

## Breaking the Present Impasse and Visioning the Future

The Council for Inclusive Governance (CIG) in cooperation with the Rockefeller Brothers Fund (RBF) and the Swiss Federal Department of Foreign Affairs (FDFA) convened a three-day roundtable discussion for a number of senior political party representatives from Serbia and Kosovo and EU and US former and current diplomats. The participants discussed measures to break the impasse between Kosovo and Serbia, suggested steps to push forward the normalization process, and offered their visions for the future relations.

The three-day discussions were held on June 20-23, 2023 at RBF's Pocantico Conference Center in New York State. The roundtable is part of a larger initiative on the relations between Kosovo and Serbia. The discussions were held under the Chatham House Rule. This brief report does not necessarily represent the views of individual participants, CIG, RBF, and FDFA. It simply reflects the discussion as a whole and CIG is solely responsible for its content.

### Visions for Kosovo and Serbia for 2035 and 2027

On the first day, the discussion included only participants from Serbia and Kosovo. In the morning session, there were divided into two groups: Group A and Group B.<sup>1</sup> Their task was to lay out visions for each—Serbia, Kosovo, and their relations, first for 2035 and, after a mutual debrief, for 2027. The visions were not based on consensus. On some points, Kosovo and Serbia participants differed, but on some others, there were disagreements also among the Kosovo representatives or among the Serbian ones.

#### Vision of Group A for 2035

##### *Serbia in 2035*

- Member of the EU.
- Member of NATO.
- A consolidated democracy and prosperous economy.
- Friendly relations with Kosovo based on mutual recognition and trust between societies.

##### *Kosovo in 2035*

- Member of the EU.
- Member of NATO.
- A consolidated democracy with a single political system that respects rights and services of all people equally.
- A reliable international actor.

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<sup>1</sup> The meeting was held under the Chatham House Rule; therefore, the report does not identify which participants were in which group.

- Full normalization of relations with Serbia based on mutual recognition.

### **Vision of Group B for 2035**

#### *Serbia in 2035*

- Member of the EU. A country fully transformed.
- A consolidated democracy with a prosperous economy and rule of law.
- Political and economic convergence with the region.
- Attracting talent and professional labor force, with brain drain trends reversed.
- Comprehensive normalization with Kosovo completed.
- Four freedoms in relations with Kosovo implemented.
- High level of reconciliation and friendship with Kosovo.
- Economic interdependence with Kosovo.
- Functional institutional relations with Kosovo.

#### *Kosovo in 2035*

- A consolidated, functional, prosperous multiethnic society based on rule of law.
- Respect for human rights, collective political and economic rights, and language rights, including implementation of affirmative action provisions.
- Fully integrated into regional political and economic structures.
- Safe and secure for all living there.
- All property issues resolved.
- Sustainable return of refugees and internal displaced persons.
- Functional Association/Community of Serb-Majority Municipalities.
- Protection of and autonomy for the Serbian Orthodox Church.
- More jobs and justice for everyone.
- Comprehensive normalization with Serbia completed.
- Reconciliation reached and friendship forged with Serbia.
- Violence is not used in achieving political goals.
- Economic interdependence with Serbia.
- Functional institutional relations with Serbia.

### **Vision of Group A for 2027**

#### *Kosovo in 2027*

- EU candidate status.
- Fully participates in regional cooperation.
- Significant improvement in rule of law and economy.
- Implementation of all agreements with Serbia.
- Missing persons issue resolved.
- Solid level of reconciliation with Serbia.
- Cooperation with Serbia in international organizations including cooperation on obtaining funds.
- Implementing joint infrastructure projects with Serbia.
- Bilateral agreements with Serbia on trade, economy, education.

### *Serbia in 2027*

- Solid advance towards EU membership
- Implementation of all agreements with Kosovo.
- Missing persons issue resolved.
- Solid level of reconciliation and a trustful relationship with Kosovo.
- Steps towards recognizing Kosovo.
- Cooperation with Kosovo in international organizations.
- Implementing joint infrastructure projects with Kosovo.

