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## **BORDERS VS. NUMBERS: ALBANIAN NATIONAL MINORITY IN THE SOUTH SERBIA BETWEEN NATION BUILDING IN KOSOVO AND EU MEMBER STATE BUILDING**

### **Summary**

Serbia and Kosovo are the two countries that want to join the EU as their ultimate goal. However, in order for this process to start, Kosovo, still not recognised by five EU member states, should be recognised by many countries including Serbia and these two former enemies have to solve the problems seriously to become allies. While the independence of Kosovo remains unacceptable for Serbia, today one of the main problems facing the parties is the border issues. Despite the fact that Serbia insists there is no state border between Serbia and its former province, the EU-mediated talks on the normalisation of relations between Serbia and Kosovo, which include the option of a border correction namely, land swap is taking place behind closed doors. The land swap solution suggests that Kosovo takes control of the Albanian-inhabited Preševo Valley of South Serbia while the Serb-inhabited four northern municipalities of Kosovo would be associated with Serbia. But this controversial step, depending on whom you ask, is a historical matter that can lead to a war or a great compromise. This paper aims to take a comprehensive look at the solution of the land swap between Kosovo and Serbia on the side of Albanian minority in the South Serbia, considering that the balances in this region are very dynamic, and to examine the importance of the EU membership motivation for solving such disputes. The analysis in this study has been conducted based on (a) interviews with political decision-makers in the Preševo Valley involved in talks about swapping land and journalists from the region, (b) author's observations and field research, (c) objectives and priorities identified in the Brussels Agreement in 2013, the Stabilisation and Association Agreement, and the instruments concerned with minority rights and the recognition of local autonomy (e.g. Framework Convention for the Protection of National Minorities and European Charter of Local Self-Government) compared to comments from the latest country-specific monitoring works by the EU and Council of Europe on the framework of the EU-facilitated Dialogue for the normalisation of relations between two countries.

**Key words:** land swap, border correction, Minority Rights, EU Conditionality, Western Balkans.

**JEL codes:** F51, H77, N4

## Introduction

*The Yugoslav crisis began in Kosovo, and it will end in Kosovo.*

*Noel Malcolm –*

Kosovo, the Newborn country, has a very important role on the shift of the EU's policy through the Western Balkans countries (WBCs) from post-war stabilization to an agenda of enlargement. With the Serbia's campaign of aggression in Kosovo from 1998 to 1999, the EU established new enlargement policy and post-conflict management instrument towards the Western Balkans countries called "Stabilisation and Association Process" (SAP) at the end of the Kosovo War in June 1999. In this context, Stabilisation and Association Agreements (SAA), which aims at implementing the SAP to secure well functioning democratic societies in WBCs with a view to the EU membership, were signed between the EU and WBCs (Gözübenli & Tekeshanoska 2018). Two decades after the war, two former enemies, Kosovo and Serbia are now in front of the EU's door together.

Kosovo, which declared its unilateral independence from Serbia on February 17, 2008, was recognized by more than 100 countries including the United States and 23 out of 28 EU member states. Even though Serbia does not recognize Kosovo as an independent state and continues to refer to the country as Kosovo and Metohija province, its officials sit down with Kosovo officials at the same table as part of the dialogue process mediated by the EU. In the context of the ongoing EU-mediated dialogue process, Serbia and Kosovo signed the "Agreement on the Normalization of Relations between two countries" on April 19, 2013 in Brussels, which was described as historic by the EU and the international community. While the independence of Kosovo still remains unacceptable for Serbia, Serbian acceptance of the former province Kosovo's independence is one of the EU's conditions that include on the table. While this agreement includes conditionality on solving the outstanding border issues between two countries through accession conditionality and the objectives of the SAP, most countries in the EU's waiting room have unresolved border issues with their neighbours, which are also inextricably tied to minority rights (Balfour & Basic 2010).

Borders are new frontlines of conflicts in the WBCs. Especially, during Nation-building process, borders are the borders of the national identity of the nation states. The fact that there is a constant debate over the borders of the candidate countries prevents their further progress in the European accession processes. Countries with such regional disputes cannot become members of the EU. For this reason, Croatia was not a member till the border issue with Slovenia was settled peacefully. The similar process now works for Macedonia,

which will give up its name for the possible membership. In short, the EU membership motivation is an important driving force for solving such disputes.

