



**CIG**

Council  
for Inclusive  
Governance

# **RESOLVING DISPUTES AND BUILDING RELATIONS**

**Challenges of Normalization between  
Kosovo and Serbia**

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# **RESOLVING DISPUTES AND BUILDING RELATIONS**

**Challenges of Normalization between Kosovo and Serbia**

**Council for Inclusive Governance**

**New York, 2015**

# PREFACE AND ACKNOWLEDGMENTS

Relations between Kosovo and Serbia are difficult.

Since Kosovo's declaration of independence in February 2008, all contacts between officials of Kosovo and Serbia ceased. Belgrade rejected any direct interaction with Pristina preferring to deal through the EU Rule of Law Mission and the UN Mission in Kosovo. However, encouraged by the EU and the US, senior officials of both governments met in March 2011 for direct talks in Brussels. These talks were followed in Brussels in October 2012 by a meeting between the prime ministers of Kosovo and Serbia. These EU-mediated dialogues resulted in a number of agreements between Serbia and Kosovo including the April 2013 Brussels Agreement. The Agreement's main goal is to conclude the integration of the Serb-majority municipalities in Kosovo's north into Kosovo's system of laws and governance, including the establishment of the Association/Community of the Serb-Majority Municipalities in Kosovo. The sides also pledged not to block each other's accession processes into the EU.

The implementation of the Brussels Agreement has been arduous and painful. While several important issues have been resolved and implemented including the freedom of movement, police integration, border management and conducting Kosovo elections in the north, as of this writing, more than two and a half years later, the Agreement has not been yet implemented. The Association/Community has not been established and Serbia's parallel administrative structures are still functioning in Kosovo. Serbia blames Kosovo and Kosovo blames Serbia for this lack of implementation and both are asking for a more active role from the EU as the guarantor of the agreements. In Belgrade, there is no significant opposition to the Agreement. However, the fervent fight against Kosovo's membership in UNESCO and especially the language used by a number of senior Serbian officials pushed the spirit of normalization far backward. In Pristina, since the fall of 2015, the opposition's disagreement with the Brussels provisions especially on the Association/Community developed into violent protests in the streets and continuing disruption of the work of the parliament.

The lack of the implementation and increased tensions hindered the process of bilateral normalization that started in Brussels as well as the normalization between the Albanian and Serb communities in Kosovo itself.

Good relations between Kosovo and Serbia and relations between Serbs and Albanians are at the core of stability in the Balkans. It is essential that normalization does not get derailed even if some of the provisions of the agreements might be reviewed and changed. The region will not advance forward without the improvement of these strategic relations.

To address these key issues the Council for Inclusive Governance (CIG) in cooperation with and with the generous support of the Swiss Federal Department of Foreign Affairs (FDFA) conducted in 2014 and 2015 a program on Normalization of Kosovo-Serbia

Relations and Integration of Kosovo's North. The participants included government and parliament officials of Kosovo and Serbia, political party officials, and representatives of the civil societies and academia. Senior EU and Swiss diplomats took part as well. The CIG-FDFA track 1.5 process is the only other continuous venue except for the EU-sponsored dialogue for the officials of Belgrade and Pristina. Crucially this CIG-FDFA process involves main negotiators of the Kosovo and Serbian Governments and other key officials.

Through multiple roundtables, workshops, panels, briefings, small group and individual discussions, and other activities CIG facilitated the participants' joint exploration of possible solutions to specific problems in the implementation of the Brussels agreements, their recommendations on how to fix and advance the process, and explore ideas on the establishment of the Association/Community. The participants moved the process of normalization forward. The CIG-FDFA process has significantly contributed to a better understanding between the parties and improving their knowledge of each other and each other's positions and limitations of their maximalist demands. Many of the participants have moderated their views following these interactions.

The CIG-FDFA process went beyond the official Brussels framework and it opened new channels and venues for cooperation between Kosovo and Serbia most notably between members of the parliaments of Kosovo and Serbia by establishing the Group for Cooperation. The Group consists of two dozen MPs of both parliaments. The CIG-FDFA process also established practical cooperation between officials of the Kosovo Ministry for European Integration and the Serbian Government's Office of EU Integration.

CIG is dedicated to continue to contribute in these areas.

The following pages provide summaries of the most important discussions within this CIG-FDFA process, presenting to the reader the dynamic picture of the participants' evolving views, agreements and disagreements, their ideas and proposals. CIG takes full responsibility for this publication, which has not been reviewed by the participants.

Five major themes of CIG's work in the last two years are highlighted in this publication: (1) activities in support of the EU-sponsored Brussels dialogue and the implementation of its agreements; (2) activities related to the establishment of the Association/Community of Serb-Majority Municipalities in Kosovo; (3) integration of Kosovo's north and advancement of overall Serb participation in Kosovo's political life; (4) establishing cooperation between members of parliaments of Kosovo and Serbia; and (5) finally starting cooperation on the EU integration between Belgrade and Pristina.

We at CIG are proud of our association with Switzerland and its FDFA and are sincerely grateful to our colleagues and friends Ambassadors Krystyna Marty Lang and Jean-Daniel Ruch, Talia Wohl, Saskia Salzmann, Norbert Rüttsche, as well as Ambassadors Heidi Grau and Claude Wild and to Roland Salvisberg for their enthusiastic support of CIG's activities, confidence in our work and mission, and their keen cooperation. Without their essential contributions this initiative and its notable outcomes would not have been possible.



Left to right: Sonja Licht, Teuta Sahatqija, Bekim Çollaku, Jadranka Joksimović, Alex Roinishvili Grigorev and Talia Wohl.

We are also grateful to our many colleagues in the European Union for their participation and support of our efforts. Our special thanks go to the EU Special Representative in Kosovo Samuel Žbogar, the Acting Director for the Western Balkans of the Directorate General for Enlargement and Neighborhood Policy of the European Commission Catherine Wendt, and Honorary Director General of the Commission Pierre Mirel for their indispensable contributions.

We also take this opportunity to thank members of CIG's Board of Directors Dr. Steven Burg, Dr. Gordon Bardos and Michael Elf for their active involvement in CIG's work and their continuing good advice.

This program would not have been possible without the work of CIG's vice president Shpetim Gashi who also prepared this report. We are grateful for the contributions of our colleagues in Belgrade and Pristina Igor Novaković and Arbër Kuçi.

**Alex Roinishvili Grigorev, President**

*December 2015*

# SUPPORTING THE BRUSSELS DIALOGUE

## Inclusion of new topics

In April 2014, CIG organized a workshop in Belgrade for a number of Kosovo and Serbian analysts on relations between Kosovo and Serbia. The participants drafted a list of additional issues for consideration by Belgrade and Pristina aiming to advance the normalization process.

- *Membership in intergovernmental organizations:* The April 2013 Agreement allows Kosovo to join regional organizations but not international organizations. This prevents sustainable cooperation and normalization of relations. The participants suggested that the issue be placed on the agenda of the dialogue.
- *Mutual recognition of legal systems:* Belgrade and Pristina should recognize legal decisions of each other's courts. Currently, court rulings in Kosovo, e.g., on divorce, are not recognized in Serbia. Such mutual recognition would directly improve the lives of the people in Kosovo and Serbia.
- *Establish direct cooperation on security issues:* Pristina and Belgrade should establish and strengthen cooperation between their police forces, intelligence, and courts in order to better fight corruption and organized crime. The participants also suggested resolving the issue of remaining parallel security structures in Kosovo's north, such as the Civilian Protection Units.
- *The Association/Community of Serb-Majority Municipalities:* The Association/Community should be formed soon after the Kosovo parliamentary elections. It should be inclusive and deal with concrete problems of the Serb community rather than become a political institution. Many noted that the Association/Community could not be formed without the full legal functioning of the local institutions in the north. Some suggested that the seat of the Association/Community be in Gracanica, others in Mitrovica.
- *Missing persons:* Fifteen years after the war, about 1,800 people are still missing. Around 1,400 are Albanians and 400 are Kosovo Serbs. Though the two governments have been cooperating on this issue and many of the missing have been found, the participants said that the process should be intensified and the issue resolved once and for all. It is difficult to make substantial progress in the normalization of relations when mass graves continue to be uncovered.
- *Freedom of movement:* The freedom of movement as defined in the Agreement should be revisited. Though people are allowed to travel to each other's countries, the border and insurance fees were astronomical for a while. A Kosovo driver had to pay about 130 euros to cross into Serbia. Though the Kosovo government had decreased substantially the amount for the Serbian drivers, it was still a substantial burden. The issue of insurance fees has been resolved, but Kosovo license plates are still not recognized by Serbia.



Left to right: Shpetim Gashi, Alex Roinishvili Grigorev, Krystyna Marty Lang, Jean-Daniel Ruch, Saskia Salzmann, Edita Tahiri and Marko Đurić.

- *Regulate Serb education and health systems in Kosovo:* The Kosovo Serbs began to dismantle parallel political institutions by taking part in Kosovo's elections, but have retained parallel service institutions in education and healthcare. The participants recommended that these institutions should be regulated, but not closed.
- *Territorial claims:* Serbia's territorial claim of Kosovo poses a permanent obstacle to the normalization of relations. Many Albanian speakers say it is difficult to normalize relations with someone who claims your territory, and Belgrade will continue to be seen as a security threat in Kosovo as long as such claims exist.

Participants concluded that there is a lot of frustration regarding the implementation of the Brussels Agreement, and suggested that the EU be a clear guarantor to make sure the implementation takes place on schedule.

## **Implementing the Brussels Agreement**

CiG organized a policy discussion in February 2015 in Brussels on the implementation of the Brussels Agreement and on the EU integration prospects for Serbia and Kosovo. Participants included ministers and senior members of Kosovo's and Serbia's governments, members of parliaments, representatives of civil society, European Commission officials, and members of the European Parliament. The discussion focused on the Association/Community and European integration prospects for Serbia and Kosovo.

Serbs and Albanians held irreconcilable differences on the Association/Community. Kosovo speakers said the Association/Community should be a coordinating mechanism and be based on Kosovo law. Serbian speakers said that the Association/Community will be based on "Kosovo law, but not on Kosovo's existing law," suggesting that they expect Pristina to change a number of laws that would give the Association/Community executive powers. Kosovo's representatives explained that both Pristina and Belgrade have committed to change some laws but only to accommodate the Brussels Agreement in its present form.

Serbian representatives said that the Association/Community should take over some of the responsibilities of the parallel institutions, including spatial planning, financial borrowing,



Left to right: Samuel Žbogar, Bajram Gecaj and Tanja Mišćević.

tenders, and the establishment of public agencies. There are over 5,000 employees in the parallel system in Kosovo, and Belgrade wants some of these employees to be transferred to the Association/Community. A speaker said that this is in line with EU standards. He admitted that an institution with such powers could be “sui generis,” but said it should not be a problem. A Kosovo speaker suggested to his Belgrade colleagues not to raise the expectations of Kosovo Serbs through such “impossible” demands. “Such an institution is equivalent to an autonomous status and, as such, it does not stand a chance.”

On the EU integration process, Kosovo and Serbian representatives agreed that the two governments should cooperate. There was broad agreement that they have an interdependent relationship and both need each other for substantial progress. An international speaker said that complete implementation of the Agreement would be sufficient for Belgrade to begin its EU accession negotiations but there would have to be “more Brussels-type agreements with Kosovo before full membership.”

Serbian representatives argued that the negotiations should commence as soon as possible “as Serbia has met the conditions by reaching a number of agreements with Kosovo.” But Kosovo representatives and a number of international speakers said that the “agreements without implementation are not useful.” A Kosovo speaker said that Pristina had to renegotiate the agreement on courts in the north, even though they had agreed to implement it by the end of 2013, and complained that now Serbia is trying to portray it as a new agreement.

