**Possible Final Settlement Scenarios for Kosovo, by Carl Augustsson**

Since the final status of Kosovo has yet to be fully determined, it is necessary to examine the various possible final settlement scenarios. It is important to remember that some of the following possible settlements are highly unlikely to happen now in light of Kosovo’s declaration of independence. This is especially true since the United States of America, along with twenty-two of the twenty-seven member-states of the European Union, now recognize Kosovo as being an independent state. However, it is important to remember that Russia—in addition to five of the European Union member-states—does not recognize Kosovo as an independent state. The most important factor to in all of this is that Serbia still considers Kosovo to be an integral part of its sovereign territory. This could inhibit Serbia’s ambitions to join the European Union. It is therefore quite important that a final agreement be reached.

What follows here are six possible settlement scenarios. As was stated in the first paragraph, some of these possible final settlements are more possible outcomes that could have been considered, since they are highly unlikely to be considered at this point.

a Kosovo Remains a Part of Serbia

Under this scenario Kosovo would remain a part of Serbia but would enjoy broad autonomy. The level of autonomy that Kosovo would have from Serbia would undoubtedly have to be one of the highest that any of the world’s autonomous regions have.

There are several reasons why this possible final outcome would be feasible. For one thing, the Serbian government—which had oppressed the Kosovo Albanians—is no longer in power, as the Serbians themselves overthrew it. Indeed, Slobodan Milošević, the old regime’s leader, is not even alive anymore. There is therefore zero chance of this old government returning to power. As a result, it would be difficult for the ethnic Albanians in Kosovo to claim that they will suffer any future oppression from the Serbian authorities in Belgrade should Kosovo remain a part of Serbia but with broad autonomy. Also, it is impossible for the ethnic Albanians in Kosovo to claim that their nation does not have a state of its own, as one of Kosovo’s neighboring countries is the Republic of Albania. Finally, the whole of the Western Balkans is likely to join the European Union in the coming years, which would therefore mean that the actual state to which any given region is attached would then become far less important, since the internal borders within the EU are so open. As a result, it would make more sense to maintain the status quo until such time as the entire Western Balkans becomes fully integrated into the European Union.

There is, however, one notable drawback to this scenario. The problem is that in order for a compromise to work, both sides have to feel that they have gotten something that they wanted. This “something” often has to be something that the other side did not want. The ethnic Albanians in Kosovo would certainly view his scenario as being everything the Serbians wanted and nothing that Kosovo Albanians wanted. Therefore, in order for this scenario to work the ethnic Albanians in Kosovo would have to get something in return for agreeing to live under Serbian rule, even if it is with very broad autonomy.

However, since Kosovo’s declaration of independent has now been recognized by numerous independent states, it is now a certainty that this scenario will not occur.

b Kosovo Becomes an Independent State

Under this scenario the whole of Kosovo becomes an independent state. The only question is what autonomy—if any—the ethnic Serbians in Kosovo will have from the central Kosovar government in Prishtina. Likewise, will this autonomy be regional in its nature (meaning that the Serbian dominated parts of Kosovo will be autonomous), or ethnic in nature (meaning that ethnic Serbian citizens of Kosovo will have autonomy from certain Kosovar laws, regardless of where in Kosovo they live)?

This scenario is basically what the Ahtisaari plan would have created, even though the actual word “independence” was not included in the text of the Ahtisaari plan. However, since the Serbian parliament rejected the Ahtisaari plan by near unanimity, this plan was never implemented. As was previously mentioned, a later attempt to impose this plan on Kosovo via the United Nations failed because of Russian vetoes.

To some extent, Kosovo’s recent declaration of independence could be seen as an attempt to implement the Ahtisaari plan. However, the key distinction between Kosovo’s declaration of independence and the Ahtisaari plan is that Kosovo’s declaration of independence does not provide for any autonomy for the province’s ethnic Serbian minority. It therefore remains to be seen whether the ethnic Serbians could negotiate a number of autonomous exemptions from central Kosovar authority should they ever choose to agree to Kosovo’s independence.

