

Role of Parliaments of Serbia and Kosovo in Normalization of Relations

Introduction

The Council for Inclusive Governance (CIG) organized on April 25, 2015 in Belgrade its second roundtable for members of parliaments of Serbia and Kosovo. The first meeting took place in Pristina in December 2014. The discussions addressed the overall role of the parliaments in the normalization of relations between Serbs and Albanians, particularly in the implementation of the April 2013 Brussels Agreement. Participants came from Serbia's Serbian Progressive Party, Socialist Party of Serbia, Democratic Party, Social-Democratic Party, and Party for Democratic Action; and from Kosovo's Democratic Party of Kosovo, Democratic League of Kosovo, Self-Determination Movement, Alliance for the Future of Kosovo, Serb List, and representatives of the Swiss Parliament, Swiss Embassy in Serbia, and Swiss Federal Department of Foreign Affairs.

The meeting was part of a project on the normalization of relations between Kosovo and Serbia. The project is funded by the Swiss Federal Department of Foreign Affairs.

There was consensus that the implementation of the Brussels Agreements should be accelerated. Serbian participants said that Pristina has been delaying the implementation of the aspects most important for the Serbs, particularly the formation of the Association/Community of the Serb-Majority Municipalities (hereinafter Association/Community), while Kosovo participants argued that Belgrade has not dismantled its system in Kosovo, which, according to them, is an agreed precondition for the formation of the Association/Community. Some suggested that the dismantling of the Serbian system in Kosovo and the formation of the Association/Community should take place simultaneously.

Many interlocutors said that the implementation of the Brussels Agreement has to do more with the timing of steps than with their substance: Belgrade has agreed to dismantle the parallel structures but refuses to do it until Pristina agrees on the formation of the Association/Community, and Pristina has agreed on the Association/Community but refuses to engage in its formation until Belgrade dismantles its system in Kosovo. Formation of the Association/Community versus dismantling of Serbian system will most likely remain as bargaining chips for further negotiations.

This report offers a brief overview of the discussions. To encourage frank discussions, the meeting was held under the Chatham House Rule, thus remarks have not been attributed to specific speakers. CIG's vice president Shpetim Gashi prepared this report and CIG takes the responsibility for its content.

Normalization without recognition

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 normalization of relations is difficult for so long as 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 regular CIG participants, the parliamentarians insisted referring to Kosovo as "Republic of Kosovo," respectively as "Kosovo and Metohija."

Members of parliaments could play a crucial role particularly in 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 needs to be addressed and parliamentarians could contribute to this, given their closer links to the peoples, by initiating changes in education, especially of 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 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."

Serbia and Kosovo should focus more on economic and business cooperation. A speaker noted that economic cooperation is less sensitive and thus has better chances of success. "In politics, actors benefit by creating barriers and problems, in business and economy actors benefit by dismantling such barriers," the speaker noted. The Brussels dialogue process is important in establishing political cooperation between the two governments and easing the tensions between the two societies but real normalization requires elimination of trade barriers, full freedom of movement, recognition of each other's education systems and diplomas. The latter would particularly help the Albanians in south Serbia as a large number of them have diplomas from Kosovo universities. But participants agreed that political normalization is a precondition to social and economic cooperation.

The Brussels dialogue has served as a useful instrument in breaking the status quo, especially in Kosovo's north. Implementation has not been as smooth but nobody predicted an easy process, a speaker said, adding that the important part is that the process has gained the peoples' approval both in Serbia and Kosovo. "People in Kosovo and Serbia question the results of the dialogue, but they support it as an instrument to normalize relations." He added that cooperation should be extended in areas related to European integration and local level governance where cooperation should be less sensitive.