Earlier this year the Kosovo Assembly passed a border demarcation deal with Montenegro, which caused a huge division among the people of Kosovo, allows the country to meet one of the last EU conditions for visa liberalisation. Months later and while the demarcation issue remains controversial, 26 years after the unofficial referendum in which approx. 95% of ethnic Albanians in the Preševo Valley -South Serbia's ethnic Albanian dominated geopolitical zone- expressed their desire to join Kosovo, the EU-mediated talks on the normalisation of relations between Serbia and Kosovo which includes the option of a land swap is taking place behind closed doors. The land swap solution seems to be quite simple: Kosovo would take over the Preševo Valley (Preševo city with/without Bujanovac and Medvedja), while the Serb dominated four northern municipalities of Kosovo (Leposavic, Zvecan, Zubin Potok and North Mitrovica) would be associated with Serbia. But the (partially) EU-backed solution of land swap along ethnic lines can be interpreted as the European community undermining the credibility of the EU's credible enlargement perspective by creating ethnically homogeneous states while offering solution to solve a deep-rooted crisis with its membership motivation.

While this paper was being prepared, the government of Kosovo has decided in November 2018 to increase its customs tariffs on imports of products from Serbia and Bosnia and Herzegovina from 10% to 100% after accusing both countries of blocking its bid to join the INTERPOL. Over this incident, mayors of four Serb dominated municipalities in northern Kosovo (North Mitrovica, Leposavic, Zubin Potok and Zvecan) resigned to protest Prishtina's decision and officials from so-called Serb Administration in northern Kosovo stated that "Albanian institutions from Pristina are not legitimate for northern Serbs anymore" (Prishtina Insight 2018). On the European front, EU's High Representative for Foreign Affairs and Security Policy Federica Mogherini called on Kosovo to revoke the decision by saying the decision is a clear violation of the spirit of the SAA between the EU and Kosovo, following the decision of the government of Kosovo (EEAS 2018). Two weeks after Mogherini's statement, European Commissioner for Neighborhood Policy and Enlargement Negotiations Johannes Hahn, has ruined the hopes of Kosovo citizens for visa liberalization in 2019 by remarking 2020 is the most realistic year for visa liberalization (ibna 2018). It is observed that these reactions partially ruined the deep-rooted reputation of the EU in Kosovo. On the other hand, the Kosovo Assembly has voted in December 2018 on transforming the Kosovo Security Forces into a regular national army. Following this expected action, Serbia's prime minister suggested that Serbia would intervene in the case of Kosovo setting up a regular army, using as an excuse the claim that the Kosovo army would be used against the Serb minority in Kosovo (DW 2018b).

In other respects, during our field research in the Preševo Valley in November 2018, Serbian Security Forces stormed and shut down RTV “Presheva”, one of two local TV stations in Preševo city, Albanian Cultural Center, city library and headquarters of Albanian Democratic Party in Serbia (PDSH) two days before the Albanian National Flag Day and days after the decision of the government of Kosovo to increase taxes on goods from Serbia. In light of this information mentioned above, it can be said that regions that are the subjects of the land swap solution are used by the two countries as places of political revenge. The main objective of this paper is to assess the credibility of credible enlargement perspective of the EU while the EU is (partially) offering land swap along ethnic lines for two countries in the EU’s waiting room that were torn by sharp ethnic conflicts until recently.

## **Three Decades of Hope: Albanian National Minority in the Preševo Valley after the Break-up of Socialist Federal Republic of Yugoslavia**

### **Game of Numbers: An Overview of the Geopolitics and Ethno-demographics of the Preševo Valley**

The Preševo Valley is an ethnic-Albanian-dominated geopolitical zone in South Serbia along the border with Kosovo (as shown in Figure 1). The region consists of three Albanian inhabited municipalities of Preševo, Bujanovac, and Medvedja. The region has a population of approximately 90,000 with an area of 1,249 square kilometers. The one of longest highways in the Europe called Pan-European Corridor X passes through this region connects Central Europe with Middle East. On the other hand, Preševo has the only reception center of Serbia where welcomes thousands of refugees in the Balkan Human Corridor. According to the 2002 census that was the last census recognized by Albanian community in Serbia, Albanians make up to 90% of population in the municipality of Preševo, 55% of Bujanovac and 30% of Medvedja (as shown in Table 1). Albanians account of 64.7% of the total population of the Preševo Valley. The number of Serbs recorded in the 2002 census was 28% and Roma was 4.8% in the region (Republika Srbija Republički zavod za statistiku 2003). When we take into account the total population of Albanians in Serbia that is 61,647 (Republika Srbija Republički zavod za statistiku 2003), 94.3% of Albanians in Serbia live in the Preševo Valley.

**Figure 1. Geographic position of the Preševo Valley**

Source: Ejupi (2013).