However, it seems highly unlikely that Kosovo’s Serbian population will ever agree to accept the idea of an independent Kosovo, at least not for quite some time. For one thing, just as the previous possible scenario (the one where the whole of Kosovo remains a part of Serbia with broad autonomy) was basically too one-sided in favor of the Serbians, this scenario is just as one-sided in favor of the Albanians. However, it must also be remembered that Serbia—along with the ethnic Serbians in Kosovo—may in the end be forced to accept the idea of an independent Kosovo. As a result, this scenario may very well likely become final.

c Most of Kosovo Becomes an Independent State

Under this scenario, parts of Kosovo would remain with Serbia while the rest of the province would become an independent state. In other words, there would be a partition of Kosovo. Although this possible outcome has been repeatedly rejected by many of the international community’s mediators in the past, it now appears as if this is one of the scenarios that is most likely to be implemented in the long run.

The biggest reason that this scenario seems increasingly likely is that the Serbians in Kosovo have so far refused to submit to rule from Prishtina. These Serbians dominate certain parts of the province along the Serbian border and could potentially be in a position to secede from Kosovo and rejoin Serbia. In fact, it now appears as if that is what they are trying to do. Should these Serbians succeed in doing this, then perhaps the Serbian government would then be willing to recognize the secession of the rest of Kosovo. Likewise, perhaps the Kosovar government in Prishtina would be willing to allow these parts of Kosovo to rejoin Serbia in exchange for recognition from Belgrade. In short, this scenario could prove to be a compromise that both sides could be willing to at least live with, even if only one side or neither side really likes it. As a result, any scenario that can be at least palatable to both sides deserves serious consideration.

However, it is also possible that the Kosovo Albanian government might want to receive the ethnic Albanian dominated parts of Serbia Proper that lay to the east of Kosovo in exchange for the ethnic Serbian dominated parts of Kosovo. It is unclear as to whether the Serbian government would agree to this, as this would mean that the Serbians would lose the rail link between Serbia and Macedonia-Skopje.

d All or Most of Kosovo Joins Albania

Under this scenario, the ethnic Albanians in Kosovo will want to see their province became attached to Albania Proper. There are several reasons why the Kosovo Albanians would want to see Kosovo join Albania Proper. For one thing, many ethnic Albanians—including those in Albania Proper, Kosovo, and the other parts of the former Yugoslavia with large ethnic Albanian communities—are of the opinion that the Albanian state—which re-emerged at the start of the twentieth century—was only half the size that it should have been. Kosovo joining Albania Proper would therefore help to right what they consider to have been a century-old wrong. Also, it is difficult to argue that the Kosovo Albanians constitute a nation of their own. Instead, the Kosovo Albanians are merely an extension of the Albanian nation. It would therefore make sense for these members of the Albanian nation to have the territory upon which they live become attached to Albania Proper.

Under the Ahtisaari plan, Kosovo would have been forbidden to unite with any other state. Obviously, “any other state” is a reference to Albania. However, since Kosovo declared independence without the Ahtisaari plan, this clause has no official standing. However, there is a strong possibility that the same countries that have given strong support to Kosovo’s drive for independence would oppose seeing Kosovo join Albania. Likewise, there is also the possibility that both NATO and the European Union would punish Albania in terms of its membership aspirations should Albania ever annex Kosovo.

Still, this could happen without any penalty for Albania if the Serbians were to raise no objections to seeing Albania absorb Kosovo. There are several reasons why it is possible that the Serbians may not object to Kosovo joining Albania. The first reason is if the Serbian-dominated parts of Kosovo—along with parts of Kosovo which the Serbians deem as sacred (such as the 1389 battlefield)—are allowed to remain with Serbia, then perhaps the Serbians would not object to seeing Albania get the rest of Kosovo. This is especially true if the Serbians would also get the Serbian-dominated parts of Bosnia and Herzegovina. Finally, it must be remembered that to the Serbians, an independent Kosovo would probably be seen as just as lost as it would were it to join Albania. In short, it would make little difference to the Serbians whether Kosovo is independent or a part of Albania Proper. In fact, it is even possible that many Serbians may actually prefer that Kosovo be a part of Albania Proper rather than an independent state.

