

Kosovo-Serbia: Frozen by Design. The Precondition Trap

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Abstract: Since 2011, the EU has facilitated the Belgrade-Pristina dialogue, aiming to normalize relations between the two parties shaped by the 1998–1999 Kosovo War. In 2026, the framework remains active, with a new envoy, regular meetings, and a stated work plan, yet it has produced no tangible progress. The cause is neither instability nor waning attention. Both parties have adopted preconditions that neither can meet without undermining its own position, a dynamic this article terms a “precondition trap”. Kosovo will not return to leader-level talks without resolution of disputed prior commitments, while Serbia disputes the binding nature of those commitments. The Association of Serb Majority Municipalities illustrates the deadlock, as Serbia wants it to have executive powers that Pristina views as a threat to its sovereignty. Drawing on ripeness theory, the article develops a test for distinguishing preconditions that are genuinely unmeetable from those that are merely unwanted and argues that neither party shows genuine signs of a hurting stalemate over the preconditions that meet this test. The case is compared with Cyprus, suggesting that this is a recognizable pattern in mediated territorial disputes rather than a phenomenon specific to one region.

Keywords: Precondition trap, ripeness theory, Belgrade-Pristina dialogue, mediated negotiation, EU conditionality, Cyprus conflict.

Introduction

In 2026, the dialogue between Belgrade and Pristina remained procedurally active, with the European Union appointing a new Special Representative, Peter Sørensen, to oversee the established framework (Council of the European Union, 2025). This appointment can be understood as a diplomatic move aimed at sustaining the negotiation process. Further developments within

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the framework include the first trilateral meeting of the Joint Commission on Missing Persons, held on January 23, 2026, to implement the declaration on missing persons across both jurisdictions (European External Action Service, 2026b). Despite this activity, no tangible progress has been made.

The cause is not instability, since the framework remains fully operational, nor is it technical deadlock, given that the Joint Commission continues to convene. Neither the EU nor the wider international community has abandoned the negotiations, particularly following the appointment of a new envoy. The more decisive factor lies in the preconditions adopted by both negotiating parties. Neither side has been willing to meet the other's preconditions, and this article asks under what conditions such unwillingness reflects a genuine incompatibility of positions rather than an ordinary bargaining stance. For the purposes of analysis, this article defines the resulting condition as the "precondition trap" and develops, in the section below on the precondition mechanism, a two-part test for distinguishing preconditions that are trap-constitutive from those that are simply unwanted. The article begins by outlining the institutional history of the dialogue framework, followed by an analysis of the negotiation mechanism itself through the case of the Association of Serb Majority Municipalities (ASM). It then examines the theoretical framework of the arrangement through the lens of ripeness theory before concluding with a comparative analysis of the Cyprus case.

The article traces the sequence of preconditions, statements, and institutional responses within the Belgrade-Pristina dialogue between 2013 and 2026 in order to establish the mechanism through which stalling occurs. Evidence is drawn mainly from primary sources, including EU and European External Action Service (EEAS) statements and the framework's founding agreements, along with dated public remarks by named officials. Where primary documentation is unavailable, the article supplements these sources with reporting from established regional and international outlets. Cyprus is introduced as a focused comparison with the dialogue, with the purpose of testing whether the precondition trap identified here is specific to Belgrade-Pristina or whether it constitutes a recognizable pattern in EU- and UN-mediated territorial disputes more broadly. This design suits a mechanism-focused question because it establishes how a stalling dynamic reproduces itself over time. The trade-off is that it offers less generalizability than a larger comparative sample could provide.

Literature Review

Existing scholarship on the Belgrade-Pristina dialogue largely explains its stalling through EU conditionality, the mechanism by which the EU ties progress to enlargement criteria. Some scholars argue that this conditionality has simply failed to work, since rule transfer in the Western Balkans remains contested by veto players and longstanding legacies (Džankić et al., 2019). More than 240 meetings have been held and thirty-eight agreements concluded

since 2011, yet commitments have gone unimplemented. Recent analysis largely attributes this pattern to the EU's own ambiguity as the mediator of the dialogue (Pavković et al., 2026). This suggests that the framework underperforms regardless of how consistent the EU is. This ambiguity is not merely rhetorical. The 2023 Ohrid Implementation Annex itself states that both parties "agree not to block implementation of any of the Articles", an explicit attempt to preempt precisely the cross-conditioning examined in this article. The fact that the precondition trap emerged regardless suggests that the dynamic operates beneath the level of formal commitment and that the EU's continued facilitation may inadvertently sustain it rather than resolve it.