A number of international speakers and Kosovo representatives called on the five EU members that have not recognized Kosovo’s independence to do so. They said that these non-recognitions represent a constant obstacle in Kosovo’s path to EU integration. They also called on Belgrade not to obstruct Kosovo’s membership in international organizations.

Serbian speakers reported that over 60 percent of the population in Serbia supports the Brussels dialogue. They said that Serbia wants to make faster progress but it is conditioned in every step with Chapter 35 (Kosovo). They complained that Belgrade is put under more pressure than Pristina, adding that, “Pristina is not fully respecting the spirit and the provisions of the Brussels Agreement.” A Serbian speaker argued that



Left to right: Tanja Mišćević, Jean-Eric Paquet, Bekim Çollaku, Marko Đurić, Ernst Reichel and Ljubomir Marić.

the dialogue is gaining support in Serbia but is losing it in Kosovo, noting a number of protests against the dialogue in Pristina.

Serbia engaged in the dialogue primarily to advance its EU integration process while Kosovo engaged in order to integrate its northern municipalities. Kosovo speakers complained that the EU has been too lenient toward Serbia, as “it does not condition negotiations with taking Kosovo out of the Serbian constitution.” One speaker added that Serbia gets rewarded more than Kosovo: Serbia received candidate status and the opening of negotiations while Kosovo did not even get the integration of the north. “Kosovo is a bit disappointed with the EU.” The Agreement had been reached in 2013 and two years later the implementation is still far behind schedule. “Let’s not continue to manipulate each other and the international community,” concluding that “if such empty dialogue goes on for too long, it will lose all public support.”

Serbia advanced at record speed in its EU integration, an international speaker said. According to the agreed action plan, the Brussels Agreements should have been implemented at the end of 2013. “But energy, transparency of the Serbian financial flows, telecommunications, and establishment of Kosovo courts in the north have not been implemented yet.” Serbia still has its parallel institutions in Kosovo and some heads of these institutions were recently reappointed. He reported that “candidacy status was given to Serbia in the belief that it would implement the agreement in full and according to the agreed upon schedule.”

Kosovo Serbs and Serbian participants had consensus that the Association/Community should become a political institution with solid executive powers in education, healthcare, urban planning, and economic development. Some speakers went even further, suggesting that the institution should also collect taxes, a sole responsibility of central government and municipalities. Kosovo Albanian participants said the Association/Community should be based on the Brussels Agreement, which, according to them, foresees a monitoring or supervisory role in education, healthcare, urban planning, and economic development.

Membership in the European Union remains a strong aspiration of Serbia and Kosovo. Apart from the regular reforms, Serbia needs to address its relations with Kosovo. International representatives explained that even if Serbia meets all the conditions,

its EU membership would be subject to Serbia resolving its dispute with Kosovo. The implementation of the Brussels Agreement, or “Brussels I” as a speaker called it, would be sufficient to open the negotiation but not for full membership. There will also be a “Brussels II and III” as Belgrade gets closer to membership. Participants agreed that despite their status disputes, Belgrade and Pristina should not hamper each other’s paths toward EU membership. If they cannot help each other, at least they should not hinder each other.

## **Principles and recommendations for the Brussels dialogue**

CIIG organized in July 2015 a workshop in Aranđelovac, Serbia, for a small group of Serbian and Kosovo political representatives and analysts. The first day of discussions included both politicians and analysts, while the second day included only the analysts. Based on the discussions, the analysts drafted a number of suggestions on forming the Association/Community. Ten days later the recommendations were discussed in Brussels at a CIIG-organized small roundtable of senior government officials from Kosovo and Serbia and EU officials who supported these recommendations with minor modifications.

### ***Guiding Principles***

- The Association/Community should serve as the driver for the integration of Kosovo Serbs into Kosovo’s political and public life. It should complement the work of the Kosovo Serbs in Kosovo’s local and central institutions but not take over their responsibilities.
- Belgrade and Pristina should make the necessary compromises to reach an agreement that satisfies both capitals, but the agreement should primarily address the concerns of the Serb community in Kosovo.
- Kosovo’s north has functioned outside Kosovo’s system for 16 years, thus its integration should be gradual and in phases. The formation of the Association/Community is one of the first phases toward this integration.
- Although Pristina and Belgrade are negotiating the mandate of the Association/Community, it should become a genuine Kosovo Serb body. Kosovo Serb representatives should decide on its activities and appoint its leading structures. Belgrade should be allowed to provide funding to the Association/Community but not run it.
- Pristina and Belgrade should become serious and credible actors in the dialogue process by genuinely supporting the implementation of the agreements according to the agreed upon timeframes.
- Pristina and Belgrade, supported by the EU, should make joint statements after reaching agreements and offer consensual interpretations for their publics. Conflicting interpretations of the agreements have often produced confusion, delaying the implementation process.
- Belgrade and Pristina should uphold the spirit of dialogue and continue the dialogue until full normalization is reached. They should also begin to consider other issues in a direct dialogue without international facilitation. Bilateral meetings of Kosovo and Serbian officials at various levels should take place more frequently.

## **Recommendations**

### *Recommendations for the Government of Kosovo*

- a. Create a mechanism to lead and intensify the implementation of the Brussels Agreement. This body should be an office of the Government of Kosovo and function in direct cooperation with the EU office in Pristina.
- b. Intensify outreach and communication with Kosovo Serbs.
- c. Offer full support to the Association/Community to help it reach its capacity in line with the anticipated agreement.
- d. The Association/Community should be accepted and supported by the Government of Kosovo.
- e. The Government of Kosovo should take the responsibility that belongs to the majority community and lead a comprehensive outreach process aimed at transforming the discourse toward greater accommodation of Serbs in Kosovo.

### *Recommendations for the Government of Serbia*

- a. The Government of Serbia should support Kosovo Serbs in taking more responsibility in the implementation of the reached agreements.
- b. The Government of Serbia should help secure the respect of principles of democratic pluralism for Kosovo Serbs in the future electoral processes in Kosovo.
- c. The Government of Serbia should view a functional Kosovo as being in its own best interest and should transform the discourse within the Serbian society accordingly.
- d. Once the agreement on the Association/Community is reached, the implementation and the process of dismantling the parallel institutions should go hand in hand. Employment of about 5,000 people currently employed in the parallel system will be the main challenge.

### *Recommendations for Kosovo Serbs*

- a. Kosovo Serbs should have a larger voice and role and take more responsibility in shaping and implementing the agreements that have been reached.
- b. Serb representatives in Kosovo's institutions should actively engage in the process of the agreement implementation as well as in promoting better understanding of the process to the Serb community in Kosovo.
- c. Serb representatives should establish better working relations within Kosovo's institutions and intensify their overall involvement in improving interethnic cooperation.
- d. Kosovo Serbs, especially those in Kosovo institutions, should fully support the implementation of the agreements that have been reached, particularly regarding the courts and the Association/Community.

### *Recommendations for the European Union*

- a. The EU should take a more proactive role in the dialogue and in the Agreement implementation, thus assuming a bigger role than simply that of a facilitator.

- b. The EU should contribute not only to the normalization of relations between the governments but also between the Albanian and Serb societies by supporting dialogues between the civil societies of Kosovo and Serbia.
- c. The EU, together with the two governments, should actively disseminate information about challenges and outcomes of the dialogue and encourage populations to understand and support the dialogue.
- d. The EU should try to make the Brussels dialogue more inclusive by reaching out and discussing normalization with other sectors of the societies in Kosovo and Serbia and taking into account their views in the process.
- e. When possible, the EU should provide funds to support the integration of the north into Kosovo's institutions and improve its economic prospects.
- f. The implementation plan should be reassessed.
- g. The EU should consider including reconciliation as a dialogue topic.

## Are normalization of relations and EU integration interconnected?

To address the process of European integration of Serbia and Kosovo and their dialogue, CIG organized in Brussels in July 2015 a roundtable discussion for a small group of senior government officials from Kosovo and Serbia and EU officials.

The dialogue between Pristina and Belgrade is interconnected with their EU integration prospects. The two processes can advance or impede one another. The participants agreed that a successful dialogue would accelerate their EU integration, and clear EU integration prospects would be an incentive for dialogue and compromise.



Ksenija Milenković and Edita Tahiri.

A speaker from Belgrade said that the EU should offer a transparent course for membership to the Balkan countries. Recent statements of EU officials that the enlargement process will remain frozen for a while have not been helpful.

Belgrade and Pristina are at different stages in their respective EU integration processes, but they could cooperate in many areas. Participants from Belgrade and Pristina agreed to establish cooperation at both political and technical levels between Kosovo's and Serbia's institutions dealing with European integration. A number of areas for cooperation were identified: the translation of the Acquis, the action plan for the adoption of the Acquis, and several IPA-funded projects.

Another speaker reported that the chambers of commerce of Serbia and Kosovo together with Eurochambers have launched a process where significant progress has been achieved. There are already agreements on postal and railway services and there is a mutual interest in establishing flights between Pristina and Belgrade. The speaker said that



Roundtable in Vienna, November 2015.



Bekim Çollaku and Jadranka Joksimović.

cooperation could be expanded through IPA projects. One concrete proposal was put forward: to repair the railway tunnel in Merdare in order to open rail service between Belgrade and Pristina. Another proposal is to exchange economic and trade liaison officers.

While the Serbian and Kosovo participants asked for more intensive EU engagement in the dialogue, EU representatives said that Pristina and Belgrade should assume more responsibility and rely less on the EU. First, it would show that Pristina and Belgrade are capable of resolving their outstanding issues on their own, and second, the oversubscribed

EU foreign policy chief is less available for the Balkan issues than her predecessor. Belgrade and Pristina should find a new way of cooperation that relies less on other actors. Another international official said that Serbia's and Kosovo's main incentive for progress and development should not be EU membership, but improvement of the lives of their own people.

The EU has offered many incentives for Serbia and Kosovo and it is clear on the requirements that need to be met before membership is considered. EU representatives said that Serbia and Kosovo should also provide some incentives for the EU; they should demonstrate they are worthy partners. Serbia and Kosovo have been constructive in their relations since the dialogue began but the EU and the member states are looking for more results and commitment before opening chapters with Serbia. An EU representative reported that the EU is becoming frustrated. If Pristina and Belgrade want to demonstrate that they are serious actors, they should show "results, not just constructive discussions."

Serbia and Kosovo prepared their own separate dialogue assessment reports, and some speakers suggested that the EU should prepare such reports as well. Representatives from Belgrade and Pristina said that such an assessment mechanism would be helpful.

The participants said that the EU should apply a merit-based approach to the dialogue, rewarding those who cooperate and penalizing those who do not. But again, the level of implementation is open to interpretations, and EU representatives fear it might endanger their neutrality as a mediator. Both Pristina and Belgrade representatives recommended that the EU officials become engaged in the interpretation of the agreements and may need to assume an arbitrator role when the implementation process stalls.

The participants concluded with the following points:

- Pristina and Belgrade representatives proposed to organize a meeting for technical and political officials of Serbia and Kosovo dealing with the European integration. The objective of the meeting would be to exchange experiences, lessons learned, and cooperate on certain projects, and strategies and action plans required by the EU. Cooperation on translating the EU Acquis into Serbian is an example of possible cooperation. In addition, they also recommended staff exchanges, a joint educational program on EU integration, and a joint campaign on tackling the negative image of the Western Balkans in the EU.
- Kosovo Serbs should be involved in Kosovo's EU integration process. EU integration requires various reforms at the local level and this is one area where the mayors of Serb-majority municipalities could become more engaged. To encourage the engagement of Kosovo Serb mayors, joint meetings of Pristina and Belgrade representatives with the mayors should take place. Many said that engagement in the EU integration process is less sensitive and could have a positive effect on Kosovo Serbs' integration into Kosovo's public life and improve overall interethnic relations.
- The EU, Pristina, and Belgrade should set up a joint mechanism that assesses the compliance of all actors with respect to the agreements and implementation deadlines of the Brussels dialogue.
- Future agreements should be more specific. Ambiguity has been useful in initiating the dialogue and reaching agreements at a time when representatives of Pristina and Belgrade were reluctant to even shake hands. But now that the initial barriers have been eliminated, agreements should have clear specifications and deadlines. The EU should reward those who cooperate and penalize those who do not. A merit-based system of rewards and penalties would encourage the sides to adhere to their commitments. The EU should provide better guidance to Belgrade and Pristina on where it wants to take the entire Brussels process.