It is therefore conceivable that most of Kosovo will become a part of Albania. However, this will only happen if the Serbians get something in exchange first, such as Serbian-dominated parts of Kosovo and of Bosnia and Herzegovina. Moreover, while it may be conceivable that most of Kosovo becomes a part of Albania, it is unlikely that all of it will become a part of Albania, as the Serbians will, no doubt, want parts of Kosovo prior to lifting any objections that they may have to seeing Kosovo become a part of Albania. After all, the Serbians in Kosovo will most certainly not want to live in Albania Proper.

e Serbia and Albania Share Sovereignty over Kosovo

This would be one of the more “creative” solutions. Under this scenario, Kosovo would become a Serbian-Albanian condominium. Condominiums—though rare—do exist and have existed throughout history. At this point, it is necessary to examine the concept of condominiums. However, were Kosovo to become a condominium, Kosovo would be the largest condominium ever, both in terms of geographic size and population.

The most famous example of a condominium is Andorra. Andorra is a small landlocked state in the Pyrenees Mountains that lies between France and Spain. Andorra has three official languages: Catalan, (Castilian) Spanish, and French. Of these three languages, Catalan is the most dominate. In fact, Andorra is the only state in the world where Catalan, a language spoken by approximately nine million worldwide, has official status. In this sense, it can be said that the Catalan nation has a state of its own.

Andorra is probably one of the larger condominiums to ever exist. It is also the oldest, as it first became a condominium in the thirteenth century. As with many of the other micro-states and autonomous territories in Europe, Andorra came into existence largely as an accident of history:

Tradition…asserts that Charlemagne granted the Andorran people a charter in return for their help in fighting the Moors, and that Charlemagne’s son Louis I, king of France, confirmed the charter. It is generally agreed that Charles the Bald, the son of Louis, appointed the count of Urgel (now Seo de Urgel) overlord of Andorra and gave him the right to collect the imperial tribute. The bishop of Urgel, however, also claimed Andorra as part of the endowment of his cathedral. In 1226, the lords of the countship of Foix, in present-day south-central France, by marriage became heirs to the counts of Urgel. The quarrels between the Spanish bishop and the French counts over rights in Andorra led in 1278 to their adoption of a paréage, a feudal institution recognizing equal rights of two lords to a seigniorage. (Worldmark Encyclopedia of the Nation: Europe, 1988, pps 9-10)

It is important to note that the status of Andorra has not remained unchanged since 1278. There have been periods in which one ruler ruled over Andorra exclusively. In 1607, French King Henry IV re-established Andorra’s condominium status when he issued an edict that Andorra would be jointly ruled by the French king and the bishop of Urgel. While Andorra’s status as a condominium was revoked during the French revolution, it was restored by Napoleon at the request of Andorran citizens in 1806 since the Andorran citizens did not wish to come under Spanish control exclusively. When France became a republic, the French head of state was now a president rather than a king. Therefore, Andorra was now jointly ruled between the president of France and the bishop of Urgel.

This status remained relatively unchanged until the final decades of the twentieth century. By this time the Andorran people began to demand more control over their own affairs. Towards the end of the twentieth century, a number of political reforms—such as extending the right to vote—were enacted. The largest reform occurred in a referendum in 1993 when the Andorrans voted for more self rule. Although the condominium still officially exists, it has become more symbolic now that Andorrans largely govern themselves.

There is actually another condominium in the Pyrenees: Pheasant Island, known as Ile des Faisans in French, Isla de los Faisanes in Spanish, or Konpantzia in Basque. This island lies in the Bidassoa River, near the Spanish city of Irún. This is a small island—about 30 meters by 100 meters—in size, with no permanent population. The island is mainly used for gardening.

