
SERBIA AND KOSOVO SPAR OVER TREPÇA MINING COMPLEX

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Distrust between Serbia and Kosovo remains intact two decades after the Kosovo war. In 2008, Kosovo declared independence from Serbia. Till date, Serbia refuses to recognise the independence of Kosovo despite the fact that most Member States of European Union (EU) have done so. Moreover, the independence of Kosovo has also been recognised by USA and 100 other countries.

Territorial disputes are at the forefront of strained relations between Serbia and Kosovo. European Union has been acting as a mediator in the conflict. In 2011, EU facilitated the Belgrade-Pristina dialogue, which can be classified a process-oriented approach rather than an outcome-oriented approach. The mediation efforts of EU have produced a series of agreements between the two sides but many conflict issues remain unresolved. The ownership structure of Trepça Mining Complex is one of such issues.

The issue of ownership of Trepça Mines has emerged as a bone of contention between the two nations. The Trepça Mining Complex, situated 50 kilometres north of Kosovos capital Pristina, contains Europes largest lead-zinc and silver ore mine. Most of the ethnic Serb majority lives in the region. Both countries claim the mine, which spreads out between Kosovos Serbian-dominated and ethnic Albanian-dominated areas. While Serbia claims ownership of the Trepça Mining Complex, for Pristina they are inalienable.

On 5 February 2019, the EU spokesperson for foreign affairs, Maja Kocijančič, stated that the Trepça mining and smelting complex in northern Kosovo should be part of the paused dialogue between Kosovo and Serbia to normalise their bilateral relationship. Kocijančičs statement on including Trepça in the negotiation process came after Kosovos parliament adopted new statute for Trepça on 31 January. The move, which aims to restore the mines operating level from the current minimum capacity, is the culmination of a legislative process that began in 2016, when the Kosovan parliament passed a law that placed 80% of the share capital under government ownership (the remaining 20% will be owned by Trepças employees). The law was opposed by Serbia, which claims ownership over the complex. Marko Djuric, who heads the Serbian governments Office for Kosovo and Metohija, remarked that at in the darkness of the night the Assembly in Pristina passed the law on the Trepça statute, which allows for the seizure of this strategic mining complex. What we see here is a continuation of the attempt from 2016 at seizing and plundering our Trepça. Trepça is undoubtedly one of the strategic resources and those who are planning to seize it, intend to cut the vital flow of existence to our people in the province, Djuric said. Trepça and its untapped mineral reserves are seen by Kosovos policymakers as key to

the countrys economic growth and development. Unsurprisingly, therefore, Kocijančičs statement was criticised by Kosovos Prime Minister Ramush Haradinaj. A Kosovo government statement said that an EU spokeswomans remarks to Serb state news agency Tanjug that the Trepca complex should be included in the talks are unprecedented, unacceptable and thus violating the sovereignty of the state of Kosovo. The government said it was a false issue that clearly aims at Kosovo division.

A new push for a Comprehensive Agreement

Despite the disputed issues, there have been some progress in talks between Kosovo and Serbia. In mid-2018, there was new impetus to find a permanent settlement between Kosovo and Serbia through a suggested land swap. The plan was endorsed by the Presidents of Kosovo and Serbia, Hashim Thaçi and Aleksandar Vučić. The proposal, however, was met by strong domestic opposition, especially in Kosovo, where the plan was criticised by Prime Minister Ramush Haradinaj, and much of the opposition. Negotiations were further damaged by the imposition of a 100% tax on Serbian goods by the Kosovan government, in response to Serbia successfully lobbying against Kosovos membership in Interpol.

However, on 13 December 2018, Haradinaj published a draft Comprehensive Agreement between Kosovo and Serbia. The 30-page document aimed to provide an alternative to the land-swap proposal advocated by President Thaçi, offering a framework for future negotiations. The draft document includes some upfront concessions to Serbia, including granting levers to encourage Kosovan compliance through scope to take direct legal action at the Permanent Court of Arbitration if Kosovo fails to honour its commitments. In exchange, Serbia would be required to recognise Kosovos independence. This move contrasts with Haradinajs otherwise more hawkish stance towards negotiations with Serbia: he has maintained, for example, that the 100% customs tariff on Serbian imports will remain in place until Serbia recognises Kosovo, despite diplomatic pressure from the EU and the US.

Five days after the publication of the draft Comprehensive Agreement, US President Donald Trump sent a letter to Thaçi, emphasising the need for a comprehensive agreement that balances the interests of both Kosovo and Serbia, and saying that such an agreement was within reach. This, in tandem with the upfront concessions Kosovo appears to be offering to Serbia in the draft Comprehensive Agreement, suggests that this proposal was likely to have been drafted in liaison with the US authorities, who retain significant influence in Kosovo.

The overall situation however remains unstable and at this point, EU looks the best possible mediator on account of both Belgrades and Pristinas strong interest in progressing toward the EU Membership.

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