"Crossings between Kosovo and Serbia are the worst in Europe," said a participant. "The time it takes to go through travel documents, replacing Kosovo car plates with temporary Serbian ones, and high car insurance fees (Kosovo cars have to pay about 135 EUR valid for one month while Serbs pay about 20 EUR valid for two weeks) are not only a burden to your pocket but also create a sense that you are entering into an enemy territory." The parliamentarians called on Belgrade and Pristina to ease the crossing procedures and eliminate the "criminal 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 and having to wait for about three hours at the border because of misunderstandings related to the 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 reciprocity 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 could respect the employment quota for minority communities, and the language law could be better implemented. Such issues are not related with the status but rather with the rule of law in Kosovo.

"Missing persons" is another issue that could already have 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 to the past, it will keep haunting us. We can't have normal relations when fifteen years after the war we still bury people." There are still about 1,700 missing persons, about 400 of whom Serbs.

The narrative on the 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 asking 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 them." 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 Pristina to find the missing Serbs but make no such demands for their government to find the missing Albanians.”

Friends of Normalization

Serbian and Kosovo parliamentarians should form a group of “Friends of Normalization,” a speaker suggested. Parliaments of Kosovo and Serbia already have such friendship groups with parliaments of other countries. The majority of participants supported this suggestion, 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 help in easing tensions and build momentum for new initiatives and that it would conduct dialogues, not negotiations.

Normalization of relations is happening, with or without Serbia’s recognition of Kosovo. Few had expected that meetings of Kosovo and Serbian parliamentarians and ministers would take place in Pristina and Belgrade just seven years after Kosovo’s independence. Many of these meetings are not even facilitated by the international community.

“Normalization is when Serbs talk about discrimination of Albanians in Serbia, and Albanians talk about discrimination of Serbs in Kosovo, and not vice versa as in this meeting,” a speaker said.

Parliaments as checks and balances or voting machines

Serbia and Kosovo are parliamentary democracies, but parliaments in both countries are weak. The loyalty of parliamentarians tends to lie with the party leader rather than with the voter, as it is the former who decides who gets to be on the electoral list. Some speakers said that parliaments in Serbia and Kosovo serve simply as “voting machines.” A Kosovo speaker reported that Kosovo’s government excluded the parliament from the negotiation process with Serbia and yet, the parliament ratified the Brussels Agreement, with very few questions asked. Some Serbian speakers reported a similar situation in their parliament. “In Serbia it’s even worse since one party has the absolute majority. The opposition parties do not matter much.”

There is often pressure from the executive to vote in favor of certain legislation and support certain initiatives, but there is also a high level of self-censure, a speaker explained. “We can’t always say the things we want to because senior party leaders may not like it.” As the party leader decides who becomes a member of parliament, parliamentarians don’t feel loyal to the institution itself. This is more the case in Serbia than Kosovo, given Serbia’s closed list system.

Given the weak role and influence of the parliaments, a speaker said that parliaments should not even talk about the Brussels dialogue since governments do not consult with

them. “As member of parliaments, we often learn about certain decisions through the media, including decisions that we are responsible to make.” The same was with the dialogue. “Therefore, I don’t want to respect a process that doesn’t respect me and my institution.”

Conclusion

Participants suggested that parliamentarians of Serbia and Kosovo should increase their interactions through informal meetings; meetings of parliamentary committees; culture and sports events, such as a football game between members of the two parliaments; and in cooperating on issues of European integration. Members of both parliaments said that despite the status dispute, it is in the interests of both societies to advance in their European integration path and neither should obstruct the other.

Participants recommended that Belgrade and Pristina accelerate the implementation of the Brussels agreement, particularly resolve issues that affect the daily lives of the people including reduction in car insurance fees and recognition of university diplomas. They pledged to become more engaged in helping to achieve and implement agreements on education, complete the agreement on freedom of movement, and form the “Friends of Normalization” group. The group would build momentum and support for the steps that both governments need to take to normalize relations.

There should also be more cooperation on the missing persons and both societies should accept their responsibilities and obligations on resolving the issue. The participants said that they will encourage their governments to do more on finding the missing and agreed to address this issue in the next meetings.

The participants agreed to have the next meeting in Pristina sometime this summer.

Participants

English Alphabetical Order

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