### **Vision of Group B for 2027**

#### *Kosovo in 2027*

- Increased reforms and rule of law.
- Extremist policies lose public support.
- Functional Association/Community.
- Solid return of internally displaced persons and refugees.
- Solid respect for rights of non-majority communities.
- Security and stability.
- Member of Council of Europe.
- Member of the Open Balkans Initiative.
- Missing persons issue resolved.
- Solution of disputes only through political means.
- Improved institutional cooperation with Serbia.
- Kosovo abstains from unilateral moves vis-à-vis Serbia.

#### *Serbia in 2027*

- Near the end of EU accession process.
- Increased rule of law reform and democratic development.
- Reversed brain drain trends.
- Solid regional integration.
- Hosts the Expo 2027 event in Belgrade.
- Better economic relations with Kosovo.
- Missing persons issue resolved.
- Solution of disputes only through political means.
- Improved institutional cooperation with Kosovo.
- Serbia abstains from unilateral moves vis-à-vis Kosovo.

## **Resuming dialogue**

In the afternoon session, participants were divided into two different groups to discuss what Kosovo and Serbia need to do to return to the negotiating table, implement the Brussels Agreements and the Ohrid Agreement, to defuse the current tensions, and continue on the path to full normalization of relations.

### **Group A recommendations**

- Preserve peace and create a safe and secure environment necessary to resume the dialogue.
- Develop a new negotiating process that includes a clear vision, achievable goals, solid structure, timeframes, abundant tools for the facilitator, an enhanced mandate of the facilitator that preferably links the dialogue more closely and concretely to the EU membership and offers funding opportunities.
- Vision: The EU membership should be the long-term vision while in the short-term the parties implement their Brussels and Ohrid commitments.
- Structure: Parties agree on some order of negotiations, develop various negotiation tracks that address several topics simultaneously, such as draft a statute for ASM, instill trust in the process, and shield it from daily incidents.
- Timeframe: The group was divided on the timeframe, with some suggesting a clear timeframe for implementation of agreements while others preferring the process to not have strict and explicit timeframes.
- Tools: The EU and the US should be more generous with both “sweeter carrots and sharper sticks” with the goal of making the implementation process more attractive. They should also employ more soft factors, become stricter with non-cooperators, send no ambiguous messages.
- Technical and political negotiations should go hand in hand. The dialogue should become an almost permanent negotiation. Lead negotiators should meet regularly. This should be their only job. EU besides the chief facilitator should have “boots on the ground,” e.g. EU ambassadors or specially appointed persons.
- Preserve peace in the meantime.

### **Group B recommendations**

- Kosovo special police units return to their stations.
- The ASM statute is drafted.
- Amnesty is granted to protestors in the north.
- New elections are held in the north.
- Implement confidence building measures, such as joint visits of delegations on economy.
- Kosovo Serb police return to their jobs.
- Actors take steps to decrease the current tensions.
- Parties return to dialogue.
- Mayors of the north municipalities work from alternative offices.
- As part of de-escalation, Serbia releases the three Kosovo police officers.

### **Open discussion**

The ongoing tensions dominated the discussions. A participant said the Serbs in the north had no alternative but to leave the institutions last year. The rhetoric is inflaming the situation and many suggested to tone it down. “Deterioration is in no one’s interest.” Some said that Prime Minister Albin Kurti seems to be trying to take revenge on the Serb community for the “past injustices” and wants to subordinate them, rather than integrate. A speaker said that conflicting views on status are here to stay, so the parties need to find a *modus vivendi*.

The EU membership should be the ultimate goal of both sides, but to achieve that “we need to do reforms,” and reforms do not seem to be priorities for Kosovo and Serbia. All the attention is in Kosovo’s north where the tensions have been increasing in the past few weeks. A speaker said that

Kosovo's government is "too aggressive towards the Serbs," further escalating tensions, especially insisting that Albanian mayors operate from the municipal buildings, which for many Serbs in the north is "an attempt to humiliate them." This is similar to when "Belgrade imposed Serb mayors elected by two percent of population on the Albanian majority in the 1990s." Serbs in the north feel "insecure, targeted, intimidated, and harassed." This is a volatile situation and could take unpredictable turns easily and fast.

