

The Washington Agreement: A Supplementary Document to the EU Efforts in Kosovo?

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ABSTRACT *This paper analyzes the Washington Agreement (WA) in the context of European Union (EU) efforts to facilitate the dialogue between Kosovo and Serbia. The starting point is based on the idea that EU-led negotiations seek consensus between leadership in Belgrade and Pristina, as opposed to unilateral or imposed solutions. The central question is as follows: is the WA a supplementary document to the Brussels process? While certain points of the agreement are a mere repetition of previous agreements signed by the two parties, the agreement commits Kosovo to the mini-Schengen and brings a novelty into the dynamics of the Belgrade-Pristina relationship, such as in the case of the joint management of Gazivode/Ujmani lake. With a new Kosovar government, the mini-Schengen point, together with the point of Kosovo and Serbia's pledge to open/move embassies to Jerusalem, remains the most contested part of the Agreement. Finally, the two sides have reaffirmed their commitment to western values and agree to become less dependent on Russia's energy and China's technology supplies.*

Keywords: Serbia, Kosovo, Washington Agreement, Brussels Agreement

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Introduction

At the beginning of September 2020, Serbian and Kosovar representatives respectively, Aleksandar Vučić and Avdullah Hoti signed an agreement in the presence of the U.S. delegation led by then-President Donald Trump. The two sides signed the documents separately which left space for different interpretations: Belgrade claims that Serbia signed the bilateral agreement with the U.S., while Richard Grenell, the American representative, that the agreement was signed between Serbia and Kosovo.¹ It seems that the ‘agreement’ is neither sealed between Serbia and Kosovo, nor Serbia and the U.S. Moreover, since it is not legally binding for any side, it is not an international agreement at all but rather a political statement or conclusion made by all three sides.

The Washington Agreement (WA) was perceived as an “important tool in Donald Trump’s re-election campaign,”² especially considering parts of the agreement on human rights, Hezbollah, and opening embassies in Jerusalem that might be framed to appeal to LGBT and Jewish communities in the U.S.³ That is not to say that the WA has no political weight, after all, it was signed in the White House, and thus it is difficult that “the spirit of the agreement will be annulled.”⁴ Additionally, Antony Blinken, the U.S. Secretary of State, and Philip Kosnett, U.S. Ambassador to Kosovo, confirmed for Kosovar media that the WA stays in force.⁵

The point of departure is the paper’s contribution to the current literature on Kosovo that revolves around the elitist approach and Brussels Agreement’s blueprints for the final settlement. However, the pivotal focus of the paper is to assess the WA in light of the EU-led dialogue between Belgrade and Pristina and the current power-sharing arrangement.

The Literature on Kosovo

The majority of recent literature related to Kosovo can be roughly divided into two approaches: top-down and bottom-up.⁶ The paper belongs to the first, top-down or elitist approach, which emerged from the idea that EU leverage vis-a-vis the conflicted parties combined with the EU membership conditionality could enforce domestic compliance. However, proponents of this perspective recognize the limits of EU influence on domestic reforms. Bergmann and Niemann suggest that lack of coherence within the EU and the spoiler potential of Kosovo Serbs have “a constraining influence on the EU’s effectiveness as a mediator.”⁷ The Kosovo Serbs’ spoiler has been expected since the European transformation of Serbia came from purely utilitarian reasons.⁸ On the other hand, lack of coherence, while it considerably reduces EU capacity to enforce

solution(s), also requires that a consensus as five-member states do not recognize Kosovo's statehood. Despite this division, the EU manages to establish itself as a regional leader and employs a vast array of policy tools to facilitate and promote peace.⁹ Therefore, the EU's internal division is not necessarily negative; it might curb 'performance,' but it also gives the EU credibility and leverage to act as a neutral mediator.¹⁰

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It is often argued that impartiality outweighs efficiency when it comes to Kosovo, that a fair and just outcome is more desirable than a unilateral decision. However, the U.S. administration, despite being everything but a neutral side to Kosovo's political status, managed to cajole two sides to sign an agreement that is not entirely deprived of political issues. This paper is, therefore, an early attempt to answer whether the Washington Agreement is a complementary document to the EU efforts.