## **Brussels dialogue: next steps and challenges ahead**

CIG organized in November 2015 in Vienna, Austria, a roundtable for senior Kosovo and Serbian government and EU and Swiss officials to discuss next steps in the dialogue and implementation of the agreements. This was the only meeting of the Kosovo and Serbian negotiators in the last quarter of 2015. The dialogue is losing popularity in Kosovo where the opposition parties are strongly objecting to the formation of the Association/Community by blocking the work of the parliament and organizing street protests. Kosovo's Constitutional Court is reviewing the legality of the Association/Community.

Until then, the team tasked with drafting its statute cannot be formed, though some speakers said that the management team could begin working. There are delays in the implementation of other agreements, such as the integration of judicial structures in the north, and confusion about some others, such as closing of the parallel interim municipal councils, which have not been addressed by the Brussels Agreement.

Despite recent setbacks, the participants confirmed their governments' commitment to the dialogue, but pointed out that it needs new dynamics, including a better communication between the teams and more international commitment, especially in interpreting the agreements and assessing progress in their implementation. The Serbian participants focused largely on the formation of the Association/Community, while the Kosovo speakers said that the dialogue should have a clear vision with specific timeliness for the end result.

Following are concluding points from the discussion:

- Pristina and Belgrade should commit to implementing the Brussels agreement in full by the end of 2016. The Agreement should include the dismantling of the remaining parallel institutions and the establishment of the Association/Community.
- Bilateral meetings between Serbian and Kosovo officials should be intensified. Such meetings should include meetings of ministers, directors of police, and professional staff of ministries. As one speaker put it, "the more we talk, the better we understand each other and the fewer problems we have." In this context, participants also suggested establishing a hotline between the prime ministers' offices.
- Establish cooperation on less sensitive areas such as EU integration issues. Participants suggested cooperation on the action plan for the SAA implementation and translation of the Acquis.
- Continuation of the dialogue between Belgrade and Pristina is important but internal stability takes precedence. Belgrade and Pristina should manage setbacks patiently and preserve the internal stability while remaining committed to the dialogue. Dialogue has triggered some strong protests in Kosovo. At the beginning, in 2011, under the government of the Democratic Party, the dialogue was not popular in Serbia while it had consensus in Kosovo. The opposition to the dialogue from the current main governing party, then in opposition, was strong. The situation has reversed now. There is almost full consensus between Serbian governing and opposition parties on the dialogue, but strong opposition to it by Kosovo's opposition parties and skepticism by governing parties.
- Pristina believes there is a direct link between the dismantling of interim municipal councils and the formation of the Association/Community. Belgrade says no such link exists. Pristina demands the dismantling of all parallel structures, including the interim municipal councils, which are not included in the Brussels Agreement, before the formation of the Association/Community is completed. Belgrade says that the interim municipal councils offer a number of services for Kosovo Serbs, such as in distributing welfare, thus suggesting that new mechanisms should be in place to provide these services before these councils are dismantled. Kosovo speakers



Roundtable in Brussels, February 2015.

proposed the municipalities could offer these services. So far, only Mitrovica North is partially integrated. The other three municipalities in the north have Kosovo-elected mayors and assemblies but no administrations.

- Establish a working group on finding a solution for disbanding the interim municipal councils.
- Some speakers said that the management team on drafting the statute of the Association/Community could commence its work. A Kosovo speaker, however, said that it might not be legal for as long as Kosovo's Constitutional Court does not render a decision on the legality of the Association/Community.
- Belgrade and Pristina need to work together to build a fact-based narrative about the dialogue, pointing out its results rather than trying to undermine each other. Government officials in Belgrade and Pristina need to talk more about the benefits of the dialogue to the citizens. Prime ministers Isa Mustafa and Aleksandar Vučić should give substantive interviews to each other's media. Serbia's main negotiator Marko Đurić could also have a debate on Kosovo television. Conversely Kosovo's main negotiator, Edita Tahiri could give a lecture in Belgrade. Such communication would help the citizens to understand the complexities of the dialogue as well as the benefits. Using the facts in support of a positive narrative, the officials in these media and public exchanges could demonstrate that there are benefits from the dialogue, such as waving car insurance fees, freedom of movement, and integration of police in the north.
- The status issue reemerges from time to time and continues to remain an obstacle to the dialogue in Brussels and to the normalization process in general.

Participants concluded that the dialogue is not popular in Kosovo or Serbia. At the beginning the rationale for the dialogue was said to be "adjusting to reality," that Kosovo Serbs integrate into Kosovo's system, but it is increasingly dealing with more sensitive issues, such as telecommunications, energy, and in the near future will most likely deal with the status. Many said the opening of chapter 35 in Serbia's EU accession negotiations will bring new dynamics to the dialogue. Some reported that a "legally binding agreement" is a condition for successful completion of this chapter.

# **ESTABLISHING THE ASSOCIATION/COMMUNITY OF SERB-MAJORITY MUNICIPALITIES**

The formation of the Association/Community is the main thorny issue of the Brussels Agreement. Pristina insists that the Association/Community should have a supporting and coordinating role for the work of the Serb-majority municipalities but not take away their powers. In other words, it should not have executive powers. Belgrade and Kosovo Serbs argue that the Association/Community should become an umbrella organization with decision-making powers in areas of education, healthcare, privatization, economic development and spatial planning, and running of public companies. Under Kosovo law, these powers rest with municipal authority.

The formation of the Association/Community is directly linked with the dismantling of the Serbia-run parallel institutions, in which, according to Serbian officials, 5,085 persons are employed. They say Belgrade cannot dismantle the parallel system without first finding jobs for the majority of them. According to a number of speakers, Belgrade is no longer supporting the parallel system for political reasons, but for practical ones. Firing thousands of people overnight could create a backlash and signify a step backward in the integration process.

Serbian representatives said that the Association/Community could be accommodated within Kosovo's legal framework without constitutional amendments. They said that the objective of the Association/Community is to improve the political position of Kosovo Serbs. Kosovo representatives remain suspicious of Belgrade's objectives. Many said the real reason behind establishing the Association/Community is not the advancement of the Serb position but the undermining of Kosovo's system.

## **Main obstacles in forming the Association/Community**

CIG organized a roundtable in December 2014 in Budva, Montenegro, for government officials, political party representatives and members of civil society from Kosovo and Serbia. The participants listed a number of obstacles delaying the formation of the Association/Community. Many Kosovo speakers held Belgrade and the remaining parallel institutions in the north responsible for the delay in the implementation of the Brussels Agreement of which the Association/Community is a part. The Serb speakers argued that the delay is largely because it took Pristina six months to form the new government.

The Serb List is part of the governing coalition and has two ministerial and one deputy prime minister position but has conditioned its joining the coalition with a few requirements, one of them being that the Association/Community will be formed within the first five months. Many said that the Serb List should itself take more responsibilities now that it leads the Ministry of Local Government Administration.

There was consensus among the participants that the Brussels Agreement is not being implemented according to the foreseen deadlines. But while the Kosovo Albanian



Meeting in Berlin, April 2015.

participants blamed Belgrade, the newly elected mayors and the remaining parallel institutions in the north of Kosovo, such as so-called civilian defense and Serbian provisional municipal executive bodies, the Serb speakers said that Pristina has stalled the process by not being willing to make the necessary compromises to go forward with the implementation. The Association/Community was supposed to be established after the formation of the municipalities in the north. A year after the elections, the municipal administrations are not yet functional, and there is not even a statute for the Association/Community.

The municipalities are not functioning and do not offer full services yet. The formation of the Association/Community should not be difficult, but since the municipalities form the Association/Community they first need to be functional. A Kosovo speaker reported that the development fund for the north created as part of the Brussels Agreement has collected about 3 million euros, but the municipalities cannot use the funds until they are fully operational. In addition, Kosovo's government has offered 49 million euros for 2015 for the four municipalities in the north. The municipalities rejected the funds for "political reasons." The major municipal expenses are in education and health. However, the municipal authorities consider that the responsibility for these two sectors should lie with the Association/Community, not with the municipalities. Consequently, the current budgets adopted by the four municipalities amount to about 7 million euros.

A Serb speaker argued that the Association/Community should be a governmental body with solid competencies. He said that the Serbs in the north would not give up the remaining parallel institutions before the Association/Community is created and is vested with strong responsibilities. He added that Kosovo should amend its Constitution to accommodate the Association/Community. The Kosovo speakers rejected this and said that the Association/Community should be accommodated according to the Kosovo Constitution. "If it's so easy to change the Constitution, why doesn't Serbia change its own?" a speaker asked.

Kosovo has already given up too much in the dialogue, another Kosovo speaker said. He argued that many aspects of the Brussels Agreement are in contradiction to Kosovo's Constitution but Pristina agreed to it because of international pressure. The

creation of new layers of institutions does not improve the lives of the Serbs in Kosovo. "Serbs in Kosovo don't really care about creating new institutions while they see no improvement on the ground and become poorer by the day." Furthermore, the formation of the Association/Community is based on the principle of segregation and promotes divisions because it includes only the Serb-majority municipalities. Now there will be two Associations of municipalities, one of the Albanian-majority municipalities and one of the Serb-majority municipalities. "There is no other term for this but segregation," he said.

The main theme of the Brussels Agreement was the Association/Community of Serb-majority municipalities but to this date Pristina and Belgrade have not put forth any proposals, a Kosovo Serb speaker said. Belgrade does not seem to be working on it at all while Pristina formed a team of four people that has done nothing so far. He said that the Association/Community should be in charge of education and health, which currently are administered by Belgrade. However, according to Kosovo's laws these areas fall within municipal competencies. He concluded that the Association/Community would become a political body, not a non-governmental organization, such as the existing Kosovo Association of Municipalities.

Despite many dialogue sessions in Brussels and a number of agreements, the lives of the people have not improved, thus the perception that the dialogue is useless. And perceptions are important since they drive actions. "We all say that last year was a success in relations between Kosovo and Serbia but this success has not impacted the people," a speaker familiar with the implementation said. "Despite my continued criticism, I support the dialogue because it is the only mechanism to resolve the outstanding issues with Serbia," a Kosovo speaker said. However, he will not support it if the dialogue violates Kosovo's constitutional order. He reported that Kosovo's legislation acknowledges governmental and non-governmental bodies, thus there is no room for the Association/Community to become something in between.

Regarding the eventual unemployment of hundreds of employees from the overcrowded parallel institution, he suggested that Belgrade subsidize the people who will have to be laid off in the north. He was against the idea that the Association/Community delivers payments to these persons. He also said that the municipalities should be paying teachers and doctors. "It's risky for the Association/Community to have direct control over thousands of employees." The speaker said that the Association/Community would already have a stronger role than the existing minority councils in Serbia. Another speaker added that if Belgrade wants to show what it intends with the Association/Community, let it show by example, let it give the same rights to the Albanians in South Serbia and minority communities in other parts of Serbia.