However, the population census is the most comprehensive source to estimate the number of communities in a country, the census becomes a barometer for the country's policy towards national and religious minorities and vulnerable groups in heterogeneous societies. On the other hand, measuring this kind of personal characteristics may touch sensitive issues in the post ethnic-conflict countries because results can directly affect the distribution of power and the allocation of public goods. For this reasons, census is not only statistical, analytical or developmental issue, but a sensitive political issue that will cause tensions, every time when mentioned or conducted, because the figures are used to make camps in the post-war environment of the Western Balkans countries. The latest official Serbian census that was held on October 15, 2011, doesn't represent the actual number of minority groups in Serbia because of the fact that Albanian community in the Preševo Valley and Bosniak community in the Sandžak region boycotted the census altogether (Kostić 2014). The decision to boycott the 2011 census was made by all the Albanian delegates of the municipal assemblies of Preševo, Bujanovac, and Medvedja, using as an excuse the facts that the census questionnaire was in Serbian language and Cyrillic alphabet and there is no reciprocity among Albanian and Serbian data collectors (Balkan Insight 2011). The main reasons of such decision were widespread socio-economic discrimination against Albanian community and ethnic inequalities in the

Preševo Valley where the unemployment rate was around 70%, as stated by representatives of the Albanian community in the region (Presheva Jonë 2011). As a result of boycott campaign, more than 90% of the members of Albanian community in Serbia boycotted the 2011 census, that resulted only 5,809 Albanians being recorded as living in Serbia where 61,467 Albanians live in. Contrary to the practices carried out by the State Statistical of Macedonia in the 1991 and 1994 censuses in the Republic of Macedonia that was also boycotted by Albanians, Serbian authorities didn't use the statistical projections based on data from the previous census in 2002, to estimate the numbers in the boycotting areas with statistical datas e.g. the natural growth of the population during the inter-census period, migration etc.

**Table 1. Ethnic Structure of the municipalities of Preševo, Bujanovac, and Medvedja**

Ethnic Groups	Preševo				Bujanovac				Medvedja			
	1991	2002	2011	2011	1991	2002	2011	2011	1991	2002	2011	2011
<b>Albanians</b>	34,992	<b>31,098</b>	<b>89%</b>	416	29,588	<b>23,681</b>	<b>55%</b>	244	3,832	<b>2,816</b>	<b>26%</b>	527
<b>Serbs</b>	3,206	<b>2,984</b>	<b>8%</b>	2,294	14,660	<b>14,782</b>	<b>34%</b>	12,989	8,194	<b>7,163</b>	<b>67%</b>	6,429
<b>Roma</b>	505	<b>322</b>	<b>0.8%</b>	271	4,408	<b>3,867</b>	<b>9%</b>	4,576	119	<b>108</b>	<b>1%</b>	145
<b>Others</b>	240	<b>500</b>	<b>1,2%</b>	99	582	<b>972</b>	<b>2%</b>	258	1223	<b>674</b>	<b>6%</b>	337
<b>Total</b>	38,943	34,904	3,080	49,238	43,302	18,067	13,368	10,760	7,438			

Source: own work on the basis of Republika Srbija Republički zavod za statistiku (1991). Stanovništvo prema nacionalnoj pripadnosti (1991). Beograd. Republika Srbija Republički zavod za statistiku (2003). Popis stanovništva, domaćinstava i Stanova 2002. Knjiga 1: Nacionalna ili etnička pripadnost po naseljima. Beograd. Републици Србији Републички завод за статистику (2012). Попис становништва, домаћинства и станова 2011. у Републици Србији (НАЦИОНАЛНА ПРИПАДНОСТ Подаци по општинама и градовима). Beograd.

## **Territorial Autonomy or Bashkim<sup>1</sup>: An Overview of the Ethnopolitics in The Preševo Valley (1991-2018)**

The concentration of Albanian community in a particular area along the border with Kosovo which had an Albanian majority population, has been posing a problem for Serbia since the dissolution of SFRY. After the beginning of the Yugoslavia's transition from authoritarian single-party to multi-party politics, Albanians in Serbia, started to enjoy democratic rights and founded their ethnic political parties. In this context, two political parties namely, Party for Democratic Action (Partia për veprim demokratik) and Democratic Party of Albanians (Partija Demokratik Shqiptare) were founded in the city of Preševo in 1990. On February 12, 1992, the Albanian delegates of the municipal assemblies led by delegates from both Albanian political parties established the Assembly for referendum on the political-territorial autonomy of Preševo, Bujanovac and Medvedja (Zylfiu et al. 2017). On March 1-2, 1992, referendum

<sup>1</sup> "Union" in Albanian Language.

on the political-territorial autonomy of the Preševo Valley took place in which more than 95% of approximately 47,000 registered people (more than 50% of the total population of the Preševo Valley according to the 1991 Census) voted yes to “political and cultural autonomy with the right to join Kosovo”, expressed their desire for full autonomy of the region and recognised its right to be united with Kosovo (ПОЛИТИКА 2012; IWPR 2005). The results was not recognized by Federal Republic of Yugoslavia (FRY) as well as by the international community.