The island is a condominium in that for six months of the year it belongs to France and for the other six months of the year it belongs to Spain. French citizens who are arrested on the island are always tried in French courts even if they are arrested while the island is under Spanish possession. The same is true for Spanish citizens in that they are always tried in Spanish courts regardless of which state is in possession of the island at the time of arrest. Citizens of third countries who are arrested on the island are tried in the courts of the state that is in possession of the island at the time.

One other contemporary condominium that is worth mentioning is the Mosel River between Germany and Luxembourg. In this instance, the Mosel River is completely shared between the two countries. This is in contrast to most rivers that are used as international boundaries. In these other instances, the border between the two countries is the mid-point of the river, meaning that each state has full sovereignty over half of the river and zero over the other half of it.

Although there have been other condominiums throughout history, condominiums are still not all that common. Vanuatu is an example of an historic condominium, as it was jointly ruled by both the British and the French from 1906 until it became an independent state in 1980. There was even a tripartite condominium from 1889-1899 when Samoa was jointly ruled by Britain, Germany, and the US. It is worth mentioning that the British and the Spanish had agreed to turn Gibraltar into a condominium between the two of them, but the voters of Gibraltar rejected this idea in a November 7, 2002 referendum in which the population voted no with near unanimity.

If Kosovo were to become a condominium, it would be jointly ruled by both Serbia and Albania. For starters, in terms of defense, the province could either be demilitarized (such as in the case of Åland) or could contain peace keepers from an international organization, such as either NATO or the EU. The issue of currency would be an easy one to resolve as the currency of Kosovo would continue to be the Euro. As for citizenship, residents of Kosovo would be allowed to choose whether they wished to be Serbian citizens or Albanian citizens. As a result, all citizens of both Serbia and Albania would have the right to move to Kosovo and to be considered no differently than any of the province’s current residents. Citizens of third countries who wish to reside in Kosovo would have to get approval (in the form of a visa) from either Serbia or Albania. Most of the remaining daily matters of the province would be the responsibility of the provincial government in Prishtina, a government which would be comprised of both Serbians and Albanians.

It is now nearly certain that this possible solution to the Kosovo dispute will never even be considered. Indeed, it may never have even been considered in the first place. In one sense this is a pity because under this scenario both ethnic groups would see their province connected to their respective nation-states. However, in the end it is not worth concentrating too much on what could have been if it is something that will never be.

f Kosovo Becomes Ruled by an International Organization

This is another “creative” possible solution that will most certainly never even be considered now. Under this scenario, Kosovo would be handed over to an international organization and would be ruled over by that international organization, much as Danzig was ruled over by the League of Nations during the interwar period. However, in the case of Kosovo the term “international province” would probably be better suited rather than the term “international city”. At this point, it is necessary to examine the phenomenon of international cities.

As was also the case with condominiums, international cities are a rare phenomenon. In fact, there is only one example of an international city in history: the German city of Danzig during the interwar period.

Prior to World War I, the German Kingdom extended across the Baltic Sea as far as the present-day coastline of Lithuania and included the entire present-day coastline of Poland. German influence in this region was centuries old, as it dates back to the conquest by the German Teutonic Knights in the Middle Ages. As a result, many of the regions and cities in this part of Central Europe had large German populations. Often times, these German populations constituted a majority.

This was the case with the coastal city of Danzig. Although the area of Danzig had been under Polish rule before, Polish rule over this area had ended centuries earlier. By the time World War I broke out, Danzig was largely a German city. In fact, Danzig was 95% German at this point.

After the war’s conclusion, the allies decided to re-create the state of Poland, which had ceased to exist more than a century earlier. However, in order to re-create a state, other countries would have to give up some of the territory that they possessed at the time. Germany, along with Russia and the Austro-Hungarian Empire (which was in the process of being dissolved), was forced by the allies to give up some of its territory so that the Polish state could be re-created. Much of the territory that Germany was forced to cede to the new Polish state had a mixed population, with most of the people on this territory being either Polish or German.

