country should surely cooperate with this military alliance. However, the cooperation does not necessarily imply NATO membership. At this moment, a sufficient measure of cooperation is the participation in projects offered by the Partnership for Peace Program, as well as presence in the NATO Parliamentary Assembly. In this light, Serbia stands to make maximum profit from the vast experience that countries like Finland, Sweden, Austria and Ireland can offer in this field.

Dušan Proroković is State Secretary in the Serbian Ministry of Kosovo and Metohija

KOSOVO IN SERBIAN PRESIDENTIAL ELECTIONS

The Serbian political scene at the end of 2007 is characterized by two major events – the outcome of Kosovo crisis and the forthcoming elections. The December 10 deadline for the Troika negotiating process and the timing of the elections (to be scheduled between January and March 2008) undoubtedly suggest that the course of the coming campaign and prospects of some presidential candidates would be directly connected to their attitudes and positions regarding the Kosovo crisis.

Unofficially, three politically important candidates will be running for the presidential position: current President of Serbia and Democratic Party leader – Boris Tadic, Deputy President of Serbian Radical Party – Tomislav Nikolic, and Liberal Democratic Party (LDP) leader – Cedomir Jovanovic. Another candidate might come from the ranks of the Prime Minister Vojislav Kostunica's Democratic Party of Serbia (DSS) or his coalition partner Velimir Ilic, the leader of New Serbia (NS).

With all due respect to the legitimate political and human ambitions of the LDP leader and the possible DSS-NS candidate, the real battle will take place between current President Tadic and the most influential leader of the opposition – Nikolic, with a special focus on their political positions in the light of a rather probable application of the Albanian-American model for the Kosovo crisis resolution, i.e. unilateral proclamation of independence followed by US recognition.

At first sight, it looks like Tadic and Nikolic do not have conflicting views on the Kosovo issue. The Radicals' support for the government's anti-independence policy which has lately been consistently advocated by Tadic, together with Kostunica, slightly relieved and put aside the spirit of perpetual conflicts in the relation DS – SRS. Still, regardless of the visible and repeatedly confirmed consensus of leading Serbian parties on the Kosovo issue, there is a deep difference between ideological positions of SRS and DS that will, both directly and indirectly, reflect on the course and outcome of presidential elections, the more so if it were conducted in the shadow of Kosovo's (self-proclaimed) independence.

Ideologically, politically and value-wise, the Tadic's Democratic Party presents itself as a promoter of intrinsic political, economic and social reforms and as the loudest advocate of Serbia's urgent Euro-Atlantic integrations, which has now been seriously destabilized by

the attitude of the EU and NATO when it comes to the resolution of Kosovo's status.

As the President of Serbia, at the moment of possible proclamation of Kosovo's independence and its recognition by the USA and the EU, Tadic will, according to the Serbian Constitution, have to send at least a strong protest note to the West. He will be obliged to a strong response not only by his previous state policy, but also by the preferences of large portion of voters of his party (according to the findings of Politicum, as many as 55 per cent of DS followers favor Kosovo over European integrations). Thus, any sort of quick and unexpected deviation from the current state policy relating to Kosovo and enhancement of the spirit of Euro-Atlantic values would not only represent an unambiguous inconsistency, but also a unique political salto mortale, both concerning the mentioned preferences of his followers and his political partnership with Prime Minister Kostunica, who holds clearly strong positions against Kosovo's independence.

To make things even more delicate, Tadic's confrontation with Western policy on Kosovo would aggravate his good personal relations with the USA and the EU. In addition, potential anti-Western deviation of his DS would have internal political consequences and open the possibilities for LDP to gain political profit from such forced and instant anti-West rhetoric of the DS leader.

Nevertheless, Western support for Albanians' request for independence puts the main promoter and agent of reforms in Serbia into a very difficult political and promotional position, as the division between pro-Western, reform-oriented forces on one side and anti-Western and conservative forces on the other – becomes increasingly obsolete.

This realistic and serious problem for Tadic plays into the hands of his main opponent. Essentially, recognition of Kosovo's independence by the EU and the USA easily fits into the Radicals' picture of Serbian historical and political reality where the conflict of Serbia with the Western world holds a central place.

The announced Western support for Kosovo Albanians in their separatist aspirations opens the possibility for perpetuating the old conspiracy theory rhetoric and for strengthening of ideological thesis of an anti-European

course of Serbia, with an unavoidable addition of Russophilia. In the presidential race, Nikolic can be convincing in enhancing anti-Western attitude as a gesture of resistance and protest due to Kosovo's independence, while the story about the EU can easily be presented as something opposed to the interests of Serbia, if it came out that the EU advocated and stood for Kosovo's independence.