Belgrade wants the Association/Community to become a third layer of government, a speaker said, adding that, "once you have control over financial issues, you are a government body." Decentralization should be sufficient to accommodate the Serbs in Kosovo. "The List has not had a single meeting with Kosovo Serbs. Its representatives always go to Belgrade for consultations. Consequently, the Association/Community will

not represent Kosovo Serbs but Belgrade.” He argued that the interests of Belgrade and the Kosovo Serbs are not always the same. This speaker asked to talk about all citizens of Kosovo not just the Serbs. “We talk about how to resolve unemployment among the Serbs but not among the other communities which have higher unemployment.” He added that even if Kosovo changes its laws and the constitution, “it will not improve the integration of Kosovo Serbs, but will simply legalize a Serbian mechanism of interference into Kosovo’s system.”

Answering the question why Serbs are against the Ahtisaari plan but in favor of the Brussels Agreement, a Serbian speaker said that the latter is status neutral. Another speaker, however, disagreed, saying the Agreement is based on Kosovo’s system and was an excuse for Belgrade to finally accept the Ahtisaari package. He added that the preconditions for the formation of the Association/Community are the removal of the parallel structures and the functioning of Kosovo’s legal system in the north. Despite many disagreements over the mandate of the Association/Community, there was broad agreement that the formation of the Association/Community and phasing out of the parallel structures should go hand in hand.

## **Association/Community and parallel system**

CIG organized a series of activities in February 2015 in Gracanica, Pristina, and Istanbul on the establishment of the Association/Community and on dismantling the civil protection (CP) in Kosovo’s north. While there was solid agreement on the dismantling of CP, participants differed diametrically on the Association/Community’s mandate.

Six of the fifteen points of the Brussels Agreement are about the establishment of the Association/Community. Though the Agreement has some ambiguity, Kosovo Albanian speakers say it clearly does not provide for any executive powers. But Kosovo Serbs and Belgrade speakers indicated that an Association/Community without significant powers is meaningless. Furthermore, the Serbs insist that the Association/Community is formed before they dismantle the parallel system and implement other agreements, including the one regarding courts in the north. The Kosovo Albanian speakers say that the Association/Community could be formed only after Serbia dismantles its parallel system in Kosovo.

## ***What Association/Community do Kosovo Serbs need?***

Participants in the roundtable in Gracanica included mayors of Serb-majority municipalities, members of Kosovo Serb parties, and Serb representatives of civil society. The participants were unanimous that the Association/Community should be a political organization with executive powers in education, healthcare, urban planning, and economic development. Some speakers added some form of taxation to this list—sales tax and VAT — currently a prerogative of Kosovo’s central and municipal institutions.

The major challenge of forming the Association/Community will be satisfying Kosovo Serbs’ and Belgrade’s expectations for a strong institution and Kosovo Albanians’

proposals for an institution with a coordinating role, as well as satisfying the six points of the Brussels Agreement on the Association/Community. Following are the main points from the Gracanica discussion.

- The Association/Community should have executive powers in the four areas included in the Brussels Agreement and should be funded by Belgrade. Pristina and the international community could contribute to its budget but would have no authority over spending.
- The Association/Community should serve as a forum to discuss and articulate Serb interests and represent the Serb community in Kosovo. As a forum for discussion, it would also contribute to political pluralism among Kosovo Serbs.
- The mayors of the Serb-majority municipalities should be included in the discussions on the Association/Community's draft statute since they will become its main representatives. Some of the mayors reported that neither Pristina nor Belgrade consults them.
- Education and healthcare systems serving Kosovo Serbs, including the Serbian curriculum and funding, should remain within the Serbian system and should be managed by the Association/Community, including the distribution of salaries. Some, however, said that giving a political organization too much power over education might be counterproductive.

### ***What Association/Community is possible according to the Brussels Agreement?***

Participants in the Pristina roundtable included members of Kosovo Albanian and Serb parties, members of parliament, senior government officials, and civil society representatives. Kosovo Albanian speakers maintained that the Association/Community will be formed according to Kosovo law, thus it will have no executive or supervising powers – only a coordinating role. They explained that the role of the Association/Community is simply to “overview,” the term used in the Brussels Agreement, the four areas. Kosovo Serb speakers, on the other hand, argued that the Association/Community should have executive powers in the four areas and also collect VAT and sales tax in the four municipalities in the north.

There is a mismatch of priorities as well – while Serbs want the formation of the Association/Community first, the Albanians want the dismantling of parallel institutions and the implementation of the justice agreement first, and only then can the formation of the Association/Community take place. As a compromise, some suggested the implementation of these agreements in parallel. Participants agreed that holding a Kosovo election in the north was a success but it is not sufficient if the municipalities are not functional and the rest of the Agreement is not implemented. Some reported that non-implementation was the main reason the EU had not opened negotiations with Serbia in January 2015.

The CP remains a thorny issue. The Kosovo government has devised a roadmap to employ its members in a number of its institutions. There is, however, a disagreement on numbers. Belgrade claims the force has 751 members while Pristina has offered positions for about 550, where 400 would be employed in several institutions, 50 will be employed within three years but be paid in the meantime by a contingency fund, and 100 would be hired through projects funded by the Development Fund for the north which so far has a budget of 5 million euros. Kosovo officials also state that 88 would be retired and 150 CP members are not Kosovo citizens.\*

A number of Albanian participants said that the Brussels Agreement is harmful to Kosovo and thus it should not be implemented and the dialogue should be stopped. A speaker said the dialogue is simply used as a tool to strengthen the government and weaken the opposition. Another speaker offered an example to illustrate why they believe Serbia benefits from the dialogue more than Kosovo. He reported that to drive to Serbia, he has to pay 130 euros in fees, remove his car license plates, and get a temporary paper plate with a Serbian flag on it. Serbs, on the other hand, pay only 20 euros to enter Kosovo, and they don't need to change car license plates and can use their IDs. A number of Albanian speakers said that Pristina should become tougher, including the application of reciprocity measures.

There was broad consensus that the Association/Community could play an integrating role if politicians were not too much involved in its formation and later in its management. The Albanian speakers said that it should be formed and run by the Kosovo Serbs, and not by Belgrade. The Serb speakers, however, said that Belgrade not only should be involved in forming but also in funding it. A group of speakers said that neither Belgrade nor Pristina care much about the Association/Community or the Serbs in Kosovo; they are simply using it to score "patriotic points."

### ***How to dismantle the civilian protection units and form the Association/Community?***

Participants in the Istanbul workshop included analysts, government advisors, and civil society representatives from Kosovo and Serbia. They addressed ways to dismantle CP and establish the Association/Community. There was broad agreement that CP should be dismantled and its members integrated into adequate Kosovo institutions. Regarding the Association/Community, participants widely differed on its mandate.

#### ***Dismantle civil protection***

The Brussels Agreement states that members of parallel security structures in the north should be integrated into Kosovo's equivalent institutions. The parallel police force has already been integrated into the Kosovo Police. Unlike members of the police, the CP members are offered positions in about 15 Kosovo civilian institutions. Kosovo

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\* Since the roundtable, Pristina and Belgrade have reached an agreement that foresees the employment of 483 CP members.

representatives reported that Belgrade claims that the CP has over 751 members. Pristina has offered jobs for about 550 members. Bargaining over the numbers will continue. The remaining members should be accommodated through the allocation of other funds. The participants agreed on the following points:

- Employ CP members in Kosovo's institutions. Belgrade should submit the list of CP members in the north and offer proof that they have not been added to these lists at the last minute.
- Align the professional backgrounds of CP members to the new jobs offered to them. Trainings should be offered when necessary.
- Employ the remaining members through the allocation of other funds. The Development Fund for the North could be used to create jobs for some of the members that cannot be integrated into Kosovo institutions. Belgrade could also provide funds to the Development Fund or other sources but it should not insist on paying salaries directly.
- Belgrade should take the CP in Kosovo out of its legislation. The CP is currently an institution within Serbia's Ministry of Defense. The integration of CP should, however, take place even if Belgrade refuses to change its law.
- Pristina and Belgrade should not use the existence of CP as an excuse to prolong the implementation of other points of the Agreement.

### *Establish the Association/Community*

Six of the fifteen points of the Belgrade-Pristina April 2013 Agreement are dedicated to the Association/Community. Pristina and Belgrade have offered different and often conflicting interpretations of these points while the international community is so far not willing to provide any clarifications regarding the Agreement. As a result, uncertainties persist. The word "overview" is the most ambiguous. The phrase "the Association/Community will have full overview over" is not quite clear even in English. One could "give" or "offer" an overview, but not "have overview." The same goes for the Albanian translation of overview, "vështrim." One cannot have "vështrim;" one can offer *vështrim*. The Serbian translation "*nadležnost*" (competence) is closer to the Serbian interpretation of the mandate of the Association/Community but it is not a correct translation of "overview." "*Pregled*" is a more accurate translation. As seen from the following points, the participants widely differed on the mandate of the Association/Community:

- Albanian participants strongly rejected any executive powers for the Association/Community. They said the six points of the Brussels Agreement are the basis of its mandate. Serb participants, on the other hand, said the Association/Community should have substantial executive powers, including its own budget and staff.
- Serb participants said that the responsibilities of the Association/Community should also include privatization of public companies in Serb-majority municipalities. Albanian speakers said the six points of the Brussels Agreement concerning the Association/Community should not be re-negotiated, thus the Association/Community can have a monitoring role in the agreed upon areas.

- Albanian speakers said that Belgrade could offer financial support to the Association/Community through the Development Fund for the North or through some other source, but it cannot pay the salaries of the Association/Community's employees. They argued that the Association/Community will become a Kosovo institution and its staff members are considered Kosovo public employees, which, according to Kosovo law, cannot receive salaries from another state. Serb speakers were adamantly against Pristina's financial control over the Association/Community.
- Education and healthcare remain thorny issues. Mayors in the north and Belgrade want the education and healthcare to be run by the Association/Community. Kosovo's government says these are under municipal management. As a result, the Albanian participants suggested that the municipalities should accept the budgets provided by Pristina but not use the portion of funds dedicated to education and healthcare until the Association/Community is formed. The Serb speakers, however, disagreed. They said such funds should not be included in the budget until the Association/Community is formed.

## INTEGRATION OF KOSOVO'S NORTH AND SERB POLITICAL PARTICIPATION

### Establishing local institutions

Kosovo's government and representatives of the four Serb-majority municipalities in the north have been locked in a complex struggle over the establishment of the municipal institutions. Pristina insists that the municipalities should be established according to Kosovo law, while the Serb representatives demand that the north remains autonomous and that the municipal institutions remain status neutral. To address these irreconcilable positions, CIG organized in May 2014, in Pristina, a roundtable discussion for several representatives of Kosovo political parties, officials of the Serb-majority municipalities, and members of civil society.

Representatives of the four municipalities in the north argue that the Brussels Agreement calls for neutral institutions in the north. They agree to implement Kosovo's laws—as was



Workshop in Gracanica, February 2015.

their participation in Kosovo's elections—but without referring to them and using Serbian symbols, including municipal stamps. Kosovo government representatives believe that the Brussels Agreement is clear about what laws need to be applied. The election was held according to Kosovo's laws and the municipalities should be established according to such laws. They say it is political will that is lacking, not clarity of the Agreement. They also blame Belgrade officials for encouraging the Serbs in the north to resist the formation of municipalities.

Some representatives from the north said that they need more time for the transition, without defining how this transition period should be structured. But the reason given for the need of a longer transitional period was first and foremost the strong resistance of the population to integration. This resistance should be addressed without pressure, without deadlines, a speaker said. He suggested that first new jobs should be created and some development projects should be implemented to show people the benefits of integration. However, another speaker said that this “transition of minds and hearts” will take longer and it should not be linked to the technical processes, such as municipal statutes. “Statutes have to be created now, we cannot wait until people change their minds.” He added that, “we cannot ask for more time when we already are behind the schedule foreseen in the Agreement.”

A speaker said that the mayors of the Serb-majority municipalities in the south should encourage mayors in the north to establish their institutions. The mayors of the municipalities in the north should sit down with the Serbs from the south and see how the integration was accomplished there. The speaker said that the north should take advantage of the opportunities and attention given to them by Pristina, the international community, and by Belgrade now. She added that from her own experience in the south, this attention disappears fast and then “you can never bring it back.”

