

## **Analysis: Kosovo Independence Ruled Out**

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The EU-sponsored Serbia-Montenegro union will be a block on Kosovo's aspirations for sovereignty.

When Yugoslavia ceases to exist in September, Serbia and Montenegro will form a new state union; however, this does not mean that Kosovo is any closer to the independence it craves. Quite the opposite, in fact.

The European Union has been actively trying to find a permanent solution for Kosovo, though they are tight-lipped about the process. One diplomat from an EU-member state actively engaged in the Balkans, who did not wish to be named, told IWPR that Kosovo "could be a state, but not in the same way as Croatia, for example".

He said diplomats were assessing whether the model of union being set up between Serbia and Montenegro, under the watchful eye of the EU, might include Kosovo as a third element. In this way, Kosovo would remain "outside" Serbia, and would not be ruled by Belgrade but would still be linked to the other two nations.

The view that complete independence should be postponed indefinitely now prevails in EU circles after three years of differing opinions and much debate about the future of the protectorate, and following a decade of Kosovo Albanian clashes with the Serb authorities.

The province, which is Albanian-dominated but which many Serbs see as the cradle of their nation, gained a high degree of autonomy in the 1974 Yugoslav constitution under the late Yugoslav president Josip Broz Tito. Slobodan Milosevic scrapped this in 1989, marking the start of the Balkan crisis which later escalated into full-scale war.

In spring 1999, Milosevic refused to sign the internationally brokered Rambouillet agreement on Kosovo, precipitating the bombing of Serbia in June 1999. Since then, the region has been run as a UN protectorate, described in UN Security Council Resolution 1244 as a constituent part of Yugoslavia "pending a final solution".

Such ambivalence has triggered an international debate on the best solution for the area. Some are still pressing for independence, convinced that the old Yugoslav state needs to be completely broken up before any new integration process can bring its constituent parts into the EU.

The other option, now presented as the EU's official stance, is that the Balkans must not be partitioned any further. This option prevailed after Europe rejected Montenegro's bid for independence in March and practically forced it to sign the Belgrade agreement, obliging the country to remain in union with Serbia.

Those who oppose further fragmentation - the large European member states and joint EU institutions - fear Kosovo's independence would encourage other partitions, especially in Macedonia, where Albanians dominate the western part of the state and where armed clashes broke out a year ago.

There is also a worry that autonomy for the protectorate could encourage Republika Srpska, the Serb entity in Bosnia, to join Serbia, after which the Bosnian Croats might also secede.

Such events would have negative effects as far away as Albania, Bulgaria and even in Greece, re-activating a "spiral of violence" in the Balkans and turning the area into a major security problem again.

Besides questions of regional security, the EU has pointed to other hurdles blocking Kosovo's independence. Its institutions, society and economy are seen as undeveloped, and general opinion holds that self-government might encourage organised crime, which the EU is currently battling in the Balkans.

In addition, Nicholas Whyte, director of the Brussels-based think tank International Crisis Group's Balkan programme, told IWPR that Kosovo's treatment of its Serb minority "disqualified it for independence". However, Whyte suggested the protectorate would eventually gain autonomy through bilateral negotiations with Belgrade.

To forestall further debate about changes to state borders, the EU Ministerial Council adopted conclusions in March that cemented its policy on the western Balkans.

By then, European foreign policy and security chief Javier Solana had already secured Serbian and Montenegrin agreement to two major principles: absolute cooperation with the International Criminal Tribunal for the former Yugoslavia, ICTY, and commitment to the 1995 Dayton Peace Accord on Bosnia. The integrity of Bosnia's borders was thus confirmed, ruling out the secession of Republika Srpska and implicitly ruling out statehood for Kosovo.

However, although the new Serbian-Montenegrin union will be founded within a month or so, Brussels still has no precise model for Kosovo's status in the new state.

The Belgrade agreement stipulates that the new state will inherit Yugoslavia's obligations under Resolution 1244, which regulates Kosovo's status. If Montenegro withdraws from the union after three years, as the deal allows, Serbia will inherit the international documents concerning Yugoslavia, notably Resolution 1244.

If the union survives and Kosovo is pushed into it, the three-member state would be entitled to approach the EU for membership. Europe can be expected, therefore, to discourage any moves by Montenegro to break off the agreement, as it would trigger new unrest in the region.

Before the Belgrade agreement, it was widely believed that it was only a matter of time before Kosovo gained its independence. Now, the emerging Serbian-Montenegrin union is increasingly being seen as a safety mechanism to keep the protectorate and other Balkan territories within their existing state borders.

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