The Democrats' promotional matrix – the everlasting division between reformists and anti-reformists – will lose its bargaining power, especially faced to traditional Radical demagoguery. If we add that the electoral body of Radicals is disciplined and numerous and that they can pick up votes among former supporters of Socialists and of Milosevic-era tycoon Bogoljub Karic, it becomes obvious that chances of Tomislav Nikolic, in case of realization of the independence scenario, would be neither small nor unserious.

An act of unilateral recognition of Kosovo would also produce consequences on other stakeholders in the presidential race. Within the coalition DSS – NS, the degree of resistance to American policy in the Balkans would increase and so would the number of

pro-Russian political orientation followers. Further weakening of their already weak Euro-Atlantic enthusiasm would make their support to pro-European oriented Tadic in the second run of presidential election even more difficult. And that support is, considering all relevant factors, one of major preconditions of his triumph over Nikolic.

To conclude, Serbian presidential elections that would be conducted in the shadow of unilaterally proclaimed and Western-recognized independence of Kosovo could be a landmark turning point on the Serbian political scene. Namely, reform processes and Serbia's accession to the EU and NATO would in such case come in direct conflict with the vital state interest of preserving territorial integrity and constitutional and legal sovereignty. In such circumstances, there is considerable possibility of a return to power of SRS, which would further jeopardize global and Western interests in the region.

Dejan Vuk Stanković is an Associate of the Institute of Philosophy and Social Theory in Belgrade and Economy in Belgrade.



APHORISMS

We have a very prominent role in the negotiations process.

Everybody wants our signature.

Aleksandar Mijalković

The negotiations have shown some results. The two parties agreed on the time for the renewal of the conflict.

Aleksandar Čotrić

The negotiations started with a big surprise. Both sides showed up.

Nenad Čotrić

The presence of international troops in Kosovo is very reassuring for the remaining Serbs. It means a lot to them that someone is there to help them leave the province in a fast and secure way.

With the secession of Kosovo, Serbia will not lose anything. All the arguments will remain on her side.

I went on a tourist trip abroad, but I couldn't find a job.

We favor the development of small and medium enterprises. We turned big ones into medium, and medium ones into small.

I won't tell you my nationality, otherwise you will call me a Serb nationalist.

I read a gripping postmodern novel. All the time I feared that something would happen.

Offence is our best defence, but we didn't come to defend ourselves.

Aleksandar Baljak

We showed them our teeth. They were in our hands.

Slobodan Simić

He was born in Serbia, but he died in another country. In his native village.

Momčilo Mihajlović

I am afraid that we will have a stormy past even in the future.

Rastko Zakić

A brighter future smiled on us, because we made it laugh.

Milko Stojković

Eureka!

I don't remember anything anymore!

Petar Lazić

God exists. If it doesn't, Ahtisaari's plan will be automatically applied.

Andelko Erdeljanin

KOSOVO VERBATIM

An independent Kosovo not only harms the principle of international law that demands respect to the territorial integrity of the States. It grants wings, from the peak of the international community, to all the separatist irredentisms.

- Javier Ruperez, Spanish ambassador to the UN

Kosovo's disastrous economy that may prove to be a greater security threat and a bigger challenge than its political status.

- Wall Street Journal

As with being pregnant, there is there is no half way house to "independence". A second Albanian state in the Balkans is not needed – nor is it desirable, as it would set a very unfortunate precedent internationally.

- Wes Johnson, New Europe

Serbia won't sit still, and that isn't just for a month or two, but forever, until things get back on the international legal track.

- Slobodan Samardžić, Serbian Minister for Kosovo

"The more they talk about unity, the more suspicious I am," said a colleague as we left one of the news conferences at the end of this EU foreign ministers' meeting.

- Mark Mardell, BBC

If Kosovo decides to declare independence from Serbia, it could trigger more fighting — or be the inspiration for more provinces and regions to try to make themselves into new micro-states. Kosovo's arrogance is to assume that, even if it makes itself a new nation in the most provocative of circumstances, someone will defend it, because it cannot defend itself. It is assuming that Europe will find it intolerable to have a new conflict in its backyard. That is probably right, but it is a risky gamble.

- Bronwen Maddox, Chief Foreign Commentator, The Times Online

Future diplomatic historians looking back at U.S. policy toward Kosovo are going to be puzzled. In almost every other case where a new democratic state has faced a question of ethnic separatism, Washington has always opted for a compromise solution: ensuring territorial integrity of the country as a whole while promoting maximum autonomy for the disaffected regions in question.

- Nicolas Gvosdev, National Interest

Our goal is not to apply directly the model of Hong Kong to Kosovo, but to show that a compromise solution based on international law is possible, sustainable and functional. We presented successful elements from the Hong Kong case, just like we did with South Tyrol and the Aland Islands.