Background

On June 10, 1999, after 78 days of the NATO campaign, the UN Security Council adopted Resolution 1244. The resolution guaranteed the sovereignty and territorial integrity of Serbia, but also envisaged provisional institutions of the UN with substantial autonomy of "self-government pending a political settlement."¹¹ In other words, the UN employed an interim mission whose aim was to build and gradually transfer competencies to local institutions which would further lead to the final settlement.

It appeared, however, that the international community was "successful in protecting Serbs as much as the Serbian police were in protecting Albanians:" only in the first year over 200,000 Serbs and other minorities immediately left Kosovo.¹² Another failure of the Interim Administration in Kosovo (UNMIK) and the NATO-led Kosovo Force (KFOR) to protect Serbs in March 2004 meant that it was time "to start a political process to determine Kosovo's future status."¹³ After years of vain talks which were often described as a mere charade by the EU officials, Marti Ahtisaari proposed supervised independence for Kosovo. Even though it is not a legally binding document, the proposal serves as a foundation for Kosovo's constitutional framework.

Ahtisaari's proposal is a document that resembles a consociational arrangement. According to Lijphart, there are four elements of the consociational

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arrangement: grand coalition government, representation, segmental autonomy, and minority veto.¹⁴ No doubts that, on paper, the proposal and Kosovo's Constitution are indeed a power-sharing settlement. However, the documents lack the very pre-condition of the power-sharing arrangement – a deal made by representatives of both sides. Ahtisaari and the authors of the Constitution granted rights to the Serbian minority without giving them a chance to participate in the process.¹⁵ In other words, the Ahtisaari plan and other unilateral decisions have not only failed to persuade Belgrade to recognize Kosovo but also contributed to political tensions between Belgrade and the West.¹⁶ It is further worth emphasizing that Kosovo Serbs, backed by local politicians and Belgrade, entirely boycotted elections until recently and the change occurred only after Brussels' Conclusions and pressure from the EU. Therefore, a glimmer of hope for consociationalism in Kosovo is a result of the EU's efforts, not unilateral decisions favored such as Ahtisaari's Plan and the Unilateral Declaration of Independence (UDI).

The Necessity of the Consensus

The basic provisions of Kosovo's constitution state that Kosovo is a “democratic, unique and indivisible state” whose sovereignty “stems from the people [and] belong to the people,” and confirms that the Constitution is the highest legal act of the republic.¹⁷ Contrary to this, the final provisions of the constitution state that the Ahtisaari Plan takes precedence over all legal provisions in Kosovo.¹⁸ The Constitution can, however, be amended by a double majority, which implies that Kosovo supporters and the authors of the Constitution had in mind that the Kosovo Albanians must seek a consensus with the Kosovo Serbs and Belgrade.¹⁹ Additionally, the consensus between the two sides requires the approval of the International Civilian Representative (ICR) since the ICR is “the final authority in Kosovo regarding the interpretation of the civilian aspects of this Settlement.”²⁰ Therefore, any future legal framework of the polity demands the consensus of Kosovo Albanians, Kosovo Serbs, and Belgrade, as well as the EU.

That the consensus among the three parties is *conditio sine qua non* for Kosovo's future settlement was also confirmed by the International Court of Justice



(ICJ). In October 2008, Serbia sponsored the resolution requesting the ICJ to render an advisory opinion on the question: ‘Is the unilateral declaration of independence by the provisional institutions of self-government of Kosovo in accordance with international law?’

The ICJ ruled that Kosovo’s UDI did not violate international law. However, the court had three options on how to answer the question: a narrow reading which examines only the “legality of the purely verbal act,” a moderate reading which requires examination of the “lawfulness of the secession as such,” and an expansive reading which together with the lawfulness of secession takes into consideration the very “consequences of its findings of (il)legality.”²¹ The ICJ opted for the narrow reading stating that the “question is narrow and specific [and] it does not ask about the legal consequences of that declaration.”²² This decision prompted a fair measure of outrage among legal experts, the ICJ was “blamed for having taken the easy route by focusing on the narrow question of whether international law prohibits unilateral declaration of independence.”²³ Although the court made a distinction between ‘effective’ and ‘declarative’ independence since some declarations “resulted in the creation of a new State, as other it did not.”²⁴ It did not have the courage to mention the criteria for statehood, suggesting that international law has little to say on relations between states and non-state actors.²⁵

While perceived as a grandiose political victory for the Kosovo Albanians, a legal blow for Serbia, and a missed opportunity to frame rules for external