A second body of work examines noncooperation through the concept of the spoiler. Stedman (1997) defines spoilers as parties that see an emerging peace as a threat to their interests and act to undermine it, usually through violence, and distinguishes between inside spoilers, which sign an agreement and then fail to fulfill its terms, and outside spoilers, which are excluded from the process altogether. Later work relaxes the violence requirement, noting that parties can spoil simply by refusing to negotiate or dragging their feet on commitments already made (Zahar, 2003). Even the inside-spoiler variant, however, assumes a party that quietly reneges after signing. Belgrade-Pristina is different: both sides openly set conditions that the other cannot meet while remaining formally committed to the process throughout.

Zartman's ripeness theory more accurately outlines the constraints faced by the Serbia-Kosovo negotiations. It holds that negotiation requires two things simultaneously: a mutually hurting stalemate and a perceived way out (Zartman, 2001). A hurting stalemate is a deadlock that hurts both sides, even if not equally (Zartman, 2003b). Zartman himself points to the 1973 October War as a clarifying case: after the war, Israeli and Egyptian forces found themselves mutually encircled at Kilometer 101, with neither side able to dislodge the other, creating a deadlock painful enough for both sides to enable Kissinger's subsequent disengagement negotiations (Zartman, 2003a). The theory has been applied successfully elsewhere: Becker (2021) uses it to explain both the failure of earlier talks between the Ethiopian government and the Ogaden National Liberation Front and their eventual resolution in a 2018 peace agreement, once a genuine hurting stalemate and a perceived way out coincided. Zartman later added the idea of a mutually enticing opportunity as a positive counterpart to this negative push, and the theory has been criticized for being too static, with some scholars questioning whether a hurting stalemate can even be measured (Pruitt, 2005). The theory has also been criticized on more fundamental grounds: Schrodtt, Yilmaz, and Gerner (2003) argue that ripeness, as typically applied, reduces to a mere tautology, since a hurting stalemate is usually identified only retrospectively, once negotiations have already succeeded, making the theory difficult to falsify in advance. Zartman (2013) has himself pushed back against this charge, insisting that ripeness "is not identical to its results, nor is it tautological", although he concedes that the concept "cannot be measured except by the success of negotiations", a concession that leaves the critique only partially answered.

Ripeness Theory has not yet addressed a negotiation process like this dialogue. Belgrade-Pristina has continued for more than a decade, with meetings ongoing and neither side walking away. The theory does not distinguish between a conflict that simply has not reached ripeness and one that is deliberately prevented from reaching it. This article calls the second condition the “precondition trap”, in which both parties set conditions that the other cannot meet.

Background

The Belgrade-Pristina dialogue, initiated in 2011, was established for the purpose of moving Serbia and Kosovo toward a comprehensive normalization agreement. The dialogue was initially facilitated by EEAS Counsellor Robert Cooper until his replacement by EU High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission Catherine Ashton in 2012. It was subsequently passed to Federica Mogherini and followed a similar pattern of succession until the most recent appointment (European External Action Service, 2026a). The framework’s history of appointments demonstrates a sustained pattern of EU engagement with the objectives of the arrangement.

Three key documents underpin the framework’s current operation. The first is the 2013 Brussels Agreement, which governs the normalization framework between the two parties. The first six points establish an Association of Serb municipalities in Kosovo, the creation of new political institutions to accommodate this association, power-sharing arrangements both in the legislative sphere and with respect to territorial governance, the integration of judicial authorities into the Kosovo legal framework, and the socioeconomic integration of the Serbian community within Kosovo. Importantly, the agreement also establishes a judicial framework for the northern Serbian municipalities, including the appointment of a Kosovo Serb to the position of “Police Regional Commander” (Government of the Republic of Serbia, 2013). This individual is to be nominated by the Kosovo Ministry of Internal Affairs from a list of candidates selected by the four mayors of the region. The mechanism is designed to ensure that law enforcement in the region remains within the ethnic Serbian community. This document set a precedent for ethnic separation during the mediation process.