Since the Albanian community’s democratically inviolable commitment to show their willingness for full autonomy of the region, systematic campaign of institutional oppression against the Albanian community has been increased under the authority of the FRY. Numerous human rights violations have been increasingly considered to constitute a threat to regional peace.<sup>2</sup> According to Human Rights Watch, Albanians in the South Serbia have been vulnerable to attacks, particularly during periods of heightened tensions related to Kosovo in the second half of 90s (Human Rights Watch 2008). Although the situation in the valley was more stable than in Kosovo during turbulent years in Kosovo in the second half of 90s, Albanian community in the Preševo Valley were closely following developments in neighbouring Kosovo. With the start of the Kosovo Liberation War in February 1998, oppression against Albanian community in the Preševo Valley increased dramatically. As Peci and Demjaha argued, despite extant human rights violations against Albanian community in the region by Serbian authorities of FRY, the problems were in the shadow of Kosovo Crisis in 90s. Security Crisis in the region and Albanian community’s demand for equal rights have remained unnoticed by the international community until NATO bombing of Yugoslavia in 1999 (Demjaha & Peci 2006).

With the end of the war in Kosovo in June 1999, a three-mile demilitarized buffer zone into the Preševo Valley along the border with Kosovo was created by the Kumanovo Military Technical Agreement between NATO-led international peacekeeping force (KFOR) and the FRY Army under UN protectorate, in which FRY Army could not venture in Kosovo. But it can be said that Serbian authorities’ aggressive interest has redirected towards the Albanian community in the Preševo Valley after Serbia’s loss of Kosovo. After the withdrawal of FRY Army from Kosovo, many FRY Army troops settled in schools, factories and similar buildings in the Preševo Valley (Churcher 2003). As a result of this aggression, Albanian community in the region began to organize itself in self-defense by forming Liberation Army of Preševo, Medvedja and Bujanovac (UÇPMB) with the help of newly disbanded Kosovo Liberation

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<sup>2</sup> For more information on human rights violations against Albanian community in the South Serbia and beyond under FYR and Republic of Serbia, See. Human Rights Watch (2008). *Hostages of Tension: Intimidation and Harassment of Ethnic Albanians in Serbia After Kosovo’s Declaration of Independence and Immigration and Refugee Board of Canada* (2010). *Serbia: Situation of ethnic Albanians in Serbia; incidents of violence and state protection available to victims*. Ottawa: Research Directorate, Immigration and Refugee Board of Canada. SRB103447.E.



Army (UÇK) (Zejnullahi 2017). 17-month armed conflict between UÇPMB and FRY Army in which approximately 100 people were killed and 12,500 Albanians fled ended with Konculj Agreement in May 2001 after NATO-mediated talks. The terms of the Agreement included a pledge by the UÇPMB to disarm and disband in return for guarantees that their fighters would be amnestied, refugees allowed to return, a multi-ethnic police force formed and Albanians integrated into public institutions (Transconflict nd.). 9 year after the agreement, on June 3, 2010, Albanian National Minority Council (Këshillit Kombëtar Shqiptar-KKSH) was established with the aim at promoting and advancing the national identity of the Albanian community, in accordance with the law to create national minority councils, which would have “substantial autonomy” concerning issues related to language, education and culture (Immigration and Refugee Board of Canada 2010).

While significant progress has been made after the Konculj Agreement in establishing multi-ethnic local governments (as shown in Table 2), systematic human rights abuses and violence by Serbian state authorities continue to be perpetrated at an alarming rate. And the region remains at the heart of Kosovo-Serbia relations. Best example of this thesis is that; on November 21, 2012, the municipality council of Preševo city erected a monument in the square of the city honouring members of the UÇPMB, former Mayor of Preševo Dr. Ragmi Mustafa said that the monument shows the identity of the Albanian community in “the Valley” and announced that it would end the cooperation with state authorities of Serbia if the monument was removed (Blic 2013a). Later two members of the Kosovo Assembly threatened armed conflict if the state authorities of Serbia removed the monument (Blic 2013b). On January 20, 2013, Serbian Gendarmerie unit removed a controversial monument. This attempt was interpreted as Serbia gave Albanian councilors in the Preševo Valley a reason to voice their opinion on territorial autonomy. Today, all ethnic Albanian political parties of the region used the motto of “Bashkim” that means “union” referring the union of the Preševo Valley with Kosovo, as all the Albanian political representatives of the Presevo Valley without exception support the idea for land swap.

