

European Union runs into roadblocks in its plans for Kosovo

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Divided rule

WHEN the Austro-Hungarian empire declared war on Serbia in July 1914, few could have imagined that the result would be the demise not only of the Habsburg empire, but also of the Russian and Ottoman ones. Nobody believes that Serbia's challenge to the European Union over Kosovo will be anything like as dramatic; most Serbs want to join the EU, not destroy it. Yet 100 days after Kosovo declared independence, Serbia has done a lot better than anybody expected in thwarting the EU's plans for it.

Serbia still regards Kosovo as a province, but the ethnic Albanians, who constitute over 90% of its 2m people, declared its independence in February. So far 41 countries have recognised Kosovo, including America and 20 of the EU's 27 members. But five of these are microstates like Nauru and the Marshall Islands. And such big hitters as Brazil, China, India and Russia have not recognised the new country. Nor have Spain, Egypt or even most Muslim countries.

Since the end of the war in 1999, Kosovo has come under the jurisdiction of the United Nations. Legally the last word in its government accordingly lies with the head of the UN mission in Pristina. When Kosovo declared its independence, the EU authorised the establishment of a big new police and justice mission named EULEX. With the Americans and others, it also set up the office of the international civilian representative (ICR), investing him with sweeping powers.

On June 15th Kosovo's new constitution is due to come into force. It foresees no role at all for the UN. But legal and technical problems mean that the EULEX mission has been postponed. As for the ICR, whose (Dutch) head, Pieter Feith, is also the EU's special representative in Kosovo, one UN official scoffs, "He and his team are here as tourists. What are they doing? They can't take over the role they were assigned, as we are still here."

Since independence the Belgrade government has consolidated its grip on Serbian areas of Kosovo, including almost all of the region north of Mitrovica. It even held local elections, condemned as illegal by the UN, the EU and the ICR. EULEX and the ICR will be unable to operate in these areas. De facto, Kosovo is thus divided not only into Serb and ethnic-Albanian areas, but also into places where the UN will keep operating and the ethnic-Albanian areas where EULEX and the ICR will probably take over. For the EU, says one diplomat, "It is a face-saving operation now. Their plan has been derailed."

As the June 15th deadline nears, meeting after meeting is taking place to try to resolve the impasse. The UN's future role is now utterly unclear because, as the joke has it, everyone is "waiting for Ban". Under pressure from all sides, the UN secretary-general, Ban Ki-moon, has done little beyond prohibiting the transfer of cars, buildings and equipment to EULEX and the ICR. The Russians recently warned him that any notion that he might try to resolve the problem without the approval of the UN Security Council (and thus of Russia) was "out of the question".

Attempts are now being made to square the circle by seeing if EULEX could somehow come under the UN's legal authority, but so far no progress towards a deal has been made. What is becoming

distressingly obvious to Kosovo's Albanians is that, despite declaring independence, their future is still tied to Serbia's. Keen to gain more recognition, they are making little fuss. But Mr Feith says "they need to be given some comfort that their interests are being taken care of." If they don't get it, he sees trouble ahead.

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