U.S. President Trump (C), Kosovar Prime Minister Hoti (R) and Serbian President Vucic (L), sign an agreement on opening economic relations, in Washington, D.C., on September 4, 2020. BRENDAN SMIALOWSKI / AFP via Getty Images

self-determination outside colonial context; in fact, the decision was designed to ease tensions between Kosovo and Serbia.²⁶ The court subtly indicated that the interested sides should seek the solution through political channels within the EU framework.²⁷

Therefore, it is in this situation where Kosovo is compelled by the Ahtisaari plan to either pursue a dialogue with Serbia or to run a democratically deficient polity, and where the ICJ decision almost obfuscated Serbia's legal claims, that the two sides agree to negotiate under the auspice of the EU.

The Brussels Agreement²⁸

In 2011, the EU launched negotiation talks between Serbia and Kosovo with the primary goal to “improve the lives of ordinary people.”²⁹ The dialogue was conducted without prejudice to the question of statehood, and although designed as technical, it had political implications such as “the extension of Kosovo's authority in the North of Kosovo, the removal of Serb barricades across the northern border with Serbia and recognition of Kosovo's travel documents by Serbia.”³⁰

The dialogue brought consolidation and planted the seed of consensus: after all, both sides agreed to negotiate in order to improve the lives of Kosovo's citizens. The agreement on civil registry identifies gaps in missing documents;³¹ the agreement on freedom of movement allows people to “travel freely within or through the territory of the other.”³² The two sides also agreed to share cadastral records, to ensure free movements of goods, and to accept university diplomas.³³

These ‘technical’ agreements were followed by political questions such as the demarcation of the border and Kosovo's membership in regional organizations. The agreements already have elements of power-sharing deals. By signing the agreement on integrated boundary/border management and implementing the agreement despite the fact the constitutional court of Serbia proclaimed one of the agreements as unconstitutional; Serbia recognizes Kosovo's territory as an outside (non-Serbian) entity. However, it would be incorrect to view Serbia's position as recognition of Kosovo's sovereignty: it seems that Serbia assumes the EU's authority over the region, not the authority of Kosovo Albanians.

The agreement on regional representation and cooperation enables Kosovo to participate in regional organizations but with an asterisk (Kosovo*) which indicates that Kosovo's statehood is “in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.”³⁴ In other words, Kosovo may seek membership as a separate entity but UNMIK representatives “will be invited to meetings organized within the framework of arrangements for which

it is a signatory.”³⁵ The two agreements are not pure power-sharing arrangements since such arrangements imply that “the political leaders of all significant segments of plural society co-operate in governing the country.”³⁶ At that moment Kosovo Serbs were boycotting Kosovo’s institutions (it has changed after the Brussels Agreements). However, the agreements have the precondition of the power-sharing arrangement –the so-called ‘cartel of elites.’³⁷ Additionally, the two sides made significant concessions, Serbia recognized Kosovo’s territory and Kosovo limited its external sovereignty.

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On April 19, 2013, representatives of Serbia and Kosovo signed the first agreement governing the principles for normalization of relations (The Brussels Agreement). The agreement envisaged the creation of the Association/Community of Serb majority municipalities with their own President, Vice President, Assembly, and Council, while Serbia was obliged to dismantle parallel institutions.³⁸ The result is twofold. The first post-Brussels elections were held in Kosovo wide and Kosovo Serbs joined Kosovar institutions.³⁹ However, Belgrade’s decision to dismantle its institutions in Kosovo means “Serbia’s engagement in Kosovo needs to increase.”⁴⁰ In other words, Serbia “found the way to legitimize them by, somehow, integrating them in the Kosovo legal framework.”⁴¹ The Brussels Agreement is, therefore, a power-sharing agreement by which Kosovo received recognition of its institutions by Belgrade, while Serbia legitimized its activities in North Kosovo.

The Washington Agreement

WA consists of 16 articles, 15 of which are the same for both parties. The articles can be roughly divided into two groups: the first group deals directly with economic and political issues related to the region, while the second group symbolizes Belgrade’s and Pristina’s commitments to western values in global affairs and was also used as a tool in Trump’s presidential campaign.