However, when the allies decided to re-create Poland, they did not merely give Poland land that had a large Polish population: they also gave Poland land that they thought that the Poles would need in order for Poland to be a viable state. For one thing, the allies believed that Poland would need access to the sea. Therefore, Poland was given a narrow strip of land on the Baltic Sea just west of Danzig, even though giving Poland this land would separate the German East Prussia from the rest of Germany.

However, the allies also believed that simple access to the sea was not enough; the belief was that Poland would also need a seaport. The most obvious seaport to give Poland was Danzig. The problem was that Danzig was largely a German city. For this reason, the allies did not think (after much internal debate amongst each other) that it would be right to just give Danzig to Poland. Therefore, the allies decided to take Danzig from Germany and make it an international city. This would allow Poland to have access to a major seaport and to allow the largely German population to remain in Danzig. It must be stated, though, that the German population was not happy with this arrangement, as the major political parties in the city opposed it.

It was finally decided in 1919 that Danzig was to be run by the League of Nations:

It was at last agreed on 22 April 1919 that Danzig would become a Free City. Its constitution and borders would be guaranteed by the League of Nations, which would also appoint a high Commissioner to oversee relationships between Germany and Poland. There would be a Danzig-Poland customs union and free access by Poland to all port and waterway facilities; the Poles would control river and rail administration in the Free City as well as post and telephone links with Poland and Danzig’s foreign relations. Equal treatment for Poles in the Free City, including schooling and freedom of association, would be guaranteed. All German nationals resident in Danzig would have the option of automatically becoming Danzig nationals, or of retaining German nationality and removing to Germany within two years. (Hepburn, 2004, p48)

As one can see, Danzig’s status was not completely certain. Was it truly an international city or a de-facto autonomous city under Polish sovereignty?

The legal status of the Free City was not entirely clear. The view of Germany and Danzig appeared to be upheld by the High Commissioner who said that Danzig was indeed a sovereign state. But Poland’s rights in the territory called this into question. Formal responsibility for foreign affairs, control of the railways and waterways, control of its own post office in the city, and the inclusion of the Free City in Poland’s customs area—with most of the customs revenue going to Poland—amounted to significant limitations on the Free City’s sovereignty. Danzig was also obliged to allow unrestricted labour migration by Polish citizens. (Hepburn, 2004, p50)

Hitler began the process of reincorporating Danzig into Germany in the final years before the start of World War II. Hitler was able to complete this process just before the outbreak of the war.

After World War II, Poland obtained more land from Germany, even as Poland lost land to the Soviet Union at the same time. The land that Poland obtained from Germany this time was populated mostly by Germans. As a result, nine million Germans were expelled from their homes and were forced to move west to the remaining parts of Germany. At the same time, Poland also obtained Danzig and the Germans were also expelled from Danzig as well. The Poles repopulated—along with Danzig—the land they obtained from Germany with Poles. Danzig was then renamed Gdańsk. This ended Danzig’s status as an international city.

As was previously mentioned, Danzig is the only example of an international city in history. Presently, there is no international city anywhere in the world. There are obvious reasons why international cities are not common. First of all, international cities require established international organizations to run them and prior to World War II, there were few international organizations in existence. Even today, few international organizations—save for perhaps either NATO or the European Union—are strong enough to manage a city. Also, as is the case with condominiums, international cities can be difficult to manage. In addition, the need for international cities is not strong, as the residents of nearly all of the world’s cities would prefer to either be independent or a part of a state in some manner, either fully or under some form of autonomy.

The only reason a city would need to be an international city would be if it is in dispute between two or more countries, especially if the residents of the city in question are themselves divided between which state they would prefer for their city to be attached. Presently, one of the few (indeed perhaps the only) cities in the world that has been suggested for the status of international city is Jerusalem, as the Arabs and Israelis disagree as to who has the right to posses Jerusalem. Another city that could become an international city would be Brussels, if Belgium were to cease to be a state.

