

BALKANS MONITOR 2/12/2022

31 December 2022

by **Vanessa Tinker**

Breakthrough made after a 19-day standoff between Serbia and Northern Kosovo

29 December 2022, Serbian president Aleksandar Vučić announced that Serbs from Kosovo would begin removing the barricades and road blocks that have been in place since 9 December 2022. For the past nineteen days, traffic has been inhibited from crossing into Serbia from two border crossing points in Jarinje and Bernjak. The most recent dispute between Kosovo and Serbia was triggered following the arrest of former police officer Dejan Pantić 6 December, who had been detained after suspected of being involved in an attack on Central Election Commission officials in North Mitrovica. In response, Serbs in northern Kosovo organized themselves and set up barricades and road blocks in protest 10 December. As tensions continued to escalate, Serbia increased its threats to place its security troops on high alert and reportedly Serbia's interior Minister Gasić "ordered the full combat readiness" of police and other security units to ensure Serbs in Kosovo were protected. It was only after mounting pressure from the US, UK, and the EU that a compromise was reached, whereby Kosovo agreed to release the police officer held in custody in return for Serbia's promise to remove the barricades.

Although tensions have been temporarily defused, they illustrate how the longstanding conflict between Kosovo and Serbia is far from over and distrust remains, despite the war between them having ended 21 years ago. Serbia continues to refuse to recognize Kosovo's independence and encourages ethnic Serbs living in Kosovo to deny Pristina's authority. Although the majority of Kosovo's 1.8 million population is ethnic Albanian, northern Kosovo, which is divided into four municipalities, has an all ethnic Serb majority. And despite the refusal to recognize Pristina's authority, ethnic Serbs are still guaranteed 10 seats in Kosovo's parliament and two minister seats in the government in Pristina.

For the past two years, relations between Kosovo and Serbia have turned from bad to worse. Under the leadership of Prime Minister Albin Kurti, the government of Kosovo has sought to pursue a more confrontational stance to Serbia and reaffirm its territorial integrity, as evidenced in Kurti's controversial policy decision to ban Serbs living in Kosovo from using Belgrade-issued license plates. Despite the threat of heavy fines and having their

cars banned from Kosovo's roads, Serbs resisted the policy, sometimes violently. To show solidarity over the car plate issue, over 600 police officers, followed by judges, prosecutors and other state workers from the Serb minority in northern Kosovo quit their jobs in November 2022. This in turn left a security vacuum that the government of Kosovo sought to quickly fill with ethnic Albanians by holding snap elections 18 December 2022. However, after receiving intensifying pressure from the US and EU, it was agreed that elections would be postponed till April 2023 due to high security concerns.

Despite a compromise over the license plate dispute, eventually being reached 23 November 2022, whereby Serbia agreed to stop issuing license plates of Kosovo cities' denominations and Kosovo to cease taking further actions related to re-registration of vehicles, the most recent flare up between the two countries illustrates how relations between the two countries are far from resolved and the conflict remains frozen. To further ensure that tensions do not escalate into an all-out armed conflict, NATO continues to maintain a presence with 3,700 peacekeeping forces (KFOR) in place that has been there since 1999. Until Serbia recognizes Kosovo as an independent country, the likelihood of developing any viable long-term solution between the two countries so far seems unlikely.

Bosnia and Herzegovina receive Candidate Status to the EU

On 15 December 2022, the European Union officially awarded Bosnia and Herzegovina candidate status, after having waited six years to join the bloc. Bosnia and Herzegovina is the third country followed by Ukraine and Moldova to gain candidacy status this year. The momentum to resume talks of EU enlargement is largely in part due to the current war in Ukraine. The decision to grant Bosnia and Herzegovina candidate status came two days after the European Council declared it supported the European Commission's recommendation already made back in October of this year, however it did so with eight attached conditions intended to strengthen democracy in the country. The eight conditions include implementing steps to fight corruption and organized crime, making judicial and immigrant reforms, strengthening of laws against torture, and providing guarantees of freedom of expression and the protection of journalism. Only after

each of the eight conditions are met can Bosnia and Herzegovina begin the formal accession negotiation process to become members. As with the approval of a state's candidacy however, the opening of the accession talks requires the unanimous approval of all EU member states. Following a review of the recent European Commission's progress report on Bosnia and Herzegovina however, suggests that the country is nowhere near EU-member state ready. Nevertheless, the EU commission remains hopeful that the provision of candidate member state status will provide the minimum incentive for the country to fulfil the conditions set out.

Montenegro's Parliament announces new prime minister-designate in a contested vote

Montenegro's parliament has been in a political deadlock since 20 August 2022 following a vote of no confidence by 50 out of 81 MP members in the Government of Prime Minister Dritan Abazovic. The vote came following the controversial new agreement the government signed with the Serbian Orthodox Church (SPC) that pro-Western MPs viewed as a sign of Serbia and Russia's influence in the country, particularly in light of Russia's war in Ukraine. To replace the outgoing PM, the parliament's majority, consisting of pro-European and pro-Serb parties proposed Miodrag Lekic. However, pro-European President Milo Djukanovic rejected Lekic's candidacy, citing procedural errors as the reason. Montenegro's constitution states that the president is supposed to nominate the prime minister-designate agreed by a parliamentary majority. To circumvent the President's decision, MPs passed a law earlier in December that allowed the parliament to nominate the PM-designate in the event the president failed to do so. This however requires changes to the constitution, that in the case of Montenegro has not been functional since September following the retirement of one of the judges, and the parliament's inability to agree on the appointment of a replacement. Therefore, the vote to make Lekic PM is unconstitutional, and according to the Venice Commission, the Council of Europe's advisory body on constitutional law, represents a breach to Montenegro's constitution that needs to be amended. Although Montenegro is a NATO member and received candidate status to join the EU in 2010, the country continues to face political divisions between those who identify themselves as Montenegrins and pro-Russia Serbs who opposed Montenegro's independence from a former state union with Serbia.

Report Released of Violent Migrant Pushbacks at EU borders

Border Violence Monitoring Network (BCMN), recently released a critical 3,000 page report "Black Book of Pushbacks" that collects 1,635 testimonies about pushbacks impacting more than 25,000 asylum seekers and migrants, both at EU's external borders and within the territory of member states. The report documents cruel and degrading treatment as well as the arbitrary detention of people before illegally being pushed backed. BCMN is an independent network of NGOs, established in 2016 that is primarily based in the Balkans regions and in Greece, developed for the purpose of monitoring human rights violations at the external borders of the EU. The report identifies the involvement of 15 countries: Austria, Italy, Greece, Slovenia, Croatia, Poland, Hungary, Romania, Serbia, Bosnia and Herzegovina, Montenegro, Kosovo, Bulgaria, North Macedonia and Albania. Despite the denials of perpetrating countries, the report highlights patterns and photo evidence of ongoing and systematic human rights violations and illegal push backs. Although push backs are against EU law and the Geneva Refugee Convention, many EU member states continue to ignore breaches to human rights. The report highlights how many of these abuses have happened directly under the eyes of the EU agency Frontex. Research carried out by other NGOs such as Lighthouse Reports have reaffirmed these findings and persistent reports of Frontex's involvement led to the recent resignation of former Frontex Director Fabrice Leggeri in April. The report shares its concerns about the EU's growing complicity with push back practices.