However, before analyzing the articles from the agreement, it is important to discuss two significant changes since the signing of the WA: (i) the transition from the Trump to the Biden Administration and (ii) the transition from the Hoti to the Kurti Government in Kosovo. The WA was brokered by the Trump Administration, and while the Biden Administration has confirmed that the Agreement will remain valid, Biden himself has requested mutual recognition.⁴² This seems to be a ‘carrot’ for Kurti and his party not only to engage in negotiation talks with Serbia but also to insist on U.S. involvement. A similar tone,

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information about previous agreements and processes, he emphasizes three key principles on which the dialogue should be organized: (i) no agreement without dialogue, (ii) no dialogue with maps on the table, and (iii) no presidents around maps.⁴⁴ Therefore, Pristina opposes ‘imposed’ solutions and any dialogue on the partition of Kosovo. Nevertheless, pressure from the western partners, accompanied by the new Prime Minister, Kurti, who does not refute every dialogue with Belgrade, promises new rounds of negotiations based on previous agreements and conclusions. However, when it comes to the WA, Kurti claims that the deal is a “collection of points... [and not a] take it or leave type of deal,”⁴⁵ thus, Kurti’s Administration may attempt to cherry-pick points from the WA.

The first two articles confirm both sides’ commitments to work on building “Belgrade-Pristina rail infrastructure to a deep seaport in Adriatic.”⁴⁶ This project is supplementary to the existing ‘peace highway’ project, initially supported by the European Investment Bank (EIB) and the Western Balkans Investment Framework platform (WBIF), which aims to connect Nis (Serbia) with Pristina.

Further, the WA states that the two sides “will open and operationalize the Merdare Common Crossing Point facility.”⁴⁷ Serbia and Pristina have already been obliged to the same commitment,⁴⁸ but until today, Serbia’s government remains disengaged and puts at risk the implementation of the agreement.⁴⁹ However, following articles 3 and 4, the U.S. opened the International Development Finance Corporation (DFC) which might put extra pressure on Serbia,⁵⁰ since Serbia opted not to loan from EIB and thus reduced EU leverage to facilitate that particular agreement.⁵¹

Next, article 5 of the WA reiterated the idea of the mini-Schengen area, previously announced in October 2019, by Albania, North Macedonia, and Serbia. The goal of mini-Schengen is to “improve life and the economy in the region until the EU opens its doors to them.”⁵² Prior to the WA, Kosovo declined to join the mini-Schengen zone which put the entire project at risk. According to

albeit a less rewarding one, comes from the EU. As Josep Borell stated, “we cannot throw through the window the work done with the previous government, you [the Kosovar Government] have to be aware of that, to get familiar with it, in order to continue the process.”⁴³ He also added that without the necessary results, Kosovo’s path to the EU will be blocked. While Kurti, on the other hand, demands more time to gather



Kosovo's President Vjosa Osmani presents a medal to U.S. Ambassador Philip Kosnett during an award ceremony for Beau Biden, the late son of U.S. President Joe Biden, in Pristina on August 1, 2021.

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some estimations, the Western Balkan countries (WB6) would save €3.5 billion.⁵³ Therefore, the project is designed to economically prepare the Western Balkans for future membership in the EU. No doubts, however, that the six countries and the project itself remain heavily dependent on EU support, and it is yet to be seen how it will be harmonized with the Berlin Process.

Article 6, another point that has already been included in the Brussels Agreement, is related to the mutual recognition of diplomas and certificates.⁵⁴ Although Serbia's Constitutional Court declared the agreement not to be in accordance with Serbia's constitutional framework, Serbia's government adopted a new regulation on the recognition of diplomas.⁵⁵ However, the point of the dispute remains Kosovo's claim that Serbian universities operating in Kosovo are illegal.⁵⁶ The WA provides no guidance on how this dispute might be overcome.

Perhaps, the most important point of the agreement is that Kosovo and Serbia agreed to work, together with the U.S. Department of Energy, on "a feasibility study for the purpose of sharing Gazivode/Ujmani lake."⁵⁷ Gazivode/Ujmani lake is one of the largest artificial lakes in Europe and one of the most important natural assets of Kosovo. Further, according to some estimation, without Gazivode/Ujmani, Kosovo can supply energy only for hospitals and other vital institutions.⁵⁸ It is important to emphasize that while approximately 80 percent of Gazivode/Ujmani lake is located in Kosovo, it is entirely controlled by Serbia and Kosovo Serbs. However, although the article gives scant details,⁵⁹ it

might be the only pure power-sharing point of the Agreement, and unique in itself since it is the first time that the two parties agreed to share public good. However, this is a problematic point for Kurti's government since it might be perceived as it legitimizes Serbia's presence in Kosovo.