The international organization that would be most suited to rule over Kosovo would naturally be the European Union. There are several reasons for this. For one thing, all of the countries of the Western Balkans have expressed a strong desire to join the EU; therefore both Serbia and Albania—the two nation-states with which nearly all of the population of Kosovo identifies—would undoubtedly become members of the EU someday, which means that—by extension—Kosovo would also become a part of the EU. The only question is whether Kosovo would become a member of the EU through Serbia, Albania, or on its own. Also, since all of the countries in question wish to join the European Union, the EU is perhaps the most respected international organization in the minds of both sides of the Kosovo dispute. Finally, since the European Union has become the most united and the powerful international organization in history, it is in a much stronger position to rule over Kosovo than any of the world’s other international organizations.

While the European Union may be the international organization that would be best suited to administer Kosovo as an international province, there are other possible international organizations which could rule over Kosovo, including NATO, the Council of Europe, the Organization for Security and Cooperation in Europe, and the United Nations. However, the Serbians would undoubtedly have strong objections to seeing NATO run Kosovo since Russia is not a member of NATO and would therefore have zero influence over the manner in which NATO would run Kosovo. Even though this fact is also true with regards to the European Union, the Serbians would probably not have the same objections to seeing the EU administer Kosovo since the Serbians are trying to become EU members themselves.

As for the Council of Europe, it would probably not be in a strong enough position to administer Kosovo since it is a much smaller organization in terms of its powers, the size of its budget, and its administrative capacity. The same thing could be true to a lesser extent with regards to the Organization for Security and Cooperation in Europe. However, both organizations have the advantage of having both Serbia and Albania (along with Russia for that matter) as full members. As a result, perhaps the Serbians would be more willing to work with an organization in which they are already full members. As for the United Nations, it is probably too broad to carry out a task that would be better handled by an international organization which is focused exclusively on Europe. Therefore, even though there are other international organizations which could potentially be given the task of administering Kosovo as an international province, it is clearly the European Union that is in the best position to run Kosovo in this regard.

As was the case with the possible condominium solution to the Kosovo conflict, the international province solution would also have to resolve the issues of what to do with the competencies that are usually reserved for independent countries. Currency would be the easiest of these competencies to resolve as Kosovo would continue to use the Euro as its currency. This would especially be true if the European Union were to be the international organization that would administer Kosovo, since the Euro belongs to the EU. The only question would be whether Kosovo would then be allowed to mint its own Euro coins.

The question of citizenship for the residents of Kosovo would be a more interesting one, as there are several possible options. The most obvious option would be to allow the residents of Kosovo to either retain their Serbian citizenship or to acquire Albanian citizenship in its place. However, there are several noticeable problems with this option. First of all, neither Serbia nor Albania are currently members of the EU. As a result, neither Serbian nor Albanian citizens have access to the EU’s common labor market. It would be difficult to imagine an international province administered by the European Union if the province’s residents do not have access to the EU’s labor market.

Another possible option would be to create a special Kosovo citizenship. Under such a provision, Kosovo citizens could be given the same rights that citizens of the EU’s member states have with regard to free movement of labor. However, the problem with creating a special Kosovo citizenship is that it would make Kosovo appear to be more of an independent state. Also, would it be possible for Kosovo citizens to be dual citizens with independent countries such as Serbia and Albania? Likewise, could an individual apply to become a naturalized Kosovo citizen? Finally, what possibilities would foreigners have to move to Kosovo should a special Kosovo citizenship under the auspices of the European Union ever be created? It must also be pointed out that some of the current EU member states would probably be reluctant to open up their labor markets to the residents of Kosovo.