**Table 2. Ethnic Structure of the Police in municipalities of Preševo, Bujanovac, and Medvedja**

Municipality	Total Number	Albanians		Serbs		Roma	
Preševo	248	125	50.4%	120	48.4%	3	1.2%
Bujanovac	307	107	35%	198	65%	2	0.65%
Medvedja	142	7	5%	133	93.6%	2	1.4%
<b>Total</b>	<b>697</b>	<b>239</b>	<b>30%</b>	<b>451</b>	<b>69%</b>	<b>7</b>	<b>1%</b>

Source: own work on the basis of Etnička struktura stanovništva, zapošljenih i rukovodioca organa, institucija i preduzeća u opštinama Preševo, Bujanovac i Medvedja, Savet za ljudska prava, Preševo 2011/2012 Retrieved from Kryeziu, S., (2014). Albanian Minority Representation at the Serbian Ministry of Interior : progress and Remaining Challenges - Belgrade : Belgrade Centre for Security Studies (BCSS); Pristhina : Kosovar Center for Security Studies (KCSS). p. 9.



We should note that assessing the human rights abuses and specific incidents between Albanian community and Serbian state authorities in the region is beyond the scope of this study, but we need to underline that the all kinds of pressure against the Albanian community by the Serbian authorities are the reasons for the autonomy of Albanian community in the Preševo Valley. During our field research in the Preševo Valley in November 2018, Serbian Security Forces stormed and shut down RTV “Presheva”, one of two local TV stations in Preševo city, Albanian Cultural Center, city library and headquarters of Albanian Democratic Party in Serbia (PDSH) two days before the Albanian National Flag Day and days after the decision of the government of Kosovo to increase taxes on goods from Serbia.

### **Land Swap: EU’s Ethnically Pure Member State Building?**

As we emphasized above, by the time of the simultaneous dispersions of the multi-national and multi-confessional socialist federations of the SFRY eroded the stability and sensitive balance in the Western Balkans at the end of 20th century. During the break-up, nationalism had replaced socialism as the dominant force in the region and the ensuing armed conflicts that have emerged with their transformation into independent nation-states have returned the “national question” to the forefront of debates over political sciences and demography. EU commenced an acute relationship with the WBCs at same time with the all post-communist Central and Eastern European Countries (CEECs). However, while the anti-communist revolutions lead to the relatively peaceful break-up of the Eastern Bloc, SFRY spiraled downwards into bloody nationalist conflicts. So the EU’s strategic approaches to CEECs and WBCs were different. It can be argued that types of communism the two regions experienced and the EU’s so-called political elites’ roles on both regions were different. During the turbulent years surrounding the collapse of the SFRY at the beginning of 90s and the bloody civil war that followed, the EU acted as a mediator in civil conflicts in accordance with its joint goals of establishing peace and prosperity throughout Europe. WBCs that all located within the continent of Europe that are considered as potential EU members and a strategic priority. So, these conflicts has long been a strategic priority for the EU and the EU addressed these disputes as European issues. By doing so, the EU pursued a two-track approach by providing proactive mediation, and then by securing resources for mediation and the relaxation of relations between the disputing parties. It can be argued that the EU drew on its enlargement approach in seeking to stabilize the WBCs, since the end of 90s. In this context, all WBCs have signed SAA with the EU over the last years, which legally bind them into a process of political and economic integration (Keil 2013).

Finally all the WBCs were recognized as potential candidates for EU membership by the Feira European Council, held in northern Portugal on 19-

20 June 2000 (Gözübenli 2016). Article 49 of the Treaty on European Union states that any European country may apply for membership of the EU if it respects a range of democratic values - .... - and is committed to promoting them (EC 2007). As all WBCs are viewed as future EU member states, the EU's involvement in their domestic politics is much more pronounced than in other parts of the world. However, unlike other enlargement rounds before, involvement of the EU in proper state-building (or so-called EU Member State Building) exercises in the post-Yugoslav states are more active. Kosovo and Serbia are those countries as we mentioned above. Both countries are post-Yugoslav countries. Both are in front of the EU's door together. Both are ethnically and/or religiously diverse. Both are subject to monitoring the implementation of the Framework Convention for the Protection of National Minorities<sup>3</sup>. But one is other's former province.