The rest of the WA is almost entirely (except art. 15-16) designed to curb China's and Russia's influence in the energy sector and to contribute to Trump's campaign. Thus, the two sides will diversify their energy supplies, meaning that Serbia shall become less dependent on Russia's oil and gas. Further, Kosovo and Serbia agreed to abstain from using 5G equipment from untrusted vendors and committed to implementing American screening and information systems.⁶⁰ This is part of the U.S. 'clean network' strategy which aims to prevent states from partnering with Huawei that is, according to the U.S. administration, "an arm of the PRC [People's Republic of China] surveillance state."⁶¹

In the area of human rights, the two sides pledge to protect and promote freedom of religion as well as to push for decriminalization of homosexuality in countries that still criminalize consensual same-sex relationships.⁶² These two articles, accompanied with the commitment to designate Hezbollah's political and military wings as a terrorist organization and restrict its financial activities,⁶³ primarily to communicate to the American population rather than to Kosovo and Serbia. It is important to stress that the EU does not have a united position on Hezbollah, thus, so far, only two member states opted to designate both its political and military wings.⁶⁴

Article 15 envisages a moratorium, meaning that Kosovo will not seek new membership into international organizations, while Serbia, on its part, will formally and informally stop the campaign of Kosovo's de-recognition as a sovereign state. Since this was one of the stumbling blocks towards normalization, the article aims to ease the Kosovo-Serbia relationship in the international area.

The final article contains two versions. Kosovo's version states that Kosovo and Israel will recognize each other, while the version signed by Vučić projects that Serbia will open the Chamber of Commerce and an official state office in Jerusalem while moving the embassy from Tel Aviv to Jerusalem.⁶⁵ Opening/moving embassies in Jerusalem is the most controversial article of the Agreement since the EU views the decision as a "matter of serious concern and regret."⁶⁶ Brussels reminded both parties that all EU Member State embassies are located in Tel Aviv and that Kosovo and Serbia "have identified EU integration as their strategic priority," therefore the EU "expects both to act in line with this commitment."⁶⁷ Kosovo, despite warnings from the EU and Turkey, opened its Embassy in Jerusalem on March 14, 2021. Even though Kurti's Administration and most of the Kosovar population oppose this move, it is hard to imagine that Pristina will revoke the decision. On the other hand, Serbia's

representatives announced that Serbia will not be moving its offices from Tel Aviv to Jerusalem “especially after the Israeli recognition of so-called Kosovo.”⁶⁸

Overall, the WA reaffirms Kosovo’s and Serbia’s commitment to western values and common EU future. While, certain points, perhaps unnecessary, repeat what has already been covered by the Brussels Agreement, the WA certainly puts another layer of pressure on elites in Belgrade and Pristina. However, the Agreement does not tackle crucial challenges to normalization between the two parties, and its implementation largely rests on EU conditionality.

It would be perhaps better if Brussels is to renounce certain requirements that directly do not suit the regional specificities and the needs of ordinary people

Challenges

There are at least three major challenges to a final power-sharing agreement between Kosovo and Serbia: implementation of already signed documents, clientelism, and Kosovo Serbs in enclaves.

First of all, the EU strategy to widen margins of interpretation allows Kosovo and Serbia to continue their support for opposing projects of Kosovo’s statehood.⁶⁹ This ‘creative ambiguity,’ purposefully constructed by the EU, leaves “little space for reaching shared views that would lead to successful implementation.”⁷⁰ In other words, while signed agreements have indisputable value, they are constructed in a way to tolerate competing views which remains an impediment to the implementation of the said agreements. This EU approach can be explained, and to some extent justified, by the idea that technical and ambiguous dialogue is better than deafening silence of mutual neglect.