There are also some success stories. The Serbian police officers have successfully integrated into Kosovo's police force. Many believed that was the most sensitive issue that would be resolved last. The Serbian police were the strongest defenders of the Serbian system but now wear Kosovo's symbols and no incidents have been reported.

Though the issues of municipal statues and symbols have taken up a substantial amount of time in the past months, the participants said there are a number of even more complicated challenges that lie ahead: offering services to the population, including the issuance of Kosovo documents; the formation of the Association/Community; and the issuance of car license plates. The participants concluded the meeting with the following points:

- *The experience in the south municipalities could be of service to the municipalities in the north.* Though Serb representatives in the Serb-majority municipalities in the south do not recognize the state of Kosovo nor do they have Kosovo's symbols in their offices, they have found some acceptable models to establish institutions and make them operational. This includes issuing documents, collecting taxes, and implementing development projects. Serb representatives from the south said they also did not like the solutions that led to integration, but they had allowed them to

organize their life institutionally.

- *Belgrade should be involved in clarifying the Brussels Agreement.* Belgrade has remained on the sidelines during the ongoing dispute over municipal statutes and symbols between Pristina and Serbs in the north. A number of Kosovo representatives and international officials believe that Belgrade is behind the Serb resistance. Belgrade should get involved in clarifying to the Serbs in the north what was agreed upon in Brussels.
- *Municipalities should provide services.* More than six months have passed since the elections and the municipalities have not been formed yet, largely because of disputes on statutes and symbols. Voters have not begun to receive their services from the institutions they voted for. Many expect the most contentious issue will be issuance of Kosovo documents.

## Serb Engagement in Kosovo's Politics

CIG organized in June 2014 in Belgrade a roundtable for representatives of Kosovo Serb parties, Serbian parties, Serbian government officials, and a number of Serb analysts to address the role of the newly elected Kosovo Serbs in Kosovo's central institutions. Kosovo Serbs in the north took part in Kosovo's parliamentary elections for the first time since Kosovo declared independence in 2008. Under the current legislative framework, Kosovo Serbs are guaranteed 10 seats in parliament and are entitled to lead two ministries, if Kosovo's government has more than 12 ministries. The last government had 19 ministries. If the number is less than 12, the Kosovo Serbs are entitled to one ministerial position. The Serb List won nine of the 10 guaranteed seats in the June elections and also includes some members of the Independent Liberal Party, which was part of the government in the last mandate.

The Serb List has the support of the Serbian government and is expected to act in close coordination with Belgrade. Some see this support as a contribution to better advance Kosovo Serb interests. However, a number of speakers said that they fear Belgrade would encourage the new parliamentarians to pursue Serbian state interests to "primarily undermine and defy the institutions of Kosovo" and only secondarily to deal with issues of concern for Kosovo Serbs. Furthermore, they are concerned that "constant clashes in the institutions would increase the overall tensions between Serbs and Albanians,



Roundtable in Belgrade, June 2014.

eclipsing the real issues and make the Serbs look like troublemakers.” Kosovo Albanian parties view the Serb List with suspicion and many call it a “Trojan Horse.” In that sense, the majority of the speakers said that the “battle” over national issues should be fought by Belgrade, while Kosovo Serb political representatives should deal exclusively with the issues of the Serb community in Kosovo.

Belgrade’s declared objective has always been to strengthen the Serb community in Kosovo and the Brussels dialogue has been mainly about the interests of the Kosovo Serbs, a speaker said. Belgrade will continue the dialogue with Pristina on the issues of telecommunications, energy, and judiciary in the north with the main objective of improving the lives of the Serbs in Kosovo, a speaker familiar with Belgrade’s policy toward Kosovo said. He confirmed that Belgrade would not reduce its political and financial support for the Kosovo Serbs. Regarding the recent incidents following the construction of a park on a bridge in Mitrovica, the speaker blamed Pristina and the international community for exaggerating the issue. “It’s not understandable why Washington and Brussels are talking about the park as if it was the main problem in Kosovo.” He said that the Serb List will act as a unified actor in Kosovo’s institutions and would set a number of objectives to meet during its mandate. He suggested that it would also have a tougher stance than the previous Serb groups in Kosovo’s institutions.

Belgrade’s management of the Serb List was considered by a number of Kosovo Serb speakers as a step backwards in the process of democratization within the Serb community in Kosovo. The Kosovo Serbs had formed a number of political parties independently, were developing capacities for democratic campaigning, ran competitively in the election process and, although in separate lists, had managed to forge effective cooperation in parliament. After all this progress, the Serb List in a few weeks undermined the entire progress of the past years, a speaker said.

The major complaint was that the Serb List is an extension of the Movement of Socialists, a tiny Serbian party led by former Serbian minister for Kosovo Aleksandar Vulin, with five out of nine Serb List members of parliament also being members of this party. Regarding the voting in the north of Kosovo, some speakers said it was a complete fraud. “Voters voted for those whom Belgrade had decided to elect. Essentially these people were not elected; they were appointed.” The speaker added that the voting of refugees in Serbia was “catastrophic.” “One person filled out over 10 thousand ballots with the same pen, giving the votes to five people only, all in Vulin’s party.”

Some speakers said that a united Serb election list may be desirable in the current context, but they complained about Belgrade’s “micromanagement” of every aspect of the campaign, including compiling the candidates’ list without considering any “democratic criteria.” “It is good to have a joint list, but we need to also define what objectives bring us together and whether people on the list can contribute to accomplishing such objectives. An ethnic list is not enough to improve the lives of the Serb community. Professionals are needed in this regard,” a speaker argued. He added that there is no guarantee that the 10 elected Kosovo Serb members of parliament will follow joint goals and will be able

to achieve much, given that most of them lack experience in politics and in dealing with Kosovo's institutions. Furthermore, this group of people is not united by anything other than ethnicity. They have no apparent joint objectives or a strategy to achieve them. As such, the Serb List does not represent an authentic Kosovo Serb force, which has been the objective of many Kosovo Serbs over the years.

A number of Kosovo Serb speakers suggested to officials in Belgrade not to use this group of people for their own narrow interests. "Don't push them to fight with Kosovo Albanians; encourage them to establish cooperation and act as a unified force to resolve the many problems accumulated over the years." The speakers argued that cooperation is the better option, given that the Kosovo Albanians have the absolute majority and can pass and implement any legislation, except for changing the constitution, without the Kosovo Serbs. The Kosovo Serb members of parliament and those running the two ministries should insist on the full implementation of the Ahtisaari package laws relevant to the Serb community in Kosovo. A speaker reported that the Kosovo Albanians have been very reluctant to implement these laws and "are happy when Kosovo Serbs reject the plan." Even when Kosovo Serb interests are translated into legislation, they rarely get fully implemented. This is partly caused by the Kosovo Serbs' insufficient political engagement.

Belgrade should refrain from actions that attract attention and do not resolve the problems but simply eclipse the real issues, a number of speakers argued. One such action was the construction of a park on the bridge in Mitrovica. "The park is a childish game. Parks on bridges make no sense and don't exist anywhere in the world. This game benefits nobody, not even the authors of this game," a speaker said.

Another speaker said that Belgrade's message is contradictory: it asked the Kosovo Serbs to take part in Kosovo's elections with Kosovo's symbols, but now asks the elected Kosovo Serbs to refuse to establish municipalities because of Kosovo's symbols. "We are confused; we don't know what to expect from Belgrade. It hasn't had a consistent policy for a long time now." A speaker said that politicians are constantly creating ghettos instead of advancing integration.

## **The north's integration and normalization of relations**

CiG organized in June 2014 in Istanbul, Turkey, a roundtable for political party and civil society representatives from Kosovo and Serbia. The discussion addressed the establishment of local institutions in Kosovo's north and the normalization of relations between Pristina and Belgrade. Implementation of the Agreement is lagging behind because nobody seems to be in a rush, an analyst said. Furthermore, the transfer of power from one set of institutions to another is complicated, even when it takes place between institutions that are friendly to each other.

Participants reported a number of political and technical obstacles. Technical problems are similar to the ones that other Serb-majority municipalities in Kosovo's south faced during their formation, but political problems are more complex. This stems from the fact that the formation of the municipalities in the north is based on an agreement driven by

the national interests of Serbia and Kosovo rather than by the need to resolve the dispute over the north and normalize the situation on the ground.

A speaker said that the Brussels Agreement was a result of Serbia's ambitions to make progress toward the EU, and the pace of the implementation will be dependent and connected to the pace of Serbia's progress toward membership. "Belgrade will take some positive steps when it is close to getting something from Brussels, such as the candidate status or a date for negotiations." Another speaker noted that the mayors in the north are not the problem, adding that "the mayors are doing everything they are asked to do; they are not in a position to defy Belgrade." He concluded that the source of the problem as well as the solution is in Belgrade and that the international community should increase pressure on Belgrade to respect the deadlines of the Brussels Agreement.

A speaker familiar with the technical aspects of the formation of the municipalities reported weak results on the implementation. He said that the north municipalities use only about seven percent of their budgets, an increase from two percent from the previous month. The hurdles for getting their budgets, such as adoption of municipal statues and symbols, have been eliminated but the mayors remain reluctant to receive funds from Kosovo's institutions. He reported that the mayors are taking very small, cautious steps toward integration. "Small enough not to be seen as accepting Kosovo's institutions and big enough not to violate the law explicitly and go to another local election."

Even some small steps are non-existent. "Kosovo municipalities do not function at all, we all know it, and not a single local service is provided by them." However, it was reported that the services continue to be provided by the Serbian institutions. The speaker added that the parliamentary elections were irregular, that "they were manipulated by Serbian officials." He added that the northern mayors and other elected officials do not care about their citizens simply because they are not their electorate. These officials were selected by Serbia and they see the Serbian government as their primary constituency, responding only to orders from Belgrade. He said that the international community should be tougher with Belgrade and the local officials in the north. He reported that the local assemblies are not functioning either. "Local assemblies do not hold sessions." There is no communication between the mayors and the citizens. The citizens do not know what the mayors are responsible for.

A number of speakers argued that the reason for weak results in the north is the lack of clarity of the Brussels Agreement. But another speaker said that the Brussels Agreement is very clear; "it is unclear only for those who do not like it." He added that the reason the municipalities are not functioning is because those in charge do not want them to function, and not because it is not clear how to form them. "We keep lying to each other, sign agreements, and years later we do not have even the basic elements, such as the municipal statutes," a speaker said. He blamed Belgrade for the lack of progress in the north but also blamed Pristina for being reluctant to implement many aspects of the Ahtisaari plan. He noted that, from his experience in the south, the formation of the municipalities is a political issue, not a technical one. "Technical issues can be resolved

in a day.” He suggested that Serbs draft a statute for the Association/Community,, clarify its responsibilities, and identify the sources of funding. He added that Pristina should also give more responsibilities and funds to the north municipalities, and also that the mayors in the north need to know and accept that they are Kosovo mayors.

The participants concluded that the mayors in the north should nominate their municipal directors, complete the remaining administrative tasks to receive their budgets, form the municipal administration, resolve remaining symbols’ issues, put together a development strategy, and begin to implement projects.

## **Policy recommendations for Kosovo Serb representatives**

CIG organized in September 2014 a workshop in Aranđelovac and a roundtable in Belgrade for a number of Serb representatives. The roundtable participants reviewed, discussed and contributed to the recommendations developed in Aranđelovac and agreed to support them:

### *Active role in the formation of the government*

- a. Define strategic goals for joining the ruling coalition.
- b. Represent the Serb community’s interests during the negotiations on forming the government.
- c. Serb members in Kosovo’s Parliament should also deal with other issues of public importance.

