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The U.S. Should Not Support a Land Swap Between Kosovo and Serbia

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Since Kosovo declared independence from Serbia in 2008, there has been a constant tension between the two countries. Although relations between the two have gradually improved over recent years, Serbia is still reluctant to normalize relations with Kosovo—whose independence it does not recognize. Due to the disposition of minority groups between the two countries, some suggest that a land swap could speed up the normalization process. Swapping land and redrawing borders based on ethnic and sectarian lines would mark a dangerous precedent and would open up a Pandora's box in the region.

Since the 1990s, the U.S. has invested a lot of blood and treasure to ensure that the Balkans remain peaceful and stable, and therefore should have a say in any major changes in borders. The U.S. should make it clear that it does not support any land swap between Serbia and Kosovo. Instead, the U.S. should work with its European allies to encourage Kosovo and Serbia to normalize relations and to protect the interest of ethnic minorities inside their border.

Journey to Independence

Kosovo is a small country in the western Balkans with a deep history rooted in complex relations

between different ethnic and religious groups. Kosovo is predominantly secular Sunni-Muslim and has an ethnically Albanian population. It is roughly the size of Delaware and has a population about the size of West Virginia's. It is a poor country and suffers from high unemployment and corruption. As a result of a war in the late 1990s, a NATO peacekeeping force, called Kosovo Force (KFOR), maintains 4,000 troops there. At the mission's height the U.S. had 19,000 troops in Kosovo. Today the number is around 685.¹

After World War II, Yugoslavia was formed from the six Balkan republics of Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia, and Slovenia. Under the terms of Yugoslavia's fourth and final constitution adapted in 1974, the regions of Kosovo and Vojvodina were given the status of autonomous provinces within the Serbian Republic. However, the 1974 agreement failed to satisfy Kosovo's demand for a separate republic inside the framework of Yugoslavia.

With the rise of the leader of the Serbian Communist Party, Slobodan Milosevic, in the 1980s, Kosovo was stripped of its autonomous status in 1989. When Yugoslavia dissolved in 1992, Kosovo remained part of a rump Yugoslavia with Serbia and Montenegro even though a separatist movement declared independence. This led to fighting between the Kosovo Liberation Army and Serbian forces that culminated in a NATO intervention in 1999 against Serb forces.

Independence

After the NATO intervention, Kosovo was placed under United Nations administration under the authority of U.N. Security Council (UNSC) Resolution 1244, which was passed 14 to 0 (China abstained)

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in June 1999. UNSC Resolution 1244 was the authority that created NATO's KFOR. To determine the status of Kosovo, former Finnish President and U.N. Special Envoy for Kosovo Martti Ahtisaari proposed a plan of "supervised independence" for Kosovo, but this proposal was rejected by Serbia and Russia.

On February 17, 2008, Kosovo declared independence from Serbia. Since then, more than 110 countries, including all of Kosovo's neighbors in the Balkans besides Serbia, have recognized its independence. However, Russia, China, and several EU countries such as Spain, Greece, Romania, Slovakia, and Cyprus have refused to do so.

In October 2008, the U.N. General Assembly voted to refer the question of the legality of Kosovo's declaration of independence to the International Court of Justice (ICJ). In July 2010, the ICJ ruled that Kosovo's declaration of independence was not in violation of international law.²

Possible Land Swap

There have been recent reports of a possible land swap between Serbia and Kosovo as part of a normalization of relations process between the two countries. No official proposal has been made public, but in general terms, Serbia would be given control over the majority ethnic-Serb area of Kosovo to the north of the Ibar River, which runs through the heart of the city of Mitrovica. In return, a region known as The Presevo Valley in southern Serbia, where the population is mostly ethnic Albanian, would be transferred to Kosovo. Predictably, ethnic Serbs living in The Presevo Valley and ethnic Albanians living in the region around Mitrovica are concerned.³ Even Serbs living in Kosovo outside the region north of the Ibar River are worried about the possibility of a land swap.⁴

While this proposal might be tempting for policymakers as a simple quick fix to Kosovo-Serbian relations, nothing in the Balkans is easy or straightforward. So far, Germany and the U.K., the two European countries that have devoted a lot of resources and attention to the Balkans, have come out against a land swap. Worryingly, the Trump Administration seems open to such a deal. During a recent trip to Ukraine, National Security Adviser John Bolton said: "The U.S. policy is that if the two parties can work it out between themselves and reach agreement, we don't exclude territorial adjustments.... We would not stand in the way, and I don't think anybody in Europe would stand in the way if the two parties to the dispute reached a mutually satisfactory settlement."⁵

The U.S. Should Be Cautious

U.S. policymakers must be aware of the risks of allowing the Balkans to be further divided along ethnic and religious lines. The region went through a tidal wave of border changes in the 1990s. During this period, more than 100,000 people died, and millions were displaced in sectarian conflicts.

