

Belgrade-Pristina Relations and Kosovo's North

Roundtable Report Vienna, Austria; December 9-10, 2011

Summary of Discussions

The Council for Inclusive Governance (CIG) organized in December 2011 in Vienna, Austria, a roundtable for Serbian and Kosovar political party and government representatives. Participants included members of Serbia's Democratic Party, G17 Plus Party, Socialist Party of Serbia, Liberal Democratic Party, and Kosovo's Democratic Party of Kosovo, Democratic League of Kosovo, Self-Determination Movement, Alliance for the Future of Kosovo, Independent Liberal Party, United Serb List, and a number of analysts from Belgrade and Pristina. Swiss, EU, and U.S. diplomats took part as well. The roundtable was funded by the Swiss Federal Department of Foreign Affairs.

The idea for the meeting grew out of CIG's conversations with many of the invitees during the second part of 2011. A number of remaining disputes in the Western Balkans, the most urgent of which is the tense situation in the north of Kosovo, prevent the countries of the region from securing stability and from moving at a faster pace toward their common goal of membership in the European Union. CIG convened the meeting in Vienna with the goal of helping generate new ideas on how to resolve the most pressing issue facing the region today.

The questions for the agenda were grouped under the general theme of "What will it take to resolve the problems in the north of Kosovo." The participants were invited to identify options for settling the crisis in the north that should be taken off the table and those that should be examined further. They were encouraged to identify the main problems facing those who live in the north and suggest solutions that would best address those problems; to identify criteria that need to be fulfilled in order to arrive to a solution acceptable to all parties; to look into incentives that exist for Pristina, Belgrade, and the Serbs in the north to resolve the dispute; and to identify potential confidence building measures.

As with any large roundtable of its kind not all the objectives of the agenda were fulfilled and will require a follow up meeting. The following is the summary of the Vienna discussions and their conclusions. To encourage frank discussions, remarks have not been attributed to specific discussants and CIG asks for the understanding of those whose remarks have not been fully captured in this brief report. The participants took part in the roundtable in their personal capacities and their positions do not necessarily reflect those of organizations they represent. The participants have not reviewed the report, and CIG takes the responsibility for its content.

Introductory Arguments

Two analysts from Belgrade and Pristina opened the roundtable. They offered an overview of the relations between Belgrade and Pristina and an analysis of the current situation in the north. The Belgrade participant addressed the relationship between economic hardships and political extremism. A weak economy, characterized by extreme levels of unemployment—about 45 percent in Kosovo and 20 percent in Serbia—is affecting not only the lives of Serbs and Albanians but also the political positions of Belgrade and Pristina. He argued that in times of economic hardship clinging to nationalism is the best bet by the elites to extend their stay in power and deflect the attention of the public from real issues. Both Belgrade and Pristina confront budget deficits, weak economic growth, corruption, and widespread organized crime. He suggested that Belgrade and Pristina should begin genuine cooperation and not only do so when pressured by the international community.

Regarding the crisis in the north of Kosovo, the speaker said that the dispute is not only between Belgrade and Pristina but also between Belgrade and the Serbs in the north, between Pristina and those Serbs, between Belgrade and the international community, and between Pristina and the international community. Belgrade should support solutions that benefit both Serbs in the north and those in the south, the speaker added. He also cautioned against “criminalizing the barricades in the north.” “While some people at the barricades may be criminals, the problem is real.” According to his argument, the source of the problem is not lawlessness; lawlessness is simply the result, not the cause, of the dispute. Neither Belgrade nor Pristina can function and make any progress with such a constant political and security risk. President Tadic’s call for the removal of the barricades was not considered serious by some actors because, reportedly, there were measures taken by Serbian officials that prevented the implementation of the President’s message. The speaker concluded that the government of Kosovo has reaped some benefits from this situation, mostly because it didn’t act, benefiting from inaction.