### *Selection of representatives of the Serb community at all levels of government is crucial*

- a. Representatives with political experience and credibility should be appointed as members of government.
- b. More experts should be appointed at local and central levels to support the work of Serb representatives. Whenever possible Kosovo Serbs should be hired for these positions.
- c. Promoting gender equality and regional representation in electing representatives is important.
- d. Build better relations with the majority and other communities to improve coexistence in Kosovo.

### *Continuation of the Brussels dialogue*

- a. Serb representatives in the parliament, government, and other institutions in Kosovo should actively promote reconciliation and coexistence and use their influence in defining topics in the Brussels dialogue.
- b. Solving problems in education and healthcare systems is a priority (e.g., recognition of diplomas of the university in Mitrovica).
- c. Securing complete freedom of movement (car license plates, insurance fees, personal documents, etc.).

### *Economic development*

- a. Full participation of representatives of local authorities in privatization and engagement of representatives of the Serb community in parliament in initiating discussions examining this process.
- b. Creating and strengthening the business infrastructure to raise the level of competitiveness.
- c. Lowering taxes and burdens that weaken competitiveness and ensure more efficient implementation of the CEFTA agreement.
- d. Removing trade barriers such as monopolies that have taken over imports.
- e. Enabling re-registration of the business entities registered in the Business Registry Agency of the Republic of Serbia in the Commercial Register of Kosovo through a facilitated procedure.

### **Serb engagement in central institutions**

The perception that Serb participation in Kosovo's institutions is tantamount to recognition of Kosovo's independence deterred the Serb community from voting in Kosovo's elections and the Serbian government from supporting it after Kosovo declared independence in 2008. This all changed after the Pristina-Belgrade agreement was reached in Brussels in April 2013. In line with the agreement and encouraged by Belgrade, the Serbs in Kosovo's north voted in solid numbers for the first time since the declaration of independence in Kosovo's parliamentary elections held in June 2014. Many expect a complex relationship between Albanian parties and the Serb List in the coalition government, given that the List does not recognize Kosovo's independence and by extension its institutions. Many wonder what role the Serb List would assume: a pragmatic or defiant role.

To address the role of the Serbs in Kosovo's institutions, CIG organized in September 2014 in Pristina a roundtable for several Kosovo political and civil society representatives. The speakers listed a number of issues that included education, particularly the legalization of the university in Mitrovica; healthcare, especially in working on a legal framework for the Serb clinics in Kosovo; privatization of companies in Serb-majority areas to provide benefits from the process to the local population; and agriculture aiming to increase production capacities and ensure access for the Serbs to Kosovo's local markets.

Serb cooperation with the majority community is key to a successful performance in the institutions and improvement of the lives of Kosovo Serbs, a number of speakers noted. Many Serb participants were concerned about the insufficient parliamentary experience of the Serb representatives. Furthermore, they also lack election legitimacy since "they were elected by individuals that stuffed the ballot boxes in Belgrade," some speaker alleged. As a result, many expected that Belgrade would continue to negotiate with Kosovo's institutions on behalf of the Kosovo Serbs.

Kosovo's institutions should begin a dialogue with Kosovo Serbs on issues of economic development, agriculture, education, and employment, an opposition speaker recommended. He said that the Albanian opposition parties are committed to launching

a substantive dialogue with the Serbs but “the Serbs are not yet ready to do it on their own, preferring Belgrade to negotiate on their behalf.” Some speakers said that there is a risk that the new representatives would be seen as an extended hand of Belgrade and consequently not be taken seriously by the Albanian leadership. A number of speakers blamed the international community for allowing the alleged vote theft that enabled the election of a number of “pre-determined candidates.” Some said that most of the candidates were “appointed rather than elected.”

The legitimacy of the Serb representatives is an “intra-Serb issue,” a number of Albanian speakers said. The Albanians should not question the legitimacy of the Serb representatives. “This is what we have, and we have to work with what we have.” After all, a large number of Albanian representatives in the last election were a result of “industrial theft” of the 2010 elections. He added that leadership’s authenticity is overestimated. The Serbs had authentic representatives in the past but were not able to do much. The speaker noted that the Serbs in Kosovo have the right to consult with Belgrade, just as “Albanians have the right to consult with Tirana.”

The direct dialogue between Pristina and Kosovo Serbs may be more difficult than the EU-facilitated high-level talks, because it would be genuine, “not a farce like the Brussels one,” a speaker said. The Brussels dialogue gave substantial space to Belgrade but ignored the Kosovo Serbs, who still have no solutions for even basic services such as healthcare and education. Extra competencies for the municipalities in the north will not improve the lives of the Serbs there; what they need is professional and competent municipalities. He added that the dialogue with Serbs should focus on non-ethnic policies rather than on ethnic politics.

Though Kosovo’s new institutions have still not been formed four months after the elections and the new Serb representatives have not had the opportunity to engage in central politics, the majority of the interlocutors said they should establish good cooperation with their Albanian colleagues and suggested for them to immediately begin addressing issues of education, healthcare, and privatization in Serb-majority areas. None of these issues can be resolved without substantive cooperation with Pristina. Many Albanian and Serb participants believe that the participation of all Kosovo Serbs in Kosovo’s political life — as part of the institutions and by voting in elections - will help resolve issues at the local level.

## **PARLIAMENTARY COOPERATION**

While it is the executive branch’s responsibility to negotiate agreements, parliamentarians have an important role in oversight and in the implementation of the agreements through adopting necessary laws. In this context, cooperation between the parliamentarians of Kosovo and Serbia is invaluable given that they are expected to adopt new laws to make the implementation of agreements possible. It would not only begin a new institutional cooperation but also would complement the efforts of the governments in Pristina and Belgrade in the process of normalizing relations and consolidate the gains achieved so far.

In December 2014, CIG organized in Pristina the first roundtable for members of the parliaments of Kosovo and Serbia. For a number of MPs from Belgrade this was their first visit to Kosovo. The objective of the meeting was to contribute to the normalization of relations between Kosovo and Serbia and between Albanian and Serb societies. The majority of the speakers supported the continuation of the dialogue and also suggested that dialogue and cooperation should be extended to other areas in order to achieve normalization of relations. CIG's objective is to transform institutional cooperation between Pristina and Belgrade from 'historic' to 'business as usual.' These meetings should be taking place in Kosovo and Serbia only, not in a third country.

Participants included representatives of Kosovo's Democratic Party of Kosovo (PDK), the Democratic League of Kosovo (LDK), the Self-Determination Movement (LVV), the Alliance for the Future of Kosovo (AAK), the Serb List, and Serbia's Serbian Progressive Party (SNS), the Socialist Party of Serbia (SPS), the Democratic Party (DS), the Social Democratic Party (SDS), and the League of Social Democrats of Vojvodina (LSV).\*

The dialogue must become more transparent and communication between governments and societies must be increased. The dialogue should also include the media, business, sport, and others so as to improve relations between the societies in all sectors. Regarding the role of parliaments in the dialogue, the speakers complained that they were sidelined in the process. Kosovo's prime minister reported a few times in the parliament, but some said the detailed information was withheld. In the Serbian parliament even formal reporting did not happen. "I cannot support something that I have no information about," a speaker said.

The speakers said that they should become more active in offering advice and ideas, supervising and monitoring the government and the implementation of the agreements, and asking for more detailed information on the dialogue process. The idea of each parliament setting up committees to follow up on various issues of the agreement was mentioned. A speaker said that they should undertake some joint initiatives, as "in difficult times it is easier to resolve problems together." Another speaker said that the parliaments should create a mechanism to supervise the dialogue in Brussels. Although a speaker supported the idea of having a common monitoring mechanism between the two parliaments, most thought it would be impossible at this stage. However, meetings such as the ones organized by CIG should continue and provide for the exchange of information in this regard.

The Brussels dialogue under the auspices of the EU will continue but the participants were skeptical that the EU officials will be as involved as before in light of the new conflicts in Europe and beyond. In this context, they said bilateral cooperation between Belgrade and Pristina is essential in "moving things faster."

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\* In 2015, members of the Serbian parliament representing the Party for Democratic Action and the Preokret Movement joined the discussions.

Some of the areas in which parliaments could promote cooperation are education, healthcare, missing persons, environment, media, culture, security, combatting organized crime, unemployment, European integration, and economic development. Cooperation on such issues would benefit both societies equally.

## Normalization without recognition

In April 2015, in Belgrade, CIG organized the second roundtable for members of parliaments of Serbia and Kosovo. A deputy speaker of the Swiss Parliament also attended the discussions. For many of the participants from Pristina this was their first trip to Belgrade.



Left to right: Branko Ružić, Dejan Radenković, Zenun Pajaziti, Krstimir Pantić and Armend Zemaj.

The status dispute remains the major obstacle in substantial normalization of relations between Serbia and Kosovo. This was also reflected in the discussions. Almost all Kosovo participants said that the normalization of relations has been difficult for so long because Belgrade does not recognize Kosovo's independence. "You can't build normal relations with a neighbor that claims your house. First the neighbor needs to recognize your right to the house and then we can become friends," a participant said.

The Serbian participants said Kosovo's recognition by Serbia is not going to happen, at least not anytime soon. Given this dilemma, the majority of the speakers favored the existing approach of normalization, one step at a time, and first dealing with areas where agreements are possible, rather than stop the dialogue altogether until Serbia recognizes Kosovo. Unlike in other meetings with the usual CIG participants, the parliamentarians, however, insisted on referring to Kosovo as either "the Republic of Kosovo," or respectively as "Kosovo and Metohija."

Members of parliaments should contribute to promoting reconciliation and tolerance between the two societies. Many speakers noted that relations between their societies are determined by their difficult past and by prejudices and negative opinions of the other. Even the generation born after the war is negatively biased against Kosovars or Serbs. This is not based on its own experiences but on the narratives. This topic needs to be addressed and parliamentarians could contribute to the discussion, given their closer links to the peoples, by initiating changes in education, especially in history textbooks, organizing cultural interactions between students and promoting an overall campaign of tolerance. Both societies need to recognize what happened, assume their share of responsibility



Roundtable in Belgrade, April 2015.

and take steps to bring justice to the victims. “Otherwise, our kids will hear only stories of hatred, that crimes in our region go unpunished and grow up to hate each other.”

As much as the Brussels dialogue has been a useful instrument in upsetting the status quo, especially in Kosovo’s north, implementation of some of the agreements has not necessarily translated into the normalization of relations. Some in Kosovo and Serbia question the results of the dialogue even though they support it as an instrument to normalize relations.

“Border crossings between Kosovo and Serbia are the worst in Europe,” said a participant. “The time it takes the police to go through travel documents, replacing Kosovo car license plates with temporary Serbian ones, and high auto insurance fees (Kosovo cars have to pay about 135 euros valid for one month while Serbian drivers pay about 20 euros valid for two weeks) are not only a burden to your pocketbook but also create a sense that you are entering into enemy territory.” The parliamentarians called on Belgrade and Pristina to ease the crossing procedures and eliminate the insurance fees. Some speakers said that the insurance fee benefits insurance companies both in Serbia and Kosovo that continue to “rob regular citizens legally.” They also supported an agreement on free telephone roaming and an overall agreement on telecommunications. Confronted directly with these hurdles on their way to the meeting in Belgrade and having to wait for about three hours at the border because of misunderstandings related to logistics, Kosovo members of parliaments said that the Brussels Agreement on freedom of movement is not adequate and should be renegotiated. Alternatively, some said, Pristina should apply reciprocal measures.

There are many non-political issues where Belgrade and Pristina could make significant progress. A Serb speaker suggested that Kosovo mayors could create better conditions for the return of Kosovo Serb refugees; Pristina should respect the employment quota for minority communities; and the language law should be better implemented. Such issues are not related to status, but rather with the rule of law in Kosovo.



Left to right: Ilir Deda, Ganimete Musliu and Vladimir Orlić.