Another possible citizenship arrangement for Kosovo should it become an international province run by the EU would be to create a common EU citizenship. Currently, all citizens of the EU’s 27 member states are automatically citizens of the European Union. Therefore, in order to become an EU citizen, a third country national would have to apply for and receive citizenship in one of the EU’s 27 member states (or else hope that his own country will someday join the EU!). As to whether the third country national will be able to retain his old citizenship at the same time would depend on the laws of his own country and the laws of the EU member state in which he is applying for citizenship. Basically, there is no way in which one can be or can become an EU citizen in general without being a citizen of at least one of the EU member states. In short, there is no “general EU citizenship”.

However, it would certainly be possible to create a general EU citizenship so as to facilitate the EU administration of Kosovo. Under a general EU citizenship, a general EU citizen residing somewhere in the EU would then be treated no differently than the national citizens of the EU member state in which he is residing. If the same general EU citizen were to move to another EU member state, he would then be treated in the same manner as the citizens of that country. Likewise, a general EU citizen would have all of the same rights with regards to such things as free movement of labor.

There would, however, be several issues associated with regards to the creation of a general EU citizenship. First of all, if a general EU citizen were to be treated no differently than the citizens of the state in which he lives in terms of privileges, then would the same thing have to be true about obligations? Also, if a general EU citizenship were to exist, would it then be possible for third country nationals to become general EU citizens without first becoming a citizen of an EU member state? Likewise, could a current EU citizen reject the citizenship of his state in favor a general EU citizenship? Finally, would individuals with general EU citizenship be able to hold dual citizenship with third countries?

In addition to the issues of currency and citizenship, there would also be the issue of defense. This issue would, however, be easy to resolve as Kosovo could either become a demilitarized zone or could continue to be protected by a NATO-led force.

There would, however, still be one remaining issue to resolve before Kosovo could become an international province: what would happen if the international organization administering Kosovo were to either decide that it no longer wishes to run Kosovo or even if the international organization running Kosovo were to cease to exist? While both of these scenarios are extremely unlikely to ever occur in the case of the European Union, they must be considered before Kosovo could be handed over to the EU to be run as an international province. However, the obvious solution to this potential issue would be to include a clause in the treaty that would hand Kosovo over to the EU from Serbia that should the EU (or whichever other international organization would end up getting Kosovo as an international province) ever cease to exist or decide to that it no longer wished to run Kosovo that Kosovo would automatically revert to Serbian rule barring any agreement between the EU (or relevant international organization) and Serbia.

In the end, though, it is now basically certain that this scenario will never even be considered. It is a pity in one sense as this is one possible scenario that could have had the potential to please both sides.

Conclusions:

As was stated in the introduction, Kosovo has declared independence from Serbia. Moreover, this independence has been recognized by the United States of America, along with all but five of the member states of the European Union. Even though Russia and five EU member states do not recognize Kosovo as an independent state, it seems highly unlikely that Kosovo (at least not all of it) will ever be a part of Serbia again, even under high autonomy. However, there needs to be an agreement between Serbia and Kosovo before the Western Balkans can be fully integrated into the Euro-Atlantic community.

Any agreement between Kosovo and Serbia would no doubt have to include provisions that would please the Serbians as well. After all, it is, by definition, impossible for a compromise to be one-sided. Keeping this in mind, Kosovo and the supporters of its declaration of independence need to realize that guarantees for Kosovo’s minority Serbian population—not matter how numerous or how generous—is not going to be enough to convince the Serbian government to sign off any agreement between the two sides. If for no other reason, there is the obvious fact that there is no way to guarantee that such promises will even be honored. More importantly, any agreement containing these provisions only is simply not enough of what the Serbians want. It will be, after all, very difficult for any Serbian government to admit that Kosovo is forever lost.