The analyst from Pristina refuted the commonly heard argument that Serbs and Albanians can’t live together. “It doesn’t make a lot of sense to say that Serbs can’t live together with Albanians in Kosovo but other ethnic groups in other countries can—for instance, Albanians in Serbia and Macedonia, Russians in Ukraine, and Hungarians in Romania.” The dissolution of the Soviet Union left 25 million Russians outside Russia and they seem to have been accommodated in their new respective countries, the speaker asserted. He also questioned the argument that northern Serbs are against integration because of their fear of Pristina, adding that according to this logic there should be more fear among the Serbs in the south than those in the north. “The northern Serbs live compactly in the north, so why fear! By contrast, southern Serbs live in areas surrounded by an Albanian population.”

The Pristina analyst noted that Belgrade’s approach is key to the integration of the northern Serbs into Kosovo’s institutions but argued that Belgrade is doing the opposite. “It is using the northern Serbs to maintain some leverage over Kosovo’s politics and to keep the Kosovo status open.” The speaker briefly addressed the potential options for the north. He said that partition is not an adequate solution, mostly because most of the major actors strongly oppose it. Partition would also have implications for the region, he argued, especially for Bosnia and Herzegovina and Macedonia. The exchange of territories is also an unlikely option. This option is supported

by certain sections of Serb and Albanian societies but is opposed by the international community. Partition could be achieved through secret talks between Belgrade and Pristina but for now remains an unlikely option. A third option, an Ahtisaari Plan “Plus” model that would offer additional rights for the northern Serbs is opposed by the Albanians, mostly because they fear it would hamper the functioning of the state, and by Belgrade and northern Serbs because it leaves the north in Kosovo. A fourth option, a temporary mini-protectorate that would strengthen the rule of law could be more acceptable to Belgrade and Pristina but the international community does not seem very keen to commit resources to this option, the participant concluded.

Major Points of Discussion

Belgrade and the Serbs from Kosovo

A northern Serb participant argued that “Belgrade may use the north to maintain some control over Kosovo but Pristina is also not interested in building partnerships, it also wants to harm the other side, especially when it says that criminal structures run the north.” He admitted that there are some criminals in the north, just as there are in the south, but said that they do not have enough influence to direct the course of events. “Criminals in the north are not the problem, they are a result of the problem.” He said that the internationals and Albanians have little influence on the north, that only Belgrade can resolve the crisis.

This participant added that the assertions that northern Serbs are hostage to Belgrade or to the criminals are not true. “Northern Serbs simply want to take their fate into their own hands.” If any solution on the north is to succeed, the Serb leaders from the north must be an essential part of any negotiations on the north. He believed that they wouldn’t give up the prerogatives they have now—the independence of local governance, Serbian local institutions, the independence of social services (health and education institutions, etc.)—but may only ask for more. He also said that the institutions in the north are not parallel but are the only institutions that exist in the north, though he conceded that they are Serbia’s institutions, not Kosovo’s, which is the essence of the dispute. The Ahtisaari Plan is unacceptable to the northern Serbs because it gives Kosovo independence and doesn’t offer sufficient security and institutional guarantees for the Serb community. He said that only a plan that offers a strong institutional framework for the north would be acceptable to the northern Serbs, but offered no details of what this plan would look like. A solution for the north is urgent, he concluded.

Perspectives of Serbs from Kosovo

Two Serb realities exist in Kosovo: the north and the south, another Serb participant from the north said, arguing that the Serbs in the south were in a way ‘forced’ to integrate into Kosovo’s institutions, including taking part in elections, obtaining identity cards, and car license plates, but the northern Serbs don’t have to integrate. They fear losing their Serb identity: “We simply don’t want to be part of Kosovo. We don’t want Kosovo’s documents that say I am a Kosovar and not a Serb. The solution is some form of border adjustment.”

A number of Serbs from the south argued that the Kosovo Serbs in the south have not been forced to accept the ‘harsh reality’ but rather saw integration as a best option to improve their living standards. A Serb participant from the south also objected to the idea of partition, saying

that it would produce severe negative consequences for the Serbs south of the Ibar River. He added that any solution for the north cannot be taken in isolation and should take into consideration possible consequences for the Serbs in the south.