This arrangement was followed by the Agreement on the Path to Normalization in February 2023. The agreement outlined eleven articles requiring the two parties to participate in mediation and avoid the international escalation of regional political disputes, beginning with a commitment to develop “normal, good-neighbourly relations with each other on the basis of equal rights” (EEAS Press Team, 2023a). Importantly, it also stipulated that neither side would attempt to block the other’s “respective EU path”. The wording of the arrangement established the framework as a structure based heavily on EU norms and processes. This sets up the dilemma examined later in this article.

Finally, the latest development in the normalization framework was the Implementation Annex, agreed upon in Ohrid, North Macedonia, in March 2023 (EEAS Press Team,

2023b). The agreement was accepted by Kosovo, while Serbia only verbally committed to its terms, with Serbian President Aleksandar Vučić representing one party and Kosovan Prime Minister Albin Kurti the other. The annex serves as a binding document within the negotiation pathway toward normalization and includes a commitment to ratify the declaration on missing persons. Notably, the parties explicitly agreed that all articles would be implemented independently of one another and committed not to block the implementation of any article—an attempt to preempt precisely the kind of cross-conditioning that this article goes on to examine. Importantly, the annex also provided for EU financial assistance following successful ratification by both parties.

Each milestone within the Belgrade-Pristina dialogue has represented an attempt to achieve comprehensive normalization of relations between Serbia and Kosovo. Utilizing a series of mediation efforts formalized through documents such as the Brussels Agreement, the EU attempted to moderate the ethnic and territorial tensions between the two parties, with the promise of EU financial assistance and the potential for EU membership. Despite this sustained institutional architecture and repeated diplomatic investment, the dialogue has struggled to produce durable outcomes on its core disputes.

The Precondition Mechanism

This article argues that, within the Belgrade-Pristina dialogue, preconditions function as a strategy for avoiding engagement with the framework while preserving the appearance of cooperation on the part of both state actors. For this reason, at least some of the preconditions in play are deliberately established to be unmeetable rather than merely unmet. This is demonstrated through an analysis of Kosovo's and Serbia's positions relative to the framework, using a test developed below to distinguish trap-constitutive preconditions from ordinary bargaining positions and to highlight the nature of these preconditions. The article then shows how these preconditions have kept the Association of Serb Majority Municipalities as an ongoing dispute, contrasting this with the EU's 2023 sanctions on Kosovo and their lifting by 2026 to show that narrower disputes tied to the same unrest were resolvable once no comparable preconditions stood in the way.

On June 26, 2024, High Representative Josep Borrell concluded a high-level meeting between Prime Minister Kurti and President Vučić. He presented Kurti's three conditions for moving forward with the normalization process between the two parties, making the resumption of leader-level dialogue conditional on specific Serbian actions. The first condition demanded the formalization of the Basic Agreement through signatures from the respective heads of the Serbian state and government. The second entailed the "withdrawal of the reservation letter officially deposited with the [European] External Action Service by former Prime Minister of Serbia, [Ana] Brnabić, dated 13 December 2023" (EEAS Press Team, 2024). The final condition demanded the extradition of Milan Radojčić to Kosovo's judicial authorities. Radojčić publicly admitted organizing the September 2023 armed

attack in Banjska, in which a Kosovo police officer and three of the attackers were killed, but he remains free in Serbia and has never faced trial. Of this three co-participants, Blagoje Spasojević and Vladimir Tolić, received life sentences, while Dušan Maksimović received a thirty-year sentence from the Basic Court in Pristina on April 24, 2026 (European Western Balkans, 2026). These three conditions established Kosovo's framework of preconditions within the wider dialogue.