“Missing persons” is another issue that could have already been resolved if more political will existed. A Kosovo speaker said that just last week the remains of 28 missing persons were buried in her village, and 16 more remain missing. “Until we shed light on the past, it will keep haunting us. We can’t have normal relations when fifteen years after the war we are still burying people.” There are still around 1,700 missing persons in Kosovo, about whom 400 are Serbs.

The narrative on missing persons is also divided along ethnic lines. There are two memorials honoring the missing, one in Pristina for the Albanians and one in Gracanica for the Serbs. In public discourse, only the missing persons from one’s own community are mentioned. Kosovo’s parliament passed a resolution last year requesting for the dialogue with Belgrade to be conditioned with the finding of the missing persons, but, as a speaker said, Belgrade can certainly not find missing Serbs, and thus conditioning would only have made sense if Pristina had done its part in finding the Serbs.” Another speaker said that, “it is hypocritical that Albanians demand that Belgrade find the missing persons from their own community but make no such demands for their government to find the missing Serbs. It is equally hypocritical that Serbs demand that Pristina find the missing Serbs but make no such demands for their government to find the missing Albanians.”

Serbian and Kosovo parliamentarians should form a group of “Friends of Normalization,” a speaker suggested. The majority of participants supported this recommendation, but some said the group would not be able to function for as long as Serbia’s parliament doesn’t recognize Kosovo’s parliament as an institution of an independent country. “Such groups can exist only between equals. If Serbian parliamentarians can consider us as equals, then we can form the group.” Though such recognition is not likely to come from the Serbian parliamentarians, a Serb speaker said that the group could aid in easing tensions and build momentum for new initiatives. The group should conduct dialogues, not negotiations.



Left to right: Dejan Radenković, Teuta Haxhiu, Slobodan Petrović, Blerta Deliu Kodra, Janko Veselinović and Sadri Ferati.

## **Group for Cooperation**

In June 2015 in Pristina, CIG organized the third roundtable for members of parliaments of Kosovo and Serbia. In this meeting, the overwhelming majority of participants agreed to institutionalize this parliamentary cooperation through transforming these CIG roundtables into an informal mechanism named “the Group for Cooperation.” By establishing the group, members of both parliaments committed themselves to support the normalization of relations between the two societies and to contribute to the implementation of the Brussels Agreement. As one participant said, “normalization delayed is normalization denied.”

The participants recommended that the Group for Cooperation meet about four times a year and address practical issues in which their official capacities allow them to contribute the most. In addition, they will intensify their engagement in the normalization of relations, particularly in advocating for certain agreements, shaping public debates in their own societies, and improving their publics’ perceptions of one another.

The speakers reported considerable progress in the level and quality of communication between members of the two parliaments. “Until recently, the debates focused on symbolism, where we spent hours bickering over Republic of Kosovo or Kosovo and Metohija. We have passed such hurdles now and are addressing real issues.” Despite considerable progress, many said that the international community should continue to lead the process but added that the willingness of Pristina and Belgrade to assume a larger share of responsibility in the process is growing.

## **Recognition of university diplomas**

The Group for Cooperation addressed the issue of university diploma recognition. In 2011, Pristina and Belgrade reached an agreement for the recognition of diplomas as part of the Brussels dialogue. According to the agreement, the European University Association (EUA), a Brussels-based institution representing universities in 47 countries, through the

contracting agency, Spark, would certify diplomas issued by universities in Kosovo and Serbia so that they are recognized in both Serbia and Kosovo.

According to education policies in Serbia and Kosovo, the ultimate body competent for the recognition of diplomas is the university to which the student applies. Each university adopts its own rules that regulate the recognition procedure. There are no clear and harmonized criteria and the process is still being carried out as a “nostrification” rather than a “recognition” procedure. Nostrification is a procedure focused more on the comparison of the program of the foreign higher education institutions than on learning outcomes. If there are significant differences in the courses, the applicant might be required to take and pass additional exams. Students can apply to universities for recognition after they receive a certificate from the EUA, but recognition and nostrification of diplomas is at the discretion of the universities.

Though the EUA had certified 433 diplomas from Kosovo and Serbia, Belgrade has recognized only 15, while Pristina has not recognized any. A Kosovo government representative said that Kosovo has not been able to do so because it lacks administrative directives to regulate the process. However, other Kosovo officials have admitted that non-recognition was also a response to Serbia’s introduction of additional hurdles to the Kosovo applicants whose diplomas were recognized. Reportedly, Serbia instituted additional steps in the recognition process not foreseen by the agreement. Furthermore, in May 2015 Serbia’s Constitutional Court ruled that the agreement on the recognition of Kosovo’s diplomas was unconstitutional. The Serbian government, however, has found a way to circumvent this ruling by issuing a new decree enabling recognition.

The recognition and nostrification procedure is complicated, long, and expensive. It is reported that it can last as long as two years and cost up to 300 euros, mostly in document translation and university administrative fees. These complicated procedures in Serbia and Kosovo apply to all students with foreign degrees.

The university in Mitrovica was not included in the 2011 agreement. The overwhelming majority of Kosovo Serbs obtain diplomas from that university, which is not recognized by



Roundtable in Pristina, December 2014.

Pristina. Consequently, graduates of the university in Mitrovica cannot work in Kosovo's central or local institutions. The roundtable participants said that a separate agreement on the university in Mitrovica is needed. Kosovo's government is putting together a proposal for a temporary solution, which would not include recognition of the university but would recognize its diplomas thus allowing its graduates to be employed in Kosovo's public institutions. A commission would issue the necessary certificates to the graduates of the university in Mitrovica who then would be able to work in Kosovo's institutions. Kosovo government officials say the commission will begin its work by November 2015. The plan, however, will have to be approved by Kosovo's parliament.

The participants suggested that the European Union, as the facilitator of the implementation, should intervene to break the deadlock. The members of parliaments said that Kosovo's and Serbia's Ministries of Education should submit reports on the recognition of diplomas to their parliaments explaining why the process has stalled. Ministries of Education of Kosovo and Serbia should cooperate directly to eliminate technical obstacles to the process. They should centralize the process of diploma recognition and develop appropriate procedures to regulate and expedite the process. Parliamentary committees of Serbia and Kosovo should request a report from the European Union asking whether the contracting agency, Spark, can continue to help with the process or ask if they should contract another organization to mediate with the EUA. Spark's contract with the EUA has expired. Parliamentarians should also look into the possibility of drafting up their own proposals to resume the process.

Two members from each parliament agreed to lead the follow-up with their governments and parliaments and report their findings at the next meeting of the Group for Cooperation. During the fall of 2015, at the initiative of these parliamentarians debates on the issue were held at the education committee meetings of both parliaments. Questions were posed to ministers of education and consultations were held with universities. The Group is planning to revisit this issue at its next meeting in early 2016 and issue a joint statement.

## **COOPERATION ON EU INTEGRATION**

Another area addressed by the CIG-EDA process in 2014-2015 is cooperation on EU integration between Serbia and Kosovo. Both have made significant progress toward their aspirations to integrate into the European Union. Though they are at different stages in the integration process, there are many areas in which they can cooperate.

In October 2015 in Ljubljana, Slovenia, CIG organized the first roundtable for staff members of the Ministry of European Integration of Kosovo and the Government Office for European Integration of Serbia. The objective of the roundtable was to find areas of cooperation between the two institutions in advancing their European integration processes. The following are a number of conclusions and recommendations outlined by the participants.

- *Direct cooperation is possible but sensitive.* There are opportunities for direct cooperation between Belgrade and Pristina but also limitations due to status-related issues. Cross-border cooperation (CBC) is one area in which both sides would benefit but no solution has been reached yet. It was suggested that the EU Commission drafts a compromise proposal to Belgrade and Pristina to utilize funds for CBC. Some speakers suggested that CBC funds for Kosovo and Serbia be moved to the national envelopes but this was considered unlikely by some familiar with the funds.
- *Sharing of experiences and knowledge.* Participants agreed to establish cooperation and share their experiences and knowledge on the EU integration process. In this context, employees of Kosovo's Ministry of European Integration in charge of the translation of the EU Acquis will visit Serbia's Office for European Integration soon. The visit will be followed by a similar visit of employees of Serbia's Office for European Integration to Pristina.
- *Sharing the Acquis translations.* There is a common understanding that Belgrade and Pristina should cooperate on the Acquis translation. Belgrade could give Pristina the Serbian-language version. Belgrade had received the translation from Croatia, though a lot of work had to be done in harmonizing it with the Serbian language. However, a political decision is needed by higher levels of governments before the professionals can proceed. Participants from Serbia reported that the translation is more complicated than it seems. The first phase includes revisions, and in Serbia's case, there are more than 2,000 pages to be revised according to EU legislation. Serbia hired about 400 revision experts. Revision experts included legal, linguistic, and specialists in areas of agriculture, economy, veterinary and others. Kosovo participants reported that they are cooperating with Albania on the Albanian-language translations since Albania is going through the translation process now.
- *Trainings on the EU integration process.* The EU integration process is long and complicated so trainings for staff would be helpful. Serbia offers a training service at the Ministry of Public Administration and Local Self-Government explaining the Acquis and training to prepare project proposals, among other things. Such trainings could be expanded to include other areas and Pristina and Belgrade staff could work on preparing joint projects and expertise can be shared.
- *Civil society and EU integration.* Cooperation with civil society organizations in all chapters is helpful. The Serbian government has established an office for cooperation with civil society organizations aiming to share information, seek advice, address public concerns, and ensure transparency of the process. The civil society organizations in Serbia, through a newly established convention of NGOs, have assumed a monitoring role rather than participating directly in the negotiation process. Pristina also regularly meets with civil society representatives regarding EU integration. Civil society organizations offer their input about the chapters and have regular meetings with government officials. They also participate in drafting action plans.

Though there still remain limitations to the cooperation between Belgrade and Pristina, the participants said that the EU integration unites both sides around a common goal.



Left to right: Besim Beqaj, Vladimir Orlić and Lirije Kajtazi.

They said that officials on both sides should be more inventive and flexible in finding ways to use EU-provided funds such as CBC. They can also cooperate on improving the record of transposing legislation, compare experiences in harmonizing legislation, and on the screening process.

Both institutions will be following up on the meeting in Ljubljana in 2015-2016 and CIG will organize their next meeting in early 2016.