The normalization course is in reverse. Mr. Kurti may have unified the Albanians behind his actions but he has also "unified the Serbs, especially those in Kosovo." Almost no one in the north sees "integration as an option anymore." However, returning to normalcy is not impossible. Going back to the implementation of the agreements is a good step. Another speaker suggested both sides tone down the rhetoric: "Let's agree not to make a big deal out of everything." Parties need to create an atmosphere of calm as "step zero" before moving forward to "step one," suggested another speaker, adding that "point zero" could be KFOR becoming "the primary security responder in the north" because Serbs in the north have "lost trust on Kosovo's and EULEX's police." Belgrade will not make concessions until "we reach this point zero." In other words, this means "going back to pre-2022 situation."

Some suggested a number of confidence-building measures, such as implementing the Decani Monastery Constitutional Court decision and release the three police officers held in detention in Serbia (they have since been released). A speaker said that the end goal of the process should be the resolution of status. "Without the status resolution, the region will remain unstable." In the meantime, installing an atmosphere of calm is essential for returning to normalcy.

## **Coordination with the international community**

On the second day, June 22, a number of former and current EU and US diplomats had separate discussions with Serbia's and Kosovo's participants.

### **Key takeaways from discussions with Serbia's participants**

- Parties need to take some practical steps and at the same time look at what has been happening, what is the root cause of why they got here, and find ways to address the shortcomings.
- Parties should not make unilateral moves, especially when they have security implications. A speaker said Serbs in the north left Kosovo's institutions last year after Kosovo send its special police units to the north.
- The international community should not allow Kosovo to take unilateral moves.
- Steps to deescalate: a) form the ASM, b) offer amnesty to protestors in the north, and c) organize local elections in the north, d) Serbs return to institutions. The ASM statute should be sufficient for the parties to go back to some level of normalcy.
- The Ohrid Agreement should be implemented in full.
- Parties should also not lose sight of the final status.
- Leaders should refrain from provoking and responding to provocation. "Good leaders refuse to respond to provocations."
- A speaker suggested that President Aleksandar Vucic should offer a hand of cooperation to the other side. Mr. Vucic could begin by recognizing that the present situation is not good for

Serbia and the region, and he can show more determination to reach agreements that change the face of Serbia and the region, get it into EU. The president should point out that de-escalation is needed as well as respect for each other. This will allow us to move forward and eventually resolve the disagreement amicably including the issue of the status. The speaker suggested that each side take reciprocal measures, such as withdrawal of Kosovo's police officers and releasing police officers in Serbia's detention (released since then).

### **Key takeaways from discussions with Kosovo's participants**

- Steps to return to dialogue: a) agree on a timeframe for elections in north in which Serbs participate, b) Kosovo reduces its police presence, c) Kosovo addresses complaints about the recent arrests of Serbs.
- Another speaker added additional steps: a) Serbia releases the three Kosovo police officers, b) the mayors in north resign and work from alternative offices until a new election is held, c) KFOR addresses some of the policing issues in the north.
- Kosovo should draft the ASM statute now, and the ASM should be established after a new election in the north.
- The US and the EU do not have limitless time and resources that allow permanent attention to the Kosovo-Serbia quarter-century old crisis. The US is focused on the Ukraine war victory in which is existential for democracy. "Kosovo is not existential for the US." KFOR is costly and the US can deploy these resources elsewhere. If tensions between the US and China keep growing, the US soldiers in Kosovo may be redeployed. President Joe Biden is continually reevaluating the US foreign policy and Kosovo may not necessarily remain a priority, especially if it is identified as a "spoiler of progress." To preserve US's and EU's support, Kosovo needs to convince the US and the EU that it is a reliable partner.
- Kosovo is too small and too vulnerable to exist alone (without the US and the EU) in a hostile neighborhood such as the Western Balkans. Therefore, it is not in Kosovo's interest to weaken ties with the US and the EU. Kosovo does not have to be subservient and neither the US nor the EU want that; they both respect Kosovo as an independent country. But rejecting US's and EU's support and inadvertently "feeding anti-American feelings at home is not in Kosovo's best interest."
- Normalization does not seem to be a priority for neither Mr. Kurti nor Mr. Vucic. "It's important but not a priority." Neither side is willing to take risks that may hurt their temporary objectives. "This is what politicians do, not what leaders do." Kosovo should take advantage of the "sympathetic government" in the US in the next 18 months. Possibility of an authoritarian leaning US government after the next election will not be good for Kosovo. Kosovo should recognize the US and the EU are on its side and work with them. Kosovo is undermining its credibility with the steps it is taking without coordination with international stakeholders. It should reverse course and "regain its credibility."
- There is a disconnect between Kosovo's ambitions and actions: its actions are undermining its ambitions to join NATO and the EU. The path to these organizations starts with normalizing relations with Serbia and integrating the Serb community in Kosovo. Kosovo should show more sensitivity towards the Serb community if it truly wants to integrate and make them feel comfortable living in an independent Kosovo.
- The Serbs in the north get everything from Serbia and naturally look at Belgrade for support.
- The Ohrid Agreement does not supersede previous agreements. Kosovo cannot avoid its commitment to the Brussels Agreement. Kosovo should prepare an ASM draft statute and

