

Can 2022 Provide a New Start?

The Council for Inclusive Governance (CIG) organized on February 11, 2022, in Tirana, Albania, another roundtable in a series for senior officials of political parties from Serbia and Kosovo and a number of civil society representatives. The participants discussed about how to make 2022 a dynamic year in the normalization process. Held under the Chatham House Rule, the roundtable is part of a larger project on the normalization of Kosovo-Serbia relations supported by the Swiss Federal Department of Foreign Affairs (FDFA). The report's recommendations do not necessarily reflect the views of individual participants, CIG, or FDFA, but are rather based on the discussion as a whole.

The participants expressed their support for the normalization process, though they were skeptical that a final agreement could be reached soon. There was consensus that some issues could be resolved directly, without taking them to the negotiating table in Brussels. There was a broad agreement that the EU and the US can determine the course of the dialogue. The participants recommended more direct communication between Kosovo's and Serbia's governments, enhancing cooperation in the field of security and simplifying the procedures for the free movement of people. Many said that Serbia and Kosovo should also build some trust through the implementation of the signed agreements. They need to show more political will, better coordination in the dialogue and refrain from inflammatory rhetoric.

Conclusions and recommendations

Belgrade and Pristina need to 'redesign' the dialogue framework. Pristina and Belgrade hold opposing views on the dialogue: while Belgrade insists the dialogue should be a sequenced process that progressively addresses the open issues, Pristina argues that the implementation could be incremental but the dialogue itself should address a "comprehensive agreement centered on mutual recognition." "The dialogue so far has been sequenced and now we are left with a prolonged process," a speaker argued. There was consensus that the parties should be more pragmatic and that the dialogue's framework be redesigned. "The parties should try to place themselves in each-other's shoes." Pristina and Belgrade bring up a lot of issues to the negotiation table but neither side is ready for a compromise. Some said that issues that are already on the negotiating table should be addressed before new ones are opened. "Kosovo and Serbia should also discuss at home how they want their future relationship to look like," a speaker added. If Serbia won't recognize Kosovo anytime soon, the modality of an eventual comprehensive agreement that does not include recognition should be defined. "A non-recognition agreement should clarify which elements of Kosovo's statehood are recognized and which are not."

The Open Balkans, an initiative with opportunities and challenges. Belgrade and Pristina have different perspectives on the Open Balkans initiative: while Belgrade sees it as a regional initiative

that primarily “connects the economies,” Pristina considers it to be regional “cooperation between states” and where “all states should be treated equally.” While some believed the Open Balkans could promote free movement and trade, others were skeptical about it. The Central European Free Trade Agreement (CEFTA) also seems to have some critics. A speaker said CEFTA has not promoted free trade as much as expected. To discuss the opportunities and challenges of the Open Balkans, some speakers suggested direct meetings between economic representatives of Kosovo and Serbia.

The agreement on diploma recognition is not fully implemented. The diplomas agreement has turned into a prolonged process, with certain universities adding extra difficulties to an already complicated process. The ‘University of Pristina’ in North Mitrovica remains the most complicated issue. Pristina ‘accepts’ but does not recognize the diplomas or the university itself. Many speakers said that the status of this university should be regulated.

Conciliatory narratives and confidence building measures key for a sustainable dialogue. Non-conciliatory narratives are being served to both parties’ audiences. “Kosovo needs to change the paradigm of how it perceives Serbia and dispel the idea that it can continue to be ‘just fine’ without Serbia’s recognition. Serbia must also give up the narrative that Kosovo is not a state.” The potential agreements on car license plates, energy in Kosovo’s north, and an easier process for recognition of diplomas may create a momentum for a final agreement. Some, however, considered these eventual agreements as circumstantial issues insignificant to the dialogue’s path. “The Kosovo-Serbia dialogue is a top-down process and central issues should be addressed first.” Establishing the Association/Community of the Serb-Majority Municipalities (ASM) and allowing Kosovo to apply successfully for membership in international organizations, would ease the existing Kosovo-Serbia disputes and create room for a ‘final deal.’