## PARTICIPANTS\*

### **Dukagjin Abdyli**

Head, Division for EU Legal Affairs, Ministry of European Integration of Kosovo

### **Arnaldo Abruzzini**

Secretary General, Eurochambres

### **Farina Ahäuser**

Political Desk Officer, Directorate-General for Neighborhood and Enlargement Negotiations, European Commission

### **Mimoza Ahmetaj**

Ambassador of Kosovo to Belgium

### **Katharina Ahrendts**

Deputy Head of Western Balkans Division, German Federal Foreign Office

### **Ardian Arifaj**

Adviser to Minister of Foreign Affairs of Kosovo

### **Roberto Balzaretti**

Ambassador of Switzerland to the European Union

### **Besim Beqaj**

Member of Parliament of Kosovo, Democratic Party of Kosovo

### **Vjosa Beqaj**

Director, Department of Sectorial Policies, Ministry for European Integration of Kosovo

### **Ksenija Božović**

Speaker, Mitrovica North Municipal Assembly

### **Bekim Çollaku**

Minister of European Integration of Kosovo

### **Gordana Čomić**

Deputy Speaker, Parliament of Serbia, Democratic Party

### **Aida Ćorović**

Member of Parliament of Serbia, Democratic Party

### **David Cullen**

Head, Unit for Kosovo, Directorate-General for Neighborhood and Enlargement Negotiations, European Commission

### **Ilir Deda**

Member of Parliament of Kosovo, Self-Determination Movement

### **Gordana Delić**

Executive Director, Balkan Trust for Democracy

### **Jelena Đokić**

Adviser to the Mayor of Zvečan

### **Jelena Đorić**

Independent Advisor, Committee for Kosovo and Metohija, Parliament of Serbia

### **Milovan Drecun**

Chair, Committee for Kosovo and Metohija, Parliament of Serbia

### **Ivana Đurić**

Assistant Director, Serbian European Integration Office, Government of Serbia

### **Marko Đurić**

Director, Office for Kosovo and Metohija, Government of Serbia

### **Nenad Đurić**

Regional Police Commander, Kosovo Police

### **Natasa Elezović**

Adviser to Mayor of North Mitrovica

### **Zdravka Erak**

Senior Adviser, Committee for Kosovo and Metohija, Parliament of Serbia

### **Sadri Ferati**

Member of Parliament of Kosovo, Democratic League of Kosovo

### **Bujar Galloopeni**

Coordinator for International Cooperation, Ministry of Education, Science, and Technology of Kosovo

### **Shpetim Gashi**

Vice President, Council for Inclusive Governance

### **Bajram Gecaj**

Deputy Minister of Local Government Administration of Kosovo

### **Ardian Gjini**

Deputy Chairman, Alliance for the Future of Kosovo

### **Dukagjin Gorani**

Chair, Common Voice Forum

### **Blerim Grainca**

Member of Parliament of Kosovo, Democratic League of Kosovo

### **Alex Roinishvili Grigorev**

President, Council for Inclusive Governance

### **Riza Halimi**

Member of Parliament of Serbia, Party for Democratic Action

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\* Several participants have changed their titles during the duration of this CIG-FDFA program. Only the titles at the time of their latest attendance are listed.

**Teuta Haxhiu**

Member of Parliament of Kosovo, Alliance for the Future of Kosovo

**Adrijana Hodžić**

Principal Executive Officer, Mitrovica North Administrative Office

**Valerie Hopkins**

Journalist, Balkan Investigative Regional Reporting Network

**Labinot Hoxha**

First Secretary, Embassy of Kosovo in Belgium

**Ramadan Ilazi**

Deputy Minister of European Integration of Kosovo

**Marko Jakšić**

Lawyer, Mitrovica

**Dušan Janjić**

President, Active Serbia

**Dalibor Jevtić**

Minister for Communities and Return of Kosovo

**Jadranka Joksimović**

Minister without portfolio responsible for European Integration, Government of Serbia

**Vesna Jovanović**

Director for Education, Health, Social Welfare, Youth and Sports, Municipality of Partes

**Barbara Jesus-Gimeno**

Political Desk Officer, Unit for Serbia, Directorate-General for Neighborhood and Enlargement Negotiations, European Commission

**Lirije Kajtazi**

Member of Parliament of Kosovo, Democratic League of Kosovo

**Adriatik Kelmendi**

Editor-in-Chief, Kohavision

**Selatin Kllokoti**

Program Officer, Democracy for Development Institute

**Blerta Deliu Kodra**

Member of Parliament of Kosovo, Democratic Party of Kosovo

**Glauk Konjufca**

Member of Parliament, Self-Determination Movement

**Biljana Hasanovic Korać**

Member of Parliament of Serbia, Social Democratic Party

**Mirjana Kosić**

Executive Director, TransConflict

**Vladeta Kostić**

Member of Serbian Parliament, Serbian Progressive Party

**Dusan Kozarev**

Deputy Director, Office for Kosovo and Metohija, Government of Serbia

**Dragiša Krstović**

Political Advisor, Ministry of Local Government Administration of Kosovo

**Arbër Kuçi**

Associate, Council for Inclusive Governance

**Nada Lazić**

Member of Parliament of Serbia, League of Social Democrats of Vojvodina

**Sonja Licht**

President, Belgrade Fund for Political Excellence

**Ulrike Lunacek**

Vice President, European Parliament

**Leon Malazogu**

Executive Director, Democracy for Development Institute

**Ljubomir Marić**

Minister for Local Government Administration of Kosovo

**Christa Markwalder**

Deputy Speaker, Parliament of Switzerland

**Qemajl Marmullakaj**

Director, Office of Strategic Planning, Government of Kosovo

**Krystyna Marty Lang**

Ambassador of Switzerland to Kosovo

**David McAllister**

Member, European Parliament

**Boyd McKechnie**

Political Adviser to the EU Special Representative in Kosovo

**Bardhyl Metaj**

Member of Parliament of Kosovo, Democratic League of Kosovo

**Pauline Menthonnex Gacaferri**

Deputy Chief of Mission, Embassy of Switzerland in Serbia

**Milivoje Mihajlović**

Director, Radio Beograd

**Jugoslav Milačić**

Adviser to Minister without Portfolio in the Government of Serbia responsible for European Integration

**Ksenija Milenković**

Director, European Integration Office, Government of Serbia

**Petar Miletić**

Former Deputy Speaker, Parliament of Kosovo

**Smiljka Milisavljević**

Professor, University in Mitrovica

**Pierre Mirel**

Honorary Director General, European Commission

**Tanja Mišćević**

Head, Negotiating Team for Accession of the Republic of Serbia to the European Union, Government of Serbia

**Dardan Molliqaj**

Secretary, Self-Determination Movement

**Mary Teresa Moran**

Deputy Head, Unit for Kosovo, Directorate-General for Neighborhood and Enlargement Negotiations, European Commission

**Engjellushe Morina**

Chair, Prishtina Council on Foreign Relations

**Valon Murtezaj**

Political Advisor to Prime Minister of Kosovo

**Ganimete Musliu**

Member of Parliament of Kosovo, Democratic Party of Kosovo

**Branislav Nešović**

Program Director, Aktiv

**Dragan Nikolić**

Mayor of Partes

**Predrag Nikolić**

Deputy Liaison Officer to the EU Mission in Pristina

**Randel Nojkić**

Former Member of Parliament of Kosovo

**Igor Novaković**

Associate, Council for Inclusive Governance

**Jean-Luc Oesch**

Deputy Chief of Mission, Embassy of Switzerland in Serbia

**Vladimir Orlić**

Member of Parliament of Serbia, Serbian Progressive Party

**Rascha Osman**

First Secretary, Mission of Switzerland to the European Union

**Besnik Osmani**

Secretary General, Ministry of Local Government Administration of Kosovo

**Zoran Ostojić**

Former Member of Parliament of Serbia

**Pablo Padrutt**

Attaché, Swiss Embassy in Kosovo

**Zenun Pajaziti**

Member of Parliament of Kosovo, Democratic Party of Kosovo

**Krstimir Pantić**

Member of Parliament of Serbia, Serbian Progressive Party

**Jean-Eric Paquet**

Director for Western Balkans, Directorate-General for Neighborhood and Enlargement Negotiations, European Commission

**Dejan Pavičević**

Liaison Officer to the EU Mission in Pristina

**Lulzim Peci**

Executive Director, Kosovar Institute for Policy Research and Development

**Slobodan Petrović**

Deputy Speaker, Parliament of Kosovo, Srpska List

**Milena Popović**

Advisor to Director of the Serbian European Integration Office

**Srdan Popović**

Director, Office for Communities of the Prime Minister of Kosovo

**Gazmir Raci**

Adviser to Minister without portfolio in the Government of Kosovo responsible for dialogue with Serbia

**Dragana Radojčić**

Assistant Director, Serbian European Integration Office

**Nenad Radosavljević**

Board Director, Network of Serb TV Stations in Kosovo

**Darko Radovanović**

Speaker, Zvečan Municipal Assembly

**Goran Rakić**

Mayor of Mitrovica

**Katarina Rakić**

Member of Parliament of Serbia, Serbian Progressive Party

**Živojin Rakočević**

Director, Cultural Center, Gračanica

**Naim Rashiti**

Senior Analyst, Balkan Policy Research Group

**Ernst Reichel**

Special Envoy for Southeast Europe, German Federal Foreign Office

**Fisnik Rexhepi**

Senior Political Advisor to Minister of European Integration of Kosovo

**Alessandro Rotta**

Political Adviser to EU Special Representative in Kosovo

**Jean-Daniel Ruch**

Ambassador of Switzerland to Serbia

**Norbert Rütscbe**

First Secretary-Human Security Adviser, Embassy of Switzerland in Kosovo

**Branko Ružić**

Member of Parliament of Serbia, Serbian Socialist Party

**Teuta Sahatqija**

Member of Parliament of Kosovo, Democratic League of Kosovo

**Roland Salvisberg**

Head, Peace Policy of the Human Security Department, Swiss Federal Department of Foreign Affairs

**Saskia Salzmann**

First Secretary-Human Security Adviser, Embassy of Switzerland in Kosovo

**Aleksandra Šanjević**

Programme Coordinator, Open Society Foundation

**Petrit Selimi**

Deputy Foreign Minister of Kosovo

**Besa Shahini**

Senior Analyst, European Stability Initiative

**Blerim Shala**

Coordinator for Dialogue with Serbia and Member of Parliament of Kosovo

**Demush Shasha**

Secretary General, Ministry for European Integration of Kosovo

**Predrag Simić**

Professor, University of Belgrade

**Sanja Sovrlić**

Journalist, Radio TV Mir

**Julien Stauffer**

Attaché, Swiss Embassy in Serbia

**Branimir Stojanović**

Mayor of Gracanica

**Christof Stock**

Head of Operations, EU Office in Kosovo

**Milos Subotić**

Project Coordinator, University in Mitrovica

**Edita Tahiri**

Minister without Portfolio in the Government of Kosovo responsible for dialogue with Serbia

**Jovan Teokarević**

Professor, University of Belgrade

**Evin Thana**

Senior Officer for International Legal Cooperation, Ministry for European Integration of Kosovo

**Bojana Todorović**

Adviser, Committee for Kosovo and Metohija, Parliament of Serbia

**Rada Trajković**

Former Member of Parliament of Kosovo, United Serb List

**Laura Trimajova**

Parliamentary Assistant to a Member of the European Parliament

**Jelena Trivan**

Director, Center for European Policies and Values

**Janko Veselinović**

Member of Parliament of Serbia, the Preokret Movement

**Dragan Vladislavljević**

Director, Office for Coordination Activities in the Negotiation Process with Pristina, Government of Serbia

**Arbër Vllahu**

Chief of Staff of the President of Kosovo

**Nataša Vučković**

Member of Parliament of Serbia, Democratic Party

**Vanja Vukić**

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Program Officer, Federal Department of Foreign Affairs of Switzerland

**Samuel Žbogar**

EU Special Representative in Kosovo and Head of the EU Office in Kosovo

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# CIG

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The Council for Inclusive Governance (CIG) is an international nonprofit, nonpartisan, and non-governmental institution that promotes inclusive and responsive governance. It facilitates constructive dialogue as a means of fostering interparty cooperation, interethnic accord, and interstate collaboration, and carries out analyses of contemporary policy issues. The goal of CIG activities is to build confidence in democratic institutions of governance and contribute to the cohesiveness of political systems and societies.

CIG is supported by the Swiss Federal Department of Foreign Affairs, the Foundation for an Open Society, the British Foreign and Commonwealth Office, the Balkan Trust for Democracy of the German Marshall Fund of the United States and private contributions.

#### CIG activities include:

- Conducting innovative and transparent policy dialogues for major stakeholders;
- Facilitating interstate cooperation through international dialogues and exchange of experience;
- Promoting cooperation and consensus on national issues through dialogues between government and opposition;
- Supporting multiethnic states and strengthening common democratic institutions by facilitating consensus-building on issues that divide ethnic communities;
- Fostering trust and inclusive approaches in decision making;
- Providing informed advice and policy analysis;
- Publishing analytical reports and policy papers to advance public understanding of inclusive governance.

#### Council for Inclusive Governance

[cig@cigonline.net](mailto:cig@cigonline.net)

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