engage honestly with Serbia. “You make peace with your enemies, not with your friends.” The Ohrid Agreement is key to opening the door to Kosovo for the five EU non-recognizers and to membership in the EU and NATO. Some speakers suggested that Kosovo a) gets the mayor of Leposavic to work from an alternative office, b) calls new elections in the north, c) the international community convinces the Serbs to participate, d) Kosovo withdraws its special police from the north, and e) both Kosovo and Serbia move forward on agreements they committed to and get things back on the right path.

- Kosovo should act “like it did in Rambouillet and Vienna negotiations,” where it worked with international partners and showed determination to make short-term compromises for long-term gains. Kosovo’s recent actions are frustrating for the international community. Its lack of coordination with international actors is damaging Kosovo’s prospects.

## Conclusions and recommendations

On the third day, participants took part in a joint session. Two international participants also joined via videoconference. There was agreement about what needs to be done to deescalate the current tensions but disagreement over the sequencing of steps. There was consensus that the normalization of relations is critical for Kosovo’s and Serbia’s EU path, and that the Ohrid Agreement is a solid road map to get there. Some speakers said that for Kosovo the formation of the ASM is key to “decouple Serbia from Kosovo’s internal affairs.” The lack of progress on ASM for over ten years now is “holding Kosovo back,” including from new eventual recognitions. Many said ASM is not comparable to Republika Srpska because the Association has lots of legal guarantees. First, Kosovo’s Constitutional Court needs to approve the draft. And second, the US and the EU, as well as the Brussels Agreement, say the ASM will be based on Kosovo law. “The best solution for Kosovo is not to avoid ASM, but to go ahead and do it.”

The US supports EU’s three-point plan and believes it is a good way forward to de-escalation. A speaker said the four mayors would do a great favor to Kosovo if they relocate to an alternative office. “A particular office space doesn’t give you more legitimacy.” The US and the EU believe a new election in the north and return to the implementation of the Ohrid Agreement are two key elements that would unlock the normalization process. The Ohrid Agreement offers new opportunities to each Kosovo and Serbia and to them together.

The participants addressed a number of specific points required for a breakthrough. The points below do NOT reflect a consensus among the participants. They are based on a wide range of views of Kosovo, Serbia, and international participants.

1. **Immediate release of the three Kosovo police officers** (no consensus but broad support; the three officers have been released since then).
2. **Mayors of four Serb-majority municipalities work from alternative offices until a new election is held** (Some Kosovo participants disagreed with this point).
3. **Serbs in the north return to all institutions, including police and judiciary** (agreement on the step but disagreement on sequence).
4. **Kosovo’s special police units guarding municipal buildings in the four municipalities return to their police stations** (some Kosovo participants disagreed with the suggestion. A

Serbian speaker insisted that all Kosovo special police units in the north are replaced by KFOR and EULEX).

5. **Serbs in the north suspend protests** (agreement on the step but disagreement on sequence).
6. **New local elections are held in the north and Serbia encourages Serb participation in elections** (agreement on the step but disagreement on sequence).
7. **Kosovo should not hold Serbs in detention without charges** (Kosovo participants disagreed with the suggestion).
8. **Serbia and Kosovo agree on a model that offers some form of ‘amnesty’ to people on their ‘lists of suspects’** (some participants reported that both Kosovo and Serbia have lists of suspects. A participant recommended a form of mutual amnesty. Alternately, Serbian and Kosovo police review together these lists of suspects so as to reduce misunderstandings and avoid escalations).
9. **Kosovo drafts a statute for the Association/Community of the Serb-Majority Municipalities** (agreement on the step but disagreement on sequence).
10. **Kosovo implements the 2016 decision of Kosovo’s Constitutional Court on the Decani Monastery** (broad support but no consensus).
11. **Kosovo and Serbia should build trust and credibility with external actors.**
12. **Kosovo’s government should increase its confidence with Kosovo Serbs and be more cautious in addressing sensitive issues.**
13. **Serbia and Kosovo return to the implementing of the Ohrid Agreement.**
14. **Serbia and Kosovo leaderships tone down their rhetoric and emphasize positive steps each will take, and not only what each demand from the other.**

