

The Status of Kosovo and Metohija: Brussels Unites the Albanians and Divides the Serbs

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Global Research, February 27, 2018

Region: [Europe](#)

Theme: [History](#), [Law and Justice](#), [United Nations](#)

United Nations Security Council Resolution 1244 (1999) guaranteeing sovereignty and territorial integrity of Serbia and the autonomy of Kosovo and Metohija within Serbia, is the highest binding legal document that obliges all UN members, including the member states of the EU, NATO, the OSCE, the OIC, the African Union.

Resolution 1244 is the only reliable basis and the framework for any negotiations concerning status. Owing to grave mistakes made by the former Serbian authorities, the UN system has produced certain damaging documents of advisory and non-binding character. It is vital that no similar or even greater mistakes are made either presently or in the future, which would make Serbia's future position and prospects more difficult.

The single most important parameter is the Constitution of the Republic of Serbia. It is expected to be observed by all, and the relevant responsibility grows with the rising position of each of us in the society. Respect towards the country's Constitution is the measure of the seriousness of the state, statesmen and citizens.

Trading' Kosovo and Metohija for gaining EU membership is unacceptable, because the values concerned are not comparable. Membership is welcome, provided it is offered devoid of blackmails and 'an exclusive membership fee'.

Having regard to all the experiences so far it is clear that any guarantees of the EU for any future agreements or solutions concerning Serbia could not be trustworthy.

The EU has been initiating agreements in which the rights of Serbia are but a bait, luring Serbia to consent and sign, whereas the true goal is to establish Serbia's obligations in favour of the other side and, thus, gain foothold for endless blackmails using unique "argument": 'If you want EU membership!' The only implemented provisions of the UNSC Resolution 1244 are those in the interest of the Kosovo Albanians, and none of those which guarantee the rights of the Serbs and of Serbia.

Serbia has fulfilled all of her obligations stemming from the EU sponsored Brussels Agreement of 2013, whereas the Albanians failed to observe the only one they pledged to – the establishment of the Community of the Serbian Municipalities. The EULEX was accepted as being 'status-neutral', but in reality this Mission was and remains the key instrument for the establishment of an illegitimate quasi-state on a part of the territory of Serbia. It is shadowed by unsolved serious suspicions of the corrupt behaviour of its staff. The resulting mistrust may only be neutralized through the implementation of unfulfilled obligations towards Serbia and the Serbs, together with genuine impartiality, identifying and

prosecuting those responsible for perpetrated crimes against the Serbs.

Under the negotiations thus far, Serbia has gone above and beyond in granting concessions to Pristina and the West and, in return, was not given as little as a minimal protection of her rights and interests.

Belgrade should be wise enough to infer proper conclusions from this practice. It should not involve in any new arrangement or obligation, least of all enter any new 'legally binding agreement' for so long until the implementation of all obligations towards Serbia and the Serbian people, including free and safe return of almost 250,000 persons expelled in an ethnic cleansing episode. What kind of normalization would it be without having it conditioned with the safe return of a quarter million of expelled persons?

A legally binding agreement would be used for the accelerated creation of Greater Albania. While remaining outside the UN, Kosovo could hardly unite with Albania, as it is not a subject of international law. Another obstacle is its formally being under the mandate of the UN under UNSCR 1244.

For Serbia, the status of the Province of Kosovo and Metohija is a vital issue which will be open for so long as the negotiations produce a just and self-sustainable solution, as set forth under UNSC Resolution 1244. None has the right to blackmail Serbia by means of setting any deadline, or to impose solutions tailor-made to meet their own geopolitical interests.

Serbia's obligation and invested efforts to ensure the basic human rights of the Serbian people in Kosovo and Metohija, such as personal security, freedom of movement, and inviolability of property rights – enjoy full support of citizens. This obligation, together with duty to ensure observance of the status and inalienable rights of the Serbian Orthodox Church, neither lessen nor eliminate the essential interest, which is – the status of the Province in line with UNSC Resolution 1244 and the Serbian Constitution.

We find unacceptable both indifference, and indulging the malicious propaganda which touts that Kosovo and Metohija is but a burden Serbia should get rid of, and soon, so to enable her economy and the citizens embark onto the future, investments, development, better standard of living, higher population growth, almost a paradise on Earth. This all is yet another great deception. In any given country, standard of living and economy depend on the economic policy and systems, on the diversification of economic cooperation and the sources of investment, rather than on renouncing any vital national or state interest.

Germany exploits the present Brussels' format of negotiations to promote its own and, to a certain degree, the general Western, geopolitical interests. This dovetails with the way of resolving the Albanian national question, the weakening of the Serbian people and Serbia as a political factor in the Balkans, and with the further deterioration of the unresolved Serbian national question. An important argument supporting this assessment is the actual prevention of 250,000 Serbs and other non-Albanians to exercise the universal right to free, safe and dignified return to their homes and properties.

A just compromise is only possible within the framework of UNSC Resolution 1244 and the Constitution of Serbia. It is neither a compromise nor a durable solution to let Pristina acquire independence, economic and natural wealth, membership to the UN, UNESCO, the OSCE, whereas all the Serbs get new divisions, new international borders instead of the administrative line, status of national minority, and a Community of Serbian Municipalities

reduced to an NGO.

Having in mind all of the above, and in particular the altered circumstances, inadequate format of Brussels' negotiations, the blackmailing dimension of tying the status of Kosovo and Metohija to Serbia's EU membership negotiations, one can surmise that presently do not exist prerequisites for the reaching of a balanced, just, and durable solution. Such prerequisites may be created by involving Russia and China in the negotiations process and guaranties, that is, by reverting the process back to the United Nations, where it has originally begun.

Serbia has been and remains willing to search for a compromise, to harmonize interests, not in an uncharted space, but within the domain of principles and law. Serbia should not opt for exiting this domain of principles and law, and strive into the future better life by giving priority to injustice over the justice. The justice is a part of reality, too.

Proposing the so-called "two Germanies models" is an obvious attempt to justify and deceive, and an offer for "face saving". However, the two situations, relevant international circumstances, their origins and root causes are incomparable. Serbia is not the former Federal Republic of Germany, nor is Kosovo and Metohija in the former German Democratic Republic. Serbia has already expressed her opinion of Zeigmar Gabriel's ultimatum. It would be better that both Europe and the EU state their position, and thus preclude Gabriel from his habit of proclaiming which parts of territories do or do not constitute the part of other states. Let us recall this year is 80th year of the Munich Agreement?

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