



Blog

# HOW CAN THE EU BOOST THE IMPLEMENTATION OF THE FRANCO-GERMAN PROPOSAL? A TURNING POINT FOR KOSOVO- SERBIA NORMALISATION PROCESS

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August 2023

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**Co-funded by  
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Serbia's refusal to recognise Kosovo, which unilaterally declared independence in 2008, is at the root of many problems within the region of Western Balkan. It hinders both countries' EU membership paths, creates destabilisation in the Balkans, as visible in the recent unrest in northern Kosovo, and hinders regional economic cooperation.

However, the Belgrade-Pristina relations have deteriorated even further in the past two years. In September 2021, a political crisis erupted in northern Kosovo due to the introduction of reciprocal measures on identification cards and car license plates. In reaction, Kosovo Serbs set up roadblocks at two border crossings, and Serbian President Aleksandar Vučić ordered the Serbian army to move closer to the border. Kosovo authorities, in return, said that recent actions put the country's constitutional order in jeopardy and demanded that all its laws and regulations be adhered to everywhere within its territory.<sup>1</sup> A similar crisis erupted in the summer of 2022 and at the start of the new year, just as the European Union began negotiations of a plan to normalise relations between Belgrade and Pristina, popularly known as the Franco-German or "European" proposal. This proposal, developed by Germany and France with the EU backing aimed at stabilising of the Western Balkans in the aftermath of Russia's invasion of Ukraine, is an important tool potentially opening new prospects for the region.

The Franco-German proposal is part of a broader framework, the "Belgrade-Pristina Dialogue", initiated by the EU already in 2011, leading to the signing of the "Brussels Agreement" in 2013 which granted Serbian communities in the northern part of Kosovo autonomy in police, health care, town planning and justice. However, the agreement proved to be too vague, unclear, and difficult to implement. Other agreements negotiated as part of the normalisation process

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<sup>1</sup> Engjellushe Morina, *The politics of dialogue: How the EU can change the conversation in Kosovo and Serbia*, ECFR. <https://ecfr.eu/publication/the-politics-of-dialogue-how-the-eu-can-change-the-conversation-in-kosovo-and-serbia/>

were signed throughout the years but not all of their provisions have been implemented. Now it is clear that hazy promises and definitions are no longer acceptable, and that a more bold and straightforward strategy is needed from the EU. Therefore, the new proposal, backed by the Union's representatives as well as two of the EU's largest Member States, may represent a turning point in the Dialog. According to the new deal, Serbia must acknowledge Kosovo's independence de facto but not de jure, which means that it does not formally recognise it by law. This would allow Serbia to follow its Constitution, which recognises Kosovo as part of Serbian territory.<sup>2</sup> Moreover, Serbia should drop its opposition to Kosovo's membership in international organisations and recognise some aspects of Kosovo's statehood, such as official documentation, car registration plates, and sovereign action in international forums.

Kosovo, on the other hand, is expected to implement all previous agreements reached under the normalisation process. This mostly relates to the establishment of the Association/Community of Serb-majority Municipalities (A/CSM), which was already agreed upon in 2013. The Serbian Orthodox Church's status in Kosovo should also be formalised, as should a high degree of protection for Serbian religious and cultural heritage.

In February 2023, Serbia's President Aleksandar Vučić and Kosovo's Prime Minister Albin Kurti gave tacit approval to the proposal during a high-level meeting hosted by the EU's chief diplomat Josep Borrell and EU Special Representative for the Belgrade-Pristina Dialogue Miroslav Lajčák. However, the plan was not formally signed as the parties have not agreed on the Annex containing the so-called implementation map. In March, the representatives of the two countries met again in Ohrid, North Macedonia, to discuss the Annex of the proposal. The EU seemed

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<sup>2</sup> Marina Vulović, *The Normalisation of Relations between Kosovo and Serbia. How the EU can secure the implementation of the "European proposal"*. SWP Comment 2023/C 17. <https://www.swp-berlin.org/10.18449/2023C17/>

satisfied with the outcome of the meeting in Ohrid where Kosovo and Serbia agreed on the Implementation Annex of the Agreement. Such agreement represents a milestone, at least on paper, for the normalisation of relations between the two countries and a step forward in their path toward EU accession. What seemed like a victory for the two countries involved and mainly for the EU is, however, just a starting point: what was verbally accepted must be also implemented.

As long as the two countries remain in dispute, neither of them can join the EU, but the perspective of European integration is no longer a powerful incentive for candidates for membership as the enlargement process as such has lost its credibility. To avoid having to wait another ten years for a solution to the Kosovo-Serbia dispute, as was the case after the signing of the Brussels Agreement, the EU should put pressure on both sides right now, not allowing their leaders to find new excuses to avoid implementing previous agreements and adopting the new proposal. The EU should stop using ambiguity as a tactic to persuade both sides to accept proposals. This approach could be useful for achieving agreements on paper, but as the experience has proven, the devil is in the detail and its implementation is the most problematic part. The European Commission together with involved EU Member States should work together to guarantee that the five EU countries who do not recognise Kosovo normalise their relations with the country. This would strengthen the EU's standing in the eyes of Kosovo's administration. In this regard, the EU should continue to coordinate with the United States, as the latter has proven to be a vital mediation partner in efforts to resolve the protracted political disagreements between the two nations.

Moreover, the new deal would strengthen regional cooperation throughout the Western Balkans, benefiting Serbia in particular. It would also serve as a foundation for the Common Regional Market (CRM), which has yet to be

completely established, deadlocked by Serbia's non-recognition of Kosovo. Lastly, implementation and monitoring mechanisms based on a realistic timeframe should be introduced, specifying economic advantages and steps to be taken if the agreed-upon points are not implemented by the deadline. They could be accompanied by a monitoring commission that would report to the EU on developments on the ground.<sup>3</sup> These are mechanisms that were not included in the Brussels Agreement and still have not been completely implemented 10 years later.

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<sup>3</sup> Marina Vulović, *The Normalisation of Relations between Kosovo and Serbia. How the EU can secure the implementation of the "European proposal"*. SWP Comment 2023/C 17. <https://www.swp-berlin.org/10.18449/2023C17/>