A Serb speaker from Kosovo elaborated on some of the general developments regarding the Serbs in the south. A large portion of the Serb population in Kosovo is not informed about the reasons why the Serbs in the south are taking part in Kosovo's political process. "Serbs are not pleased with the developments, and that's why they decided to take part in Kosovo's institutions." The majority of the Serbs in Kosovo live south of the Ibar River. They lived in difficult conditions and that's why they engaged in the political process, noted the speaker. He said that the Serbs in Kosovo's north don't trust anybody anymore, neither Pristina nor Belgrade, and that they know "what they don't want but not what they want." He said that Kosovo's government is achieving fairly good results considering the situation. He suggested that the same model of integration for the Serbs in the south could be applied for the Serbs in the north.

A participant from the north offered a list of problems of key concern to the people in the north. These included economic development, unemployment, identity, the return of refugees, restitution of property, missing persons, legal protection, and resolution of outstanding court cases. An Albanian speaker noted that the practical problems in the north are the same as in the south. Courts are not functioning properly. Electricity shortages, water supply, and unemployment are just as bad among Albanians. Another speaker said that these are all status issues. "You can't have rule of law in the north without resolving the status, in essence without first agreeing on whose laws to apply there." He predicted that unless the internationals act boldly the north would remain a frozen conflict for years to come. A Serb participant agreed that the frozen conflict would be there until Serbia and Kosovo know where their borders are. He added that Belgrade doesn't want the entire Kosovo. "When it says both Kosovo and the EU it means north Kosovo and the EU."

The issue of identity was raised by a number of participants. A number of Serbs said the term "Kosovar" is being imposed on them. "I have been a Serb for fifty years and don't want to change my identity now." But some other speakers said Kosovar doesn't mean Albanian. "The Albanians don't like this term either." It's an adjective meaning belonging to Kosovo. In other words, it means an inhabitant of Kosovo.

Pristina and the North

An Albanian participant from Kosovo rejected border adjustment or partition as an option. He called for compromise. "The Rambouillet Accord, the Ahtisaari Plan, and Kosovo's Constitution were all compromises." He explained that the Albanians themselves struggled to understand the notion of compromise for some time but have now understood that they need to create an understanding with the Serbs in the north and want to jointly think of solutions based on compromise. He said that Albanians and Serbs should focus on the reasons to live together, not just list reasons why they can't live together. "Kosovo is neither the first nor the last state to function as multiethnic state. Multiethnic state itself is a compromise." He reported that Kosovo's government has willingness and funds to make the north a normal and prosperous part of Kosovo, but this could be achieved only when we begin to list the possibilities, not impossibilities, for co-existence." The speaker also said that the Kosovo government is willing to

establish a dialogue and communication with “the people in the north” but didn’t specify who these people would be. He would, however, accept dialogue with the mayors of the Serb municipalities in the north in their private capacity.

The dispute is between Belgrade and Pristina, not between Serbs from Kosovo and Pristina, a speaker from Kosovo asserted. “Serbia is applying active non-recognition of Kosovo, doing everything to derail Kosovo’s state-building process, and making the lives of Albanians miserable.” He said that Kosovo wants to be a good neighbor, but that Serbia should be a good neighbor too. He agreed with some assertions that Kosovo politicians have not changed since 2004, when interethnic unrest left scores dead, but said that Serbia’s policy towards Kosovo hasn’t changed either. “Rhetoric is the same as in Milosevic’s time.”

Albanians and Serbs have a communication problem. They communicate through media and indirect channels. But the problems they face require direct and intensive interactions, a number of speakers argued. Partition or exchange of territories would only be face-saving for Belgrade and past experiences show that face-saving solutions are not good for the people, an Albanian speaker said. He defended the Ahtisaari Plan, saying that it in effect offers Serbs in Kosovo a non-territorial autonomous status. First, the Parliament needs support of two-thirds of the non-Albanian parliamentarians to change the Constitution. “This is why Albanians won’t be able to dominate. Not because they are good guys.” Second, the Parliament can’t change the election law without support of two-thirds of the non-Albanian parliamentarians. “Such a decision-making mechanism is like that in two chambers, just like in a