Despite being the most ethnically diverse country and being the most famous country for its ethnicity-related issues in the Western Balkans, there are no officially recognized or unrecognized minorities in Serbia. Serbia has ratified two main instruments that secure minority rights: the Framework Convention for the Protection of the Rights and Freedoms of National Minorities (in 2001) and the European Charter for Regional or Minority Languages (2006) and as a member of Council of Europe the country has obliged itself to adhere to the Council's commitments, many of which relate to the rights and protection of national minorities. But we should note that the Institutional Nationalism with right-wing extremism and the coalition partners' discourse of "Greater Serbia" make the minority issues continue to be more politicized and debated.

### **Land Swap Proposal in the Process of the Normalization between Kosovo and Serbia**

Minority issues in Serbia and the country's minority rights regime cause blocking of Serbia in its EU accession process. In this context, in May 2011, Romania, the kin-state of the Vlach community, threatened Serbia to use its veto right on Serbia's EU accession process unless Serbia changed its policy towards the Vlach community (Фондация Фридрих Еберт Офис Белград 2013). The Issue of Albanian community in the Preševo Valley and Serb minority in Kosovo are another issues that occupies the European agenda of the Western Balkans in the context of the ongoing process of normalization of relations between Kosovo and Serbia. In order to normalize the relations between the two countries, a dialogue process was initiated in the mediation of the EU. Kosovo and Serbia signed an Integrated Border Management Agreement on 2 December 2011. In April 2013, an historic agreement namely

<sup>3</sup> Kosovo is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between UNMIK (United Nations Interim Administration Mission in Kosovo) and the Council of Europe.

“Agreement on the Normalization of Relations between two countries” was signed to normalize relations between Kosovo and Serbia in Brussels. The agreement included the dissemination of illegal Serbian parallel structures in Kosovo since 1999, but the integration of Serbs in the country into state institutions. Following the agreement, a local election was held including Serb-inhabited municipalities in the north Kosovo, for the first time in Kosovo’s history. Since 2011, when the process of dialogue began, Kosovo and Serbia signed some agreements in the EU mediation process. In 2016, talks were interrupted by the issue of expropriation of the mine belonging to the company “Trepča” near the city of Mitrovica that caused a crisis between two countries. The law on Trepča Mine was passed by Kosovo Assembly, and it was announced that 80% of the shares in the mine were transferred to the government of Kosovo and 20% to the employees (Republic of Kosovo Office of Prime Minister 2016). The Kosovo-Serbia talks were interrupted again when a train painted with the words “Kosovo is Serbia” in 21 languages, departing from Serbia for the divided city of Mitrovica in the north of Kosovo, was stopped on 14 January 2017 at the border with Kosovo. After a year of tension between two countries, the talks in Brussels has been resumed by the EU’s efforts.

**Figure 2. A map showing Albanian-inhabited regions of Serbia and Serbian-inhabited regions of Kosovo**



Source: BBC (2018).

After the border demarcation deal with Montenegro, as we mentioned above, passed by the Kosovo Assembly during the first days of the restarted talks, which allows the country to meet one of the last EU conditions for visa liberalisation, images of both the EU and the government had a serious decline. This situation has been interpreted by the people of Kosovo as losing land. While the issue of

border demarcation with Montenegro remains controversial, an old rhetoric came to life in Kosovo when the EU called for another border correction in the context of normalization process between Kosovo and Serbia. During this fragile environment in July 2018, the Assembly of Albanian councilors from the three municipalities in the Preševo Valley, adopted a political declaration, asking the authorities of Kosovo and Serbia to include in the dialogue “the political status of Albanian community in the Preševo Valley”. (B92, 2018a) In August 2018, the 26 year-old demands of the Albanian community in the Preševo Valley officially started to be spoken on the table in Brussels. At a press conference on August 8, 2018, President of Kosovo Hashim Thaci said that the border correction would only mean that the Preševo Valley would join Kosovo, but that Kosovo would never be part of the talks on the division or the autonomy of Serbs, and added that he saw the demand for border correction as an opportunity to justify the demands of the Presevo valley (B92 2018b). It's clear that an agreement allowing Serbia to maintain control over the Serb-inhabited four northern municipalities of Kosovo, in exchange for the Preševo Valley, could overcome years of friction and allowing both countries to move towards EU membership but this attempt can be interpreted as creating ethnically homogeneous states under the mediation of the EU that promotes the cultural diversity of its member states, yet also advance a set of values including multiculturalism common to all. On the other hand, land swap proposal divided the EU as well as the Albanian nation in Kosovo and Serbia. On the European side, German leaders opposed the land swap for fear it could rekindle ethnic-based separatism in neighboring countries Bosnia and Macedonia and tip the possibility of domino effect despite the fact that the plan is backed by Trump's Administration and supported by the EU (The Guardian 2018). On the side of Albanian Nation, there are same nation but different views.