Second, in recent years, the EU approach to the Balkans prioritizes stability over democratic values which further encourages regimes of so-called illiberal democracy and cultivates informal networks.⁷¹ Elites use ‘fractured discursivity’ in order to adopt dirigiste policies at home while presenting themselves as reformists in Brussels.⁷² Considering that realistically Serbia is to meet its 2004-accession threshold in 2035,⁷³ Brussels’s decision to turn a blind eye to such issues can be read as an unofficial attempt to ‘reward’ regimes in a long and tiring journey to the EU. It would be perhaps better if Brussels is to renounce certain requirements that directly do not suit the regional specificities and the needs of ordinary people. While there is no doubt that authoritarian regimes undermine EU efforts in the region,⁷⁴ the ‘there is no alternative to the EU’ politics also showed little results: if the EU is ‘the only game in town for

European Union Special Representative for the Belgrade-Pristina Dialogue, Miroslav Lajcak (L) chats with Serbian President Aleksandar Vucic (R) during their meeting in Belgrade, Serbia on March 3, 2021.

MILOŠ MIŠKOV / AA



the Balkans, it is also true that halfway commitment is the name of the game for the policy-makers in Brussels.⁷⁵ Therefore, the EU is yet to find a proper proportion for its carrot and stick strategy in the Balkans.

The third challenge to a comprehensive power-sharing agreement is the position of Kosovo Serb in enclaves. It is all too often taken for granted that Kosovo Serbs are a homogeneous group.⁷⁶ Although all Serbs, including Kosovo Serbs, do share a common identity, the discrepancy in everyday life of Kosovo Serbs in North Kosovo and Kosovo Serbs living South of the Ibar river is large enough to the extent that we can talk about two separate Serb communities within Kosovo.⁷⁷ On one hand, North Kosovo Serbs enjoy almost complete freedom of movement and in reality function as a part of Serbia. On the other hand, lack of freedom of movement and “acts of direct and indirect harassment reinforce the sense of isolation [and] contribute to marginalizing the Serbian community in Kosovo.”⁷⁸ While agreements and agreed conclusions contribute to the relaxation of tensions between Belgrade and Pristina, they fail to provide a blueprint of how the final agreement may address Kosovo Serbs in enclaves.

Conclusions

The paper discusses the WA in the context of the EU efforts to facilitate a power-sharing agreement between Belgrade and Pristina. The point of departure is an argument that unilateral decisions and proposals such as the Ahtisaari plan

and the UDI had a largely negative impact on the relationship between the two parties. On a positive note, however, they showed that any final solution must involve both Serbia and Kosovo. The failures of the Ahtisaari Plan and the UDI, most notably exclusion of the Serbian elite, are rectified by the Brussels Agreement in which Pristina allows Serbia to legitimize its activities in Kosovo, while in exchange Kosovo receives the recognition of its institutional framework by Belgrade.

The implementation of the WA faces challenges similar to those of previous agreements: the WA leaves significant space for different and sometimes opposing interpretations

When it comes to the question of what the role of the Washington Agreement in Brussels' efforts in the region is, several observations can be made. First, it indeed repeats several points already covered by the Brussels process such as recognition of diplomas, railway infrastructure connecting Pristina and Nis, and opening of the Merdare crossing point. However, the U.S. State department plans to open the DFC office in Belgrade and make significant investments in the projects. Since Serbia opted not to borrow money from EU banks, and thus diminished EU leverage to 'manage' these projects, U.S. investments may prove to be of utmost importance to the implementation of signed commitments.

Second, there are two points that bring novelty into the dynamics of the Belgrade-Pristina relationship. Kosovo is to join the Mini-Schengen together with Albania, North Macedonia, and Serbia. Previously, Kosovo's leadership demanded Serbia's recognition before accession to any similar project. Next, the two sides pledge to share Gazivode/Ujmani lake. At the very heart of this point lies the idea produced in the Brussels Agreement that Serbia should remain present in Kosovo, as far as it recognizes Kosovo's institutions. It is safe to say, however, that the implementation depends on the question of whether the two points will be included in the Berlin Process.

Third, the agreement reconfirms Serbia's and Kosovo's commitment to western values and the European future. The two sides aim to become less dependent on Russia's energy supplies and to join the U.S. clean network that prevents Chinese operators.

Fourth, the commitment to open embassies in or move them to Jerusalem remains one of the most controversial points of the WA. While Pristina already opened an embassy in Jerusalem, Serbia's officials decided, due to Israel's recognition of Kosovo, to keep offices in Tel Aviv. Pristina's reaction to the pressure from the EU is yet to be seen.

Finally, the implementation of the WA faces challenges similar to those of previous agreements: the WA leaves significant space for different and sometimes opposing interpretations. Moreover, it did next to nothing to address both illiberal practices in the Balkans and the question of the position of Kosovo Serbs in enclaves. ■

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