In conclusion, participants agreed that the normalization process is struggling to find a peaceful outcome. The US and the EU have a deep stake in peace in the Western Balkans and should remain engaged. Neither Kosovo nor Serbia has time to lose. They should work together in figuring out a path to full normalization. The US should continue to work in partnership with the EU. Kosovo should become more cooperative and narrow the gap it has created with the US, aiming to create a common front instead of going in separate directions. All parties have to develop some degree of consensus about where they are heading. Kosovo and Serbia should respect each other and build some trust. There are no single paths to the resolution of the disputes. Parties should develop multiple paths: de-escalate, develop creative ideas, build trust between leaders, and work with local communities.

The US and the EU can help, but the outcome is in Serbia’s and Kosovo’s hands.



## Participants

*English-Language Alphabetical Order*

**Natan Albahari**, Member, Presidency, Movement of Free Citizens; Member, Parliament of Serbia  
**Jennifer Brush**, Former Ambassador and former Director, Office of South Central European Affairs, U. S. Department of State; Member, Board of Directors, Council for Inclusive Governance

**Elizabeth Campbell**, Executive Vice President, Rockefeller Brothers Fund

**Thomas Countryman**, Former Assistant Secretary, U.S. Department of State; Chair, Board of Directors, Council for Inclusive Governance

**Greg Delawie**, Former U.S. Ambassador to Kosovo

**Marko Đurić**, Vice President, Serbian Progressive Party; Ambassador of Serbia to the United States

**Nicholas Faye**, Head, Western Balkans Department, Ministry of Europe and Foreign Affairs of France

**Shpetim Gashi**, Vice President, Council for Inclusive Governance

**Ardian Gjini**, Deputy Chairman, Alliance for the Future of Kosovo; Mayor of Gjakova

**Dalibor Jevtić**, Vice President, Serb List; Mayor of Shterpce/Strpce

**Stefan Jovanović**, Secretary General, People's Party; Member, Parliament of Serbia

**Mimoza Kusari Lila**, Head, Parliamentary Group of Self-Determination Movement, Parliament of Kosovo

**Jehona Lushaku Sadriu**, Chair of LDK Women's Forum; Member, Presidency, Democratic League of Kosovo

**Bernard Nikaj**, International Secretary, Democratic Party of Kosovo

**Fitore Pacolli Dalipi**, Member, Presidency, Self-Determination Movement; Chair, Committee on Agriculture, Forestry, Rural Development, Environment, Spatial Planning, and Infrastructure of the Parliament of Kosovo

**Paul Pfeuffer**, Deputy Director, Office of South Central European Affairs U. S. Department of State

**Niels von Redecker**, Consul General, Embassy of Germany in the United States; incoming Head of the Western Balkans Division, German Federal Foreign Office

**Alex Roinishvili Grigorev**, President, Council for Inclusive Governance

**Branko Ružić**, Vice President, Socialist Party of Serbia

**Roland Salvisberg**, Head, Peace, Europe, Asia, and Latin America; Peace and Human Rights Division, Swiss Federal Department of Foreign Affairs

**Susanne Schütz**, Ambassador, Director for South-Eastern Europe, Turkey, OSCE, and Council of Europe, German Federal Foreign Office

**Kyle Scott**, Former U.S. Ambassador to Serbia

**Nemanja Starović**, Member, Presidency, Serbian Progressive Party; State Secretary, Ministry of Defense of Serbia

**Mia Vukojević**, Program Director, Western Balkans, Rockefeller Brothers Fund

**Frank Wisner**, Former U.S. Under Secretary of State, former U.S. Under Secretary of Defense; former Special Representative of the U. S. Secretary of State to the Kosovo Status Talks