- Aleksandar Simić, advisor to Serbian PM Vojislav Koštunica

Even though lack of foresight is universally viewed as a leading cause of its Iraq debacle, the United States is now preparing to recognise Kosovo's independence unilaterally — irrespective of the consequences for Europe and the world.

- Charles Tannock, The Guardian

How can the EU, on the one hand, support an independent Kosovo because the majority there want it, and deny the same to the Taiwanese? Should we be taking part in the filthy market which has seen shifting allegiances, currently at some 170 for China and 24 for Taiwan, or should we espouse clear principles? Should we go Machiavellian or for credibility?

- Mario Tabone-Vassallo, Malta Times

"Ahtisaari's supervised independence plan for Kosovo proves that different standards are used when demands of various countries are considered. Something is right in Kosovo, in the Basque Country it is the opposite and in Latvia it is the other way around. Do we have Democracy or ten democracies?"

- Jan Slota, Ceske Noviny

For Serbs, Kosovo is not just a territory. It is an epic poem, a deep pool of collective heroic memory, a cradle of religious and national identity dating to the 14th century – even if it is now 90 percent Albanian, dominated by a language that 99 percent of Serbs can't understand, and hasn't been controlled by Belgrade for nearly a decade.

- Robert Marquand, Christian Science Monitor

It is ignorance of the international law standards that makes the local extremists speak about Kosovo's independence as if it were an accomplished fact. But those who favour the so-called "Kosovo scenario" are not well aware of the fact that the Kosovo issue may create a dangerous precedent for nearly 40 territorial disputes in many parts of the world.

- Alexander Vatutin, Voice of Russia

Separatist regions like the Basque Country or Abkhazia might not resemble Kosovo right now – as Washington is quick to note – but by so explicitly stating the merits of Kosovar self-determination and independence, Washington is essentially creating an innovative code, only to make the cipher publicly available.

Current and future separatists merely have to manufacture the same conditions and sequencing that have compelled the West to embrace an independent Kosovo: terrorize locals, invite government crackdowns, incite a rebellion, and lure in foreign intervention and commitment to rebuild. Once militants get this far, Kosovo will no longer be unique – even by Washington's peculiar standards – and areas that share Kosovo's characteristics will be equally deserving of independence

- David Young, Christian Science Monitor

"A hundred years of negotiations is better than one day of war" -

- Dmitrij Rogozin, Russian Ambassador to NATO

In Spain, 17 autonomous provinces control their budgets, urbanism and education, but they surely don't have 95% ingerence (like Belgrade offers to Pristina). Just like there's no such thing as the Catalan army or the Basque Prime Minister, even though the Catalans and Basques are even more numerous, mathematically and percentage wise, than Albanians in Kosovo.

- Luis Luque Álvarez, Juvetud Rebelde

Without UN or EU recognition, the new Kosovo might have less legitimacy than the present one.

- Humphrey Hawksley, Intl. Herald Tribune

Supporting Kosovo's independence from Serbia while concurrently insisting that both have a common European future seems somewhat contradictory and inconsistent.

- Ian Bancroft, The Guardian

There is no pressing need for de facto autonomy to become de jure independence. Pristina has as much autonomy as it can use and should be ordered to tone down its senseless confrontation and leave Serbia a shred of pride.

- Simon Jenkins, The Guardian

Western negotiating efforts have been arbitrary and capricious, blind to the realities on the ground and offering solutions that serve their own interests rather than those of the people in Serbia and Kosovo.

- Steven Meyer, National Interest

I don't know if it was inspired by the example of Czechoslovakia or encouraged by Kosovo, but Ankara's policy on the Cyprus issue is clearly changing.

- Erdal Safak, Turkish Press

Kosovo is the fourth region with the highest corruption rate in the world.

- Global Corruption Barometer 2007, Transparency International

CONTENTS

The Kosovo Rubicon	p.1
Who Framed the Troika?	p.2
Kosovo as an Asymmetrical Condominium	p.3
Misinterpretations of UNSC Resolution 1244	p.4
Neutral Serbia	p.5
The Boomerang Effect	p.6
Kosovo in Serbian Presidential Elections	p.7
Kosovo Verbatim	p.8

This newsletter is edited in Brussels.

Editor-in-chief: Aleksandar Mitić
(editor@kosovocompromise.com)

Contributors: Đorđe Vukadinović, Slobodan Antonić, Thomas Fleiner, Boris Mitić, Dušan Proroković, Dejan Vuk Stanković, Tošo Borković, aphorists of the Belgrade Aphoristic Circle

Design & Marketing: Apostrophe, Belgrade

To join our mailing list, please send your details to newsletter@kosovocompromise.com

Daily-updated news, analyses, charts and solution plug-ins available through www.kosovocompromise.com

©, ® Institute 4S, Brussels. For the publisher: Predrag Lj. Čeranić (predrag.ceranic@institute4s.com) All rights reserved.