At the same meeting, High Representative Josep Borrell confirmed Serbia's position on the preconditions. At this stage, Serbia was not ready to meet the conditions set by Kosovo, citing constitutional constraints as the primary reason. President Vučić indicated that he was ready to explore options regarding the Brnabić letter and the formalization of the Agreement in line with past dialogue practices, framing these steps as a means of unblocking implementation (EEAS Press Team, 2024). However, Serbia has neither retracted the letter nor taken action against Radojčić. Kosovo's conditions at this stage of the negotiations were specific and actionable, while Serbia's resistance was framed less as a counter-condition and more as a legal limitation on the process itself. The two parties were therefore unable to fulfill each other's preconditions within the dialogue framework, halting implementation of the normalization agreement.

Not every unmet demand in this dynamic is equally diagnostic of a precondition trap, and the risk of treating any stalled demand as evidence of one is that the concept collapses into a description of ordinary hard bargaining. This article therefore proposes a two-part test for distinguishing trap-constitutive preconditions from preconditions that are simply unwanted. First, meeting the precondition would require the conceding side to abandon a position on which it has publicly and repeatedly staked its legitimacy, rather than merely incur a cost it would prefer to avoid. Second, the demanding side has never specified what partial or intermediate movement would count as sufficient, so that no visible zone of possible agreement exists short of full compliance. Ordinary hard bargaining typically fails the second criterion even when it satisfies the first, since a party using a costly demand as a bargaining chip usually signals, eventually, what a lesser concession would buy. The absence of any such signal is what marks a precondition as trap-constitutive under this account.

Applying this test to Kosovo's three conditions produces an uneven result, and the unevenness is itself informative. Radojčić's extradition passes both parts of the test: surrendering him would require Serbia to concede jurisdiction over a figure who, in Serb-nationalist framing within Serbia, occupies a position closer to that of a martyr than of a fugitive, and Kosovo has at no point proposed an intermediate step, such as a third-country venue or a trial in absentia, that might substitute for extradition itself. The Brnabić letter is a weaker case under the same test. Withdrawing it is administratively inexpensive and reversible, and Vučić himself signaled openness to withdrawing it during the same meeting at which the condition was set. This condition appears closer to something Serbia is unwilling to do first, for sequencing reasons, than something it is structurally

unable to do, and it should therefore be read with greater caution as evidence of the trap than the extradition condition. Serbia's own "constitutional constraints", meanwhile, are real in the narrow sense that Serbia's constitution treats Kosovo as its territory, but the constraint becomes a trap-constitutive precondition only once it is treated as fixed rather than as one input into a choice. Serbia has pursued neither constitutional reform nor any of the workaround mechanisms other states have used to manage comparable disputes over contested territory within their own constitutional frameworks, and it is this absence of any attempt to test the constraint, rather than the constraint's existence, that converts a structural limitation into a maintained precondition.

This same dynamic, in which preconditions block implementation rather than resolve substantive disagreement, is most visible in the dispute over the Association of Serb Majority Municipalities. The Association was first established under the 2013 Brussels Agreement and later reaffirmed as Article 7 of the 2023 Agreement on the Path to Normalization. Serbia's position is that the association should hold executive power across Serb-majority regions in Kosovo. Kosovo treats this demand as a direct attack on its sovereignty. During negotiations in 2023, Prime Minister Kurti's adviser, Jeton Zulfaj, confirmed that Kosovo had accepted the proposal for the association's creation. What remained unresolved was not the association itself but the broader Basic Agreement in which Article 7 sits. A statement from the Kosovo government that same year alleged that Vučić refused to sign this Agreement, instead requesting that an accompanying letter be accepted, which Kosovo said would "annul the principles of the Basic Agreement and the terms of other proposals" (RFE/RL's Balkan Service, 2023). The dispute over this arrangement therefore does not stem from disagreement over whether the association should exist but from Serbia's refusal to bind itself to the agreement that would make its creation enforceable.