It will therefore be necessary for the Kosovar government to agree to further concessions to the Serbians. The most obvious one would be to allow parts of Kosovo to rejoin/remain with[[1]](#footnote-1) Serbia. The most obvious part would be in the north, in and around Mitrovica. Another possible concession would be to allow the Serbians to retain the 1389 battlefield. The Kosovar government has even hinted that it may be open to allowing Serbia to hold on to Serbian dominated parts of Kosovo. However, in exchange Kosovo would most likely want ethnic Albanian dominated parts of Serbia proper, such as in the south in the Preševo Valley. The problem with that is that the railroad between Belgrade and Skopje runs through the Preševo Valley. Moreover, the international community is quite reluctant to see Kosovo partitioned, with or without Kosovo gaining any part of Serbia proper. For one thing, the concern is that doing so might encourage the ethnic Serbians in Republika Srpska to secede from Bosnia and Herzegovina and join Serbia proper. Moreover, it could lead to a whole round of redrawing borders in the Western Balkans. For obvious reasons, the international community is eager to avoid that. However, it is also incredibly one-sided and perhaps even a bit naïve to expect Serbia to agree to recognize Kosovo as being independent without some sort of a meaningful concession. As was previously stated, promises to protect the Serbian minority within Kosovo are not meaningful enough.

As to whether the ethnic Albanians in Kosovo had a strong case for secession is not the point of this essay. However, it must be emphasized that it was quite naïve of the supporters of Kosovo’s declaration of independence to believe that their argument that Kosovo is a unique case—regardless of whether it is true or not—would be able to stick and would not encourage other secessionist movements. Indeed, many leaders in the international community may have come to realize that it was probably a mistake to have recognized Kosovo’s declaration of independence without first obtaining an agreement with Serbia. However, if this is true—and it is not the point of this essay to determine whether that is the case—forcing Serbia to now recognize Kosovo’s independence would only compound the mistake. Instead, at this point, a partition should probably be considered, whether or not this includes Kosovo gaining part of Serbia proper. After all, without such a concession, it may be difficult to get Serbia to agree to recognize Kosovo as independent. Without Serbian recognition, it will be hard for Kosovo to begin its integration into the European Union, as the five current member states which do not recognize Kosovo are unlikely to do so until Serbia itself does so.

This essay suggested several possible “creative” scenarios. It is truly a pity that such scenarios were seemingly never even considered. Indeed, this was an opportunity for the world’s diplomats to “get creative”. It is a shame that they passed on this opportunity. As a result, this part of the Western Balkans remains in a stalemate. Hopefully, some sort of an agreement will be reached soon so that the Western Balkans can complete its integration into the Euro-Atlantic community.

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Abstract:

In February of 2008, Kosovo declared independence from Serbia. This declaration of independence has been recognized by the United States, and 22 of the 27 member states of the European Union, among others. However, whether Kosovo has become independent is in dispute. After all, Serbia and Russia, among others, do not recognize Kosovo as being independent from Serbia. The point of this essay is not to examine whether Kosovo has become independent, but rather to examine the possible final settlement scenarios between Kosovo and Serbia. Admittedly, some of these scenarios are unlikely to ever be tried.

აბსტრაქტი:

2008 წლის თებერვალს კოსოვომ გამოაცხადა დამოუკიდებლობა სერბეთისაგან. მისი დამოუკიდებლობა აღიარა ამერიკის შეერთებულმა შტატებმა, ევროპის კავშირის 27-დან 22 წევრმა და ასევე სხვა სახელმწიფოებმა. მიუხედავათ ამისა ჯერ კიდევ საკამათოა გახდა თუ არა კოსოვო დამოუკიდებელი. საბოლოოდ, რუსეთი და სერბეთი, სხვა სახელმწიფოებთან ერთად, არ აღიარებენ კოსოვოს დამოუკიდებლობას სარბეთისაგან. ამ სტატიის მიზანი ის კი არ არის, რომ დაადგინოს გახდა თუ არა კოსოვო დამოუკიდებელი, არამედ განიხილოს შესაძლო შეთანხმებების ვარიანტები კოსოვოსა და სერბეთს შორის. უნდა აღინიშნოს ის ფაქტიც, რომ ზოგიერთ ქვემოთ მოყვანილ სცენარიოებს არასოდეს არ უწერია ცდაც კი.

1. As to whether Kosovo should be considered as fully independent or not as of now is not the point of this essay. [↑](#footnote-ref-1)