There are some serious criticism of the proposal from the citizens of Kosovo that we talked during field research. The memory of ethnic war in which more than 100 thousand people lost their lives and displaced for many people, are still fresh and many people do not want to change their places any more. On the other hand, there are some opposition to the proposal from different perspectives. There are those who are worried that the correction of the borders say that the these kind of radical decisions under different governance can deepen the ethnic frictions. There are also those who think that learning to live in a multicultural society is a long-term but healthy approach, rather than living in the same culture and ethnicity. Ramush Haradinaj, former Commander of the UCK and current Prime Minister, suggests that such a land swap would again lead to war. However, Serbs who live in Kosovo but remain in the south of the Ibar River, are worried about being completely forgotten and abandoned by their homeland. It can be said that there is no consensus on this issue between government and the opposition in Kosovo.

But all the Albanian political representatives of the Preševo Valley who are struggling for the union since the break-up of SFRY, without exception support the idea for land swap. Shaip Kamberi, the mayor of Bujanovac said “all Albanians dreamed that this will happen one day and it’s so close”. When we asked him about the worries of domino effect caused by the possibility of this proposal, he answered that “Albanians in Macedonia do not fight for extinction since the Ohrid Framework Agreement. But we have been struggling to enjoy our basic human rights for years.” Ragmi Mustafa, President of Albanian Democratic Party in Serbia (PDSH), said “You saw the Serbian gendarmerie on the street that are abusing the Albanian people in city of Preševo and added that “if the ambassador of the USA in Belgrade comes to the Valley, Serbian authorities pause harassments. The referendum was antecedent right of Albanian community in the Valley and one day the Valley will be the part of Kosovo”. Ragmi Mustafa, President of Albanian National Council in Serbia, said that “Serbia is today the only former Yugoslav Republic where it resides an albanian national minority that prohibits Albanian national symbols. The same symbols that were allowed in the SFRY before about thirty years, are banned today in Serbia, which claims to have European Democratic Values.” and added “how can we survive and protect our nation in a such country? So the only solution is the union with Kosovo that we voted for back in 1992 and domino effect allegations are not rational”.

**Figure 3. A map showing the land swap under discussion**



Source: DW (2018a).

## Conclusions

Kosovo, where the last armed conflict in Europe took place in the 20th century, unilaterally declared independence from Serbia on 17 February 2008, 10 years after the war that cost at least 13,000 lives. 10 years after the independence of Kosovo, while this paper was being prepared, we witnessed one of the most fundamental steps in Kosovo's (at least) 20-year nation-building during the EU-mediated normalization between Serbia and Kosovo has been discussed. On December 14, 2018, long awaited draft law on transforming Kosovo Security Force into a regular army was legally passed by the vote of 105 deputies in the 120-seat Assembly of Kosovo. This controversial step was applauded by Albanian community in the Preševo Valley of South Serbia while Serbia threatened Kosovo with military intervention using as an excuse the claim that the Kosovo army would be used against the Serb minority in Kosovo. During the celebrations after the approval of Kosovo Army, the USA flags were used instead of Albanian flag in the streets of Pristina, the capital of Kosovo, while the Albanian community in Preševo Valley waved Albanian flags in the streets of Preševo and Bujanovac and Serbs in the north Kosovo displayed Serbian flags with Russian flag on streets and balconies. It's clear that the using of national symbols of minority groups like national flag is the middle of this discussion. One of the relatively less important questions regarding to the issue is that what's going to happen to the blue flag of Kosovo with a yellow map of Kosovo in the middle and six white stars representing the communities living in it if there is an agreement for land swapping between Kosovo and Serbia? As we observed that there is very weak sympathy for Kosovo flag by the people of Kosovo and the people remain hope for the red Albanian flag.