The EU-US may bring a new momentum to the dialogue. The US’s and the EU’s sticks-and-carrots approach will be applied and this can lead to two possible scenarios: If Kosovo obstructs the process, Serbia will get the EU membership; if Serbia were to be the obstructive party, Kosovo would join NATO within two years, a speaker predicted. Russia’s appointment of a special envoy for the Western Balkans and its direct involvement in the dialogue were not ruled out. The Russia-Ukraine tensions most likely will have consequences in the region and impact the dialogue’s pace. A speaker argued that an eventual EU and US increased focus on Eastern Europe could make the dialogue less vulnerable to domestic developments. Other participants argued that the developments in Ukraine could mobilize the US and the EU to speed up the negotiations and conclude the Kosovo-Serbia dispute.

Twelve ideas, four groups, one solution

The participants were divided into four groups to identify what common interests on the dialogue do Kosovo and Serbia share. The following list represents a combination of the four groups’ recommendations.

- *Implement the court’s decision on the Decani Monastery.* Many participants recommended that the 2016 Constitutional Court’s ruling on the 24 hectares be implemented without delay.
- *Offer a pragmatic solution to electricity in the north.* The residents of the four municipalities in the north still do not pay electricity bills. Though the ongoing negotiations are taking place

in Brussels, a swift solution is needed to avoid another unnecessary crisis. “Reaching an agreement on energy could produce a better context and set the tone for both sides to move forward towards the big deal.”

- *Refrain from the use of force and inflammatory narratives.* There was consensus that both Pristina and Belgrade have been moderating their language. Though this approach may not lead to a better Kosovo-Serbia relationship *per se*, it can be useful in preventing eventual escalations.
- *Redevis the car license plates agreement.* With the temporary agreement about to expire, Kosovo and Serbia need to come up with a solution that removes the current complications.
- *Implement all previously signed agreements.* There was broad agreement that implementing all previously signed agreements could help build mutual trust. Many were not optimistic though, especially about the establishment of the ASM.
- *Missing persons.* The participants agreed that the issue of missing persons should be addressed with more urgency and as a humanitarian issue.
- *Organize a friendly football match.* There was a broad agreement that organizing a football match between Kosovo and Serbia could relax relations in sports and thus promote such good practice in other areas.
- *Promote better economic cooperation.* Both Kosovo and Serbia support regional economic cooperation, but disagree on the status-related issues. While Pristina insists to be represented as an equal entity, Serbia recommends that Kosovo’s status be addressed separately and not affect the latter’s decision to join regional initiatives.
- *Simplify the procedures on free movement of people.* While most participants recommended further simplifying the free movement of people, some speakers argued that “as long as the current process works, there is no need to change it.” However, many recommended redressing the issue in the near future.
- *Renew the Washington moratorium.* Some participants argued that renewing the Washington moratorium on Kosovo’s applications to international organizations and Serbia’s campaign of de-recognitions could prevent further escalations. Others disagreed.
- *Promote Kosovo as a safe home to the Serb community.* While the vast majority of Serbs who fled Kosovo after the war would not likely return to their homes, the participants recommended that the Kosovo government promote the return of Serbs and establish mechanisms for resolving their property issues.
- *Establish cooperation in the field of security.* Security and the fight against organized crime are matters beyond ethnicity and geographical borders. Belgrade and Pristina can cooperate in investigating Oliver Ivanovic’s murder.

The participants support the normalization process between Belgrade and Pristina with the dialogue as its platform. However, their perspectives on how the agreement should look like differ.

In conclusion, there was consensus that the dialogue should continue, though no major developments were expected until the second half of 2022. The legacy of the past and missing persons remain sensitive issues. The governments of Kosovo and Serbia need to show consistence on, not resistance to, the dialogue. Both sides need to search for ‘win-win’ compromises and solutions.

Participants

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