Redrawing the borders of Kosovo and Serbia would mean open season for border changes elsewhere. This is particularly true in other regions of the Balkans, such as Bosnia and Herzegovina (with the ethnically Serbian entity of Republica Srpska), Macedonia (with the ethnically Albanian regions), and even Serbia (with the Muslim-majority Sandžak region and the Vojvodina region,⁶ which has historically enjoyed a high level of autonomy inside Serbia and has a separatist movement).

Establishing the precedent of redrawing borders in Europe based on ethnic lines could easily spill outside the Balkans. Russia already uses this as a jus-

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1. North Atlantic Treaty Organization, "Kosovo Force (KFOR): Key Facts and Figures," February 2018, https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2018_02/20180213_2018-02-KFOR-Placemat-final.pdf (accessed September 24, 2018).
 2. Peter Beaumont, "Kosovo's Independence Is Legal, UN Court Rules," *The Guardian*, July 22, 2010, <https://www.theguardian.com/world/2010/jul/22/kosovo-independence-un-ruling> (accessed September 24, 2018).
 3. Judy Dempsey, "Kosovo and Serbia Are Talking About Redrawing Their Borders. It's a Terrible Idea," *The Washington Post*, September 19, 2018, https://www.washingtonpost.com/news/global-opinions/wp/2018/09/19/kosovo-and-serbia-are-talking-about-redrawing-their-borders-its-a-terrible-idea/?utm_term=.a57c933b049a (accessed September 24, 2018).
 4. Daniel McLaughlin, "Land-Swap Fears Unite Many of Kosovo's Serbs and Albanians," *The Irish Times*, September 1, 2018, <https://www.irishtimes.com/news/world/europe/land-swap-fears-unite-many-of-kosovo-s-serbs-and-albanians-1.3614133> (accessed September 24, 2018).
 5. "Bolton Says U.S. Won't Oppose Kosovo-Serbia Land Swap Deal," Radio Free Europe/Radio Liberty, August 24, 2018, <https://www.rferl.org/a/bolton-says-u-s-won-t-oppose-kosovo-serbia-land-swap-deal/29451395.html> (accessed September 24, 2018).
 6. Sandžak, a Muslim-majority region, straddles two independent countries, Serbia and Montenegro, and borders two more, Bosnia-Herzegovina and Kosovo. Most of Sandžak lies inside Serbia.
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tification for its actions in Moldova (Transnistria), Georgia (South Ossetia and Abkhazia), and Ukraine (Crimea, Lugansk, and Donetsk), and could do so in other places like Estonia and Latvia where sizable Russian minorities live.

The Way Forward

The U.S. has invested much in the Balkans since the end of the Cold War. Tens of thousands of U.S. service members have served in the Balkans, and billions of dollars in aid have been spent there—all in the hope of creating a secure and prosperous region that will someday be part of the transatlantic community. Whether the countries in the region want to admit it or not, the U.S. has a say in what happens between Kosovo and Serbia. Now is not the time to undermine U.S. interests with the hope that a dubious land swap between Kosovo and Serbia can solve deeper problems. The Trump Administration should:

- **Publicly denounce any land-swap proposal.** If America's engagement in the Balkans since the 1990s has taught policymakers anything, it is that hesitancy, equivocation, or dithering are interpreted as weaknesses. The U.S. must be a leader in the Balkans and U.S. policy must be clear, consistent, and firm. A land swap undermines U.S. interests in the region and the U.S. should publicly and clearly state this.
- **Pressure Kosovo and Serbia to act responsibly.** Kosovo is plagued with corruption and economic problems. Kosovar authorities should find ways to

ensure that the Serbian minority is treated equally and fairly inside an inclusive Kosovo. Serbia has also caused instability in Bosnia and Herzegovina by implicitly supporting independence for Republika Srpska. The U.S. should tell Belgrade that the road to integration into the transatlantic community runs through normalizing relations with Kosovo, and not redrawing borders for political purposes.

- **Work with like-minded European allies.** The U.S. needs to stay engaged in the Balkans, remain committed to the region's security, and work with European allies, particularly the U.K. and Germany, to advance a transatlantic security agenda. This includes supporting the region's transatlantic aspirations and continued U.S. involvement in KFOR.

Staying Engaged

Although security in the region has improved dramatically since the 1990s, sectarian divisions remain and have been exacerbated by sluggish economies, high unemployment rates, and endemic political corruption. The Balkan region continues to be an area of instability in Europe. Supporting an initiative allowing Serbia and Kosovo to swap thousands of acres of land is not worth the instability it could cause throughout the rest of Europe. The U.S. must stay engaged and pursue commonsense policies in the Balkans.

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