In light of all the information mentioned above, it's clear that the Nation-building process of Kosovo directly effects Albanian community in the Preševo Valley who have been facing extant human rights violations against the minority in the region for 26 years. It should be noted that all the recommendations presented in the process of normalization of relations between Kosovo and Serbia have been closely followed by Albanians in the Preševo Valley, which have seen themselves as part of Kosovo since 1992. On the other hand, it's clear that the concentration of Albanian National minority in a particular area along the border with Kosovo which had an Albanian majority population, has been posing a problem for Serbia since the dissolution of SFRY. This situation brought back a relatively simple resolution proposal on the table. Supporters of this solution say the land swap has the potential to remove both sides from a stalemate that makes both countries as well as the EU busy for 10 years. After a consensus on such an important issue, the belief that further relations between two countries can create an acceleration to complete normalization gives hope to many people. If this happens, Kosovo can gain full recognition in the United Nations and then apply for EU

membership. It's clear that an agreement allowing Serbia to maintain control over the Serb-inhabited four northern municipalities of Kosovo, in exchange for the Preševo Valley, could overcome years of friction and allowing both countries to move towards EU membership but this attempt can be interpreted as creating ethnically homogeneous states under the mediation of the EU that promotes the cultural diversity of its member states, yet also advance a set of values including multiculturalism common to all. This is the challenge of multiculturalism in European foreign policy. On the other hand, the main issue on the side of the Albanian community in the Preševo Valley is the human rights abuses and the ethnic-based oppression against the minority by the Serbian authorities, while the EU is busy with regional disputes.

As a result, two regions that are the subjects of the land swap solution are used by the two countries as places of political revenge. 26 year-old antecedent right of Albanian community in the Preševo Valley should be respected by the Serbian authorities. While the people of Preševo Valley are ready to join Kosovo, any partition would also be unpopular in Kosovo despite the fact that Kosovo's control over Serb-inhabited North Kosovo is limited. The only sustainable vision for a stable Balkans is one where borders don't matter, a region of friendly countries which are members of the EU but it seems hard to make friends in the EU's waiting room.

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# Granice kontra liczby: między konsolidacją narodu w Kosowie a blokiem Państw Członkowskich Unii Europejskiej; sytuacja albańskiej mniejszości narodowej w południowej Serbii

## Streszczenie

Serbia i Kosowo to dwa kraje, których ostatecznym celem jest przyłączenie się do UE. Jednakże, aby proces ten mógł się rozpocząć, Kosowo, wciąż nieuznawane przez pięć państw członkowskich UE, powinno zostać uznane przez wiele krajów, wliczając w to Serbię, poza tym ci dwaj byli wrogowie muszą rozwiązać problemy w sposób poważny, by stać się sojusznikami. Skoro niepodległość Kosowa pozostaje nie do przyjęcia dla Serbii, dziś jednym z głównych problemów stojących przed stronami są kwestie graniczne. Pomimo faktu, że Serbia obstaje przy tym, iż nie istnieje żadna granica między Serbią a jej poprzednią prowincją, rozmowy prowadzone z mediacją UE w sprawie normalizacji stosunków między Serbią a Kosowem, obejmujące mianowicie opcję korekty granic, za zamkniętymi drzwiami ma miejsce wymiana terenów. Rozwiązanie polegające na wymianie terenów sugeruje, że Kosowo przejmuje kontrolę nad zamieszkałą przez Albańczyków z tzw. Doliny Preszewa w Południowej Serbii, podczas gdy zamieszkałe przez Serbów cztery północne gminy Kosowa połączyłyby się z Serbią. Lecz ten kontrowersyjny krok, w zależności od tego, kogo się pytamy, jest problemem historycznym, który może prowadzić do wojny albo do wielkiego kompromisu. Artykuł ma na celu wszechstronne spojrzenie na rozwiązanie, jakim jest wymiana terenów między Kosowem a Serbią, po stronie mniejszości albańskiej w Południowej Serbii, uwzględniając to, że równowagi w tym regionie są bardzo dynamiczne, oraz zbadanie znaczenia motywacji, jaką jest członkostwo w UE, dla rozstrzygnięcia takich kwestii spornych. Analizę w tym opracowaniu przeprowadzono na podstawie: (a) wywiadów z decydentami politycznymi w Dolinie Preszewa, zaangażowanymi w rozmowy o wymianie terenów, i dziennikarzami z regionu, (b) obserwacji i badań terenowych autora, (c) celów i priorytetów określonych w Porozumieniu Brukselskim z roku 2013, Układzie o Stabilizacji i Stowarzyszeniu oraz instrumentów dotyczących praw mniejszości i uznania autonomii lokalnej (np. Ramowa Konwencja w sprawie Ochrony Mniejszości Narodowych oraz Europejska Karta Samorządów Lokalnych) w zestawieniu z komentarzami pochodzącymi z najnowszych prac monitoringowych odnoszących się do konkretnych krajów prowadzonych przez UE i Radę Europy dotyczących ram dialogu pod auspicjami UE w sprawie normalizacji stosunków między dwoma krajami.

**Słowa kluczowe:** zmiana gruntów, korekta granic, Prawa Mniejszości, warunki przyłączenia do UE, Zachodnie Bałkany.

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