It is worth being precise about what this means for the ASM as a case of the precondition trap specifically. The question of how much executive power the association should hold was, based on the evidence above, moving toward convergence by 2023: Zulfaj's confirmation suggests that the substantive design question was closer to resolution than the dispute's persistence would suggest. What remains genuinely unresolved is not that substantive question but whether either side will bind itself contractually to any version of the answer. That distinction matters because it is the ratification problem, not the underlying disagreement over executive power, that fits the trap-constitutive pattern set out above: Serbia's refusal to sign is not itself an unmeetable demand that it is placing on Kosovo, but it functions as one in practice, since it makes the substantive convergence already reached impossible to formalize. The ASM illustrates the precondition trap, in other words, precisely because the substantive dispute is not the obstacle; the refusal to ratify a substantively agreed outcome is.

However, this mistrust is not a permanent feature of the dialogue. A parallel case, the European Union's handling of sanctions imposed on Kosovo in the summer of 2023, shows that even entrenched disputes can be resolved once an achievable condition is

met. The sanctions followed Kosovo's installation of ethnic Albanian mayors in the Serb-majority northern municipalities, elected on low turnout after Kosovo Serbs boycotted the vote. Protests against the newly installed mayors escalated into violent clashes involving NATO-led KFOR troops in May 2023, underscoring the ethnic tensions underlying the dispute (Isufi, 2023).

In response, the EU froze funding to Kosovo, paused high-level visits to the state, and suspended the Stabilization and Association Council (Jozwiak, 2026). These sanctions began to be reversed after peaceful local elections were held in the same northern municipalities in October 2025, with the EU announcing at the December 17, 2025, EU-Western Balkans summit that the measures would be lifted entirely. The disbursement itself was carefully structured in two steps: roughly €216 million was released ahead of Kosovo's December 28 parliamentary elections, while the remaining €205 million was withheld until afterward, specifically so that incumbent Prime Minister Kurti would not benefit electorally from the full amount being released at once. This case shows how a dispute rooted in ethnic tension can be resolved once a specific, achievable condition—in this instance, the holding of peaceful elections—is identified and met. The dispute over the Association of Serb Majority Municipalities has no equivalent simple conditionality, making it harder to resolve. This contrast highlights a pattern: the EU proved willing to engineer a resolution once a clear condition was identified. This makes the continued paralysis over the Association appear less like an intractable dispute and more like an engineered stalemate lacking any clearly defined set of conditions for resolution.

Ripeness and the Manufactured Absence of a Hurting Stalemate

Ripeness theory states that a mutually hurting stalemate and a perceived way out are both necessary for a conflict to move into negotiation (Zartman, 2001). The Belgrade-Pristina framework does not fit this model cleanly. Negotiations have continued since 2011, and neither party has withdrawn. The dialogue has instead continued for more than a decade without producing the outcomes it was intended to deliver. The question, then, is whether this dialogue shows any sign of Zartman's mutually hurting stalemate and, if it does not, why it continues without one.

Within the dialogue, neither state actor appears to be suffering from the stalled negotiations. After the EU lifted its sanctions on Kosovo following the peaceful 2025 local elections, it structured the relief in two stages. Roughly €216 million was released before Kosovo's December 28 parliamentary elections, while the remaining €205 million was withheld until afterward, specifically so that Prime Minister Kurti would not benefit electorally from the full amount being released at once. The fact that the EU considered this precaution necessary suggests that resolution carried real political value for Kurti, at least where resolution was relatively inexpensive: the 2023 sanctions dispute required only that Kosovo hold peaceful elections, not make any substantive concession. This does not

explain why the larger dialogue remains unresolved, since the Basic Agreement and the Association require concessions that Kurti's domestic base treats as a sovereignty risk. Instead, it suggests that Kurti is not a leader desperate to escape stalemate at any price, since he accepted the less costly exit when one was available. This weakens the case that Kosovo is experiencing a genuine mutually hurting stalemate over the dialogue as a whole.

Serbia shows the same pattern from the other direction. Vučić has neither withdrawn the Brnabić letter nor taken action against Radojčić since the June 2024 Borrell meeting. Serbia's official position is that it cannot meet Kosovo's conditions because of "constitutional constraints", but, as the test above suggests, this is a position Serbia has chosen to maintain by declining to pursue reform or any comparable workaround, rather than one imposed on it from outside with no alternative available. Serbia's own path to EU accession remains distant enough that blocking the process currently costs it little. Neither side is therefore paying a meaningful price for the stalemate.

However, it is also worth considering the possibility that there is no trap mechanism within this framework. Kurti and Vučić may both benefit domestically from continued stalemate, with preconditions serving to justify this outcome rather than causing the negotiations to halt. This interpretation is consistent with the political position of both actors involved in the dialogue, neither of whom appears to be suffering any significant cost as a result of the impeded talks. The state actors still need a way to delay negotiations, even if this is the intended outcome. The mechanism that enables this is the imposition of preconditions, which, according to the test developed above, are calibrated to be unmeetable rather than merely costly. Domestic incentives may explain the motive for stalling, but not the mechanism. The precondition trap supplies the mechanism through which that motive is realized without either side formally walking away.

Ripeness theory, as it stands, treats unripeness as something that can simply be waited out or countered by a mediator through persuasion, raising the stakes, or manipulating the parties' perception of the stalemate (Zartman, 2003b). It does not account for a situation in which the negotiating parties themselves manufacture and sustain unripeness from within a framework in which they remain actively engaged. This is the gap that the precondition trap fills. On Zartman's account, unripeness is simply a conflict that has not yet reached the conditions necessary for negotiation. The precondition trap in the Belgrade-Pristina dialogue is something else: a situation in which the negotiating parties themselves work to ensure that the conflict never ripens.

The Cyprus Comparison

Cyprus has been territorially divided since Turkey's 1974 invasion, with the self-declared Turkish Republic of Northern Cyprus existing as a separately governed entity since 1983. This region, recognized only by Turkey, establishes a parallel ethno-territorial division to the one seen in present-day Kosovo. The first major attempt to resolve this dispute came

with the 2004 Annan Plan, a comprehensive UN reunification proposal whose goal was to replace the divided island with the United Cyprus Republic, a federation of two constituent states, Greek Cypriot and Turkish Cypriot. The plan failed when Greek Cypriots rejected it in a nationwide referendum, underscoring the prolonged nature of the dispute (Akritidou & Lindenstrauss, 2024). More recent attempts at unification included the Crans-Montana Conference in 2017, a series of reunification talks held in Switzerland. These talks also failed, breaking down specifically over security guarantees and the continued presence of more than 35,000 Turkish troops in the country (Gatopoulos, 2017). Greek Cypriots would not engage in unification talks without a guarantee of Turkish withdrawal, a demand that Turkey and the Turkish Cypriot leadership were unwilling to meet. Applying the test developed above, the security-guarantees dispute is Cyprus's clearest procedural precondition in the sense used throughout this article: a named, statable condition attached to entering serious negotiations, structurally equivalent to Kosovo's three conditions for resuming leader-level talks, and one that likewise offers no visible partial-compliance option between full withdrawal and the status quo.

Beneath the security-guarantees dispute lies a cluster of further disagreements, and it is worth being precise about which category they belong to. The first concerns the basic architecture of any future state. Turkish Cypriots have pushed for a state structure built on two politically equal founding states, joined in a loose federation with strong guarantees of parity between the communities. Greek Cypriots favor a different model entirely: a single state evolving from the existing, internationally recognized Republic of Cyprus, within which Turkish Cypriots would participate as a constituent community rather than as an equal co-founder with independent standing. This is not a semantic disagreement, and the two visions imply fundamentally different distributions of sovereignty. Unlike the security-guarantees dispute, however, this is a substantive disagreement over the shape of a future settlement rather than a named condition attached to entering talks in the first place, and it is therefore better understood as a standing disagreement that the precondition trap compounds than as a further precondition in the technical sense used here (Akritidou & Lindenstrauss, 2024).

A second, related dispute concerns how executive power would actually be shared once any settlement was reached, and it belongs in the same substantive category. The two sides disagree over the mechanics of a rotating presidency, with Greek Cypriots seeking longer terms in office for their own community, reflecting their larger population share, while Turkish Cypriots have historically pushed for something closer to strict parity regardless of demographic weight. This dispute extends to control over the foreign minister portfolio and the conduct of external relations more broadly, since whichever community controls these functions would have outsized influence over how a reunified Cyprus presents itself internationally and over its relations with Turkey, Greece, and the EU specifically (Akritidou & Lindenstrauss, 2024). Property rights add a third layer in the same category. Following the 1974 division, tens of thousands of Greek Cypriots and Turkish Cypriots were displaced from properties now located on the opposite side of the line. The Immovable

Property Commission was established specifically to compensate displaced Greek Cypriots for property left in the north, yet it remains controversial and underutilized among those it was intended to serve, since accepting compensation through a mechanism established by the Turkish Cypriot administration can itself be read as implicitly recognizing that administration's legitimacy, precisely the kind of concession neither side is willing to make lightly.

None of this is to say that the state-architecture, power-sharing, and property disputes are unimportant; they are real disagreements that would need to be resolved in any settlement, and their unresolved status independently blocks progress. But they differ from the security-guarantees dispute and from Kosovo's three conditions in a way the test above makes precise: none of them is a named, statable condition attached to entering or resuming negotiations, and each remains, at least in principle, open to the kind of graduated or partial movement that a genuine precondition forecloses. Distinguishing the two categories matters for the argument, since collapsing them together would stretch "precondition trap" to cover any unresolved substantive disagreement, which is a broader and less falsifiable claim than the one this article makes. What the two categories share is that they compound one another: no single resolved dispute, whether over troops, state structure, executive power-sharing, or property, would be sufficient to unlock the others, since each has hardened into either a precondition or a standing substantive disagreement rather than being treated as a negotiable term within a single, comprehensive settlement.

Diplomatic engagement on Cyprus has continued in the years since, though with little to show for it. Informal UN-backed contacts between the two sides resumed in March 2025, after the eight-year freeze that followed Crans-Montana, but these produced no movement on any of the substantive disputes outlined above. The most significant recent development came on July 28, 2026, when Secretary-General António Guterres made a personal visit to Cyprus, the first by a UN Secretary-General since 2010. During the visit, Guterres met separately with Greek Cypriot President Nikos Christodoulides and Turkish Cypriot leader Tufan Erhürman, and publicly described the talks as productive (Ward, 2026). The timing of this intervention invites some skepticism. Guterres is due to leave office at the end of 2026, and a high-profile personal visit so late in his tenure raises the question of whether it reflects genuine diplomatic momentum or whether it was simply a legacy-driven gesture intended to mark his time in office. Either way, the visit is symptomatic of the negotiation stalemate and builds on the more sustained procedural work already being carried out by his Personal Envoy, María Angela Holguín Cuéllar. Holguín, who has held the position since her appointment in January 2024, has continued to hold consultations with both sides in the years since (International Crisis Group, 2024).

The comparison with Belgrade-Pristina is not exact: Cyprus involves a different mediator, the UN rather than the EU; additional guarantor states with their own interests, namely Greece, Turkey, and the UK; and none of the EU-accession leverage present in Belgrade-Pristina, since Turkey's own EU path is separate and largely stalled. Even so, the

underlying pattern—formal diplomatic activity continuing while the security-guarantees precondition remains exactly where it was nearly a decade ago—holds across both cases. This suggests that the precondition trap, defined narrowly according to the test above, can emerge as a recognizable pattern in mediated territorial disputes generally rather than being specific to the Belgrade-Pristina case. As a focused test of generalizability rather than a second full case study, the comparison supports the conclusion that the precondition trap is not confined to a single dialogue or region.

Conclusion

The Belgrade-Pristina dialogue's failure to produce implementation is not a product of regional instability. The framework remains active, with continued meetings and the appointment of new envoys such as Sørensen. The reason for this stagnation is what this article has termed the precondition trap, a phenomenon in which both Kosovo and Serbia have adopted preconditions that the other cannot meet without conceding its core position, at least where those preconditions pass the two-part test developed above. The example of the dispute surrounding the Association of Serb Majority Municipalities shows this clearly once the substantive question of executive power is separated from the ratification question that actually blocks implementation: both parties had converged on the association's creation, yet neither will ratify the agreement that would make it enforceable. This is because doing so would require resolving the broader preconditions each side has attached to the process: Kosovo's insistence on formal signature, withdrawal of the Brnabić letter, and Radojčić's extradition, alongside Serbia's own constitutional objections. Of these, Radojčić's extradition and the constitutional objection most clearly meet the test for a trap-constitutive precondition; the Brnabić letter is a weaker case and reads more like a sequencing issue than genuine incompatibility.

By applying ripeness theory to this case, the article shows why the trap persists. Neither Kosovo nor Serbia shows clear signs of a mutually hurting stalemate over the core dialogue, nor is there a mutually enticing opportunity that either side finds sufficiently attractive to test. Kosovo's willingness to resolve the less costly 2023 sanctions dispute, contrasted with its refusal to move on the more consequential Basic Agreement and Association, suggests that Kurti is not desperate to escape stalemate generally but is unwilling to pay the specific price that this dialogue demands. Serbia shows a related pattern: its constitutional constraints reflect a position that it has chosen to maintain rather than one imposed upon it, in the specific sense that Serbia has not tested the constraint through reform or available workaround mechanisms. Domestic incentives may explain why both leaders tolerate the larger stalemate, but they do not explain how that toleration persists within a framework of which both remain visibly part. Preconditions supply that mechanism, calibrated to cost more than either side is currently willing to pay, and in doing so prevent the very conditions that ripeness theory identifies as necessary for negotiation from ever forming. The comparison with Cyprus suggests that this is not an artifact specific to the region or

to cases under EU mediation. Cyprus shows the same procedural-precondition structure in its security-guarantees dispute, compounded by separate substantive disagreements over state architecture, power-sharing, and property, despite a different mediator, a different set of guarantor states, and a wholly different geopolitical context. The fact that the trap reproduces itself with such fidelity across two cases so dissimilar in setting suggests that it reflects something structural about protracted, internationally mediated disputes rather than a coincidence of regional politics.

These findings suggest that continued EU facilitation in the Belgrade-Pristina dialogue will not be sufficient to break the deadlock between the two states. The EU can only engineer resolution once a clear, achievable condition exists, as it did with the 2023 sanctions. No comparable condition currently exists for the Association, and none has been proposed for Kosovo's three conditions. Nor is this a failure of drafting: the 2023 Ohrid Implementation Annex explicitly commits both parties not to block implementation of any article, an attempt to foreclose exactly the dynamic this article has documented. The fact that the trap emerged regardless indicates that it operates beneath the level of formal commitment and that continued facilitation without a comparable achievable condition may entrench the stalemate rather than resolve it.

What would a comparable achievable condition look like, given that this article has argued that both sides benefit from producing none? The test developed above suggests an answer: mediators should look for and explicitly ask for reversible partial steps rather than final concessions, since it is precisely the absence of any stated intermediate step, rather than the difficulty of the final one, that marks a precondition as trap-constitutive rather than merely costly. Concretely, this could mean Serbia opening a formal domestic investigation into Radojčić's role in the Banjska attack without extraditing him outright, or Kosovo publishing a detailed competency schedule for the Association's executive powers without treating this as equivalent to final ratification. Neither step resolves the underlying precondition, but each would be diagnostic: a party willing to take a reversible step toward a demand it calls unmeetable is signaling an ordinary bargaining position rather than a trap-constitutive one, while continued refusal even of low-cost, reversible movement is itself evidence for the trap. Mediators might therefore tie facilitation, and EU accession-track benchmarking specifically, not to full compliance with preconditions but to a demonstrated willingness to take some reversible step toward them, and treat the refusal to take even such a step, if sustained over time, as diagnostic in its own right rather than as a neutral feature of an ongoing process.

The precondition trap, as this article has defined it, offers something that existing frameworks do not. Spoiler theory assumes a party that quietly reneges after committing; ripeness theory assumes that a conflict is either ripe or not yet ripe, without asking whether that ripeness is being actively prevented. Belgrade-Pristina and Cyprus both suggest a third category: negotiations that remain formally open because neither side intends to test whether they can succeed. Recognizing this pattern matters beyond these two cases, since it identifies a specific point at which international mediators might intervene: not

by treating continued meetings as evidence of progress, but by testing, through reversible partial steps, whether a stated precondition is genuinely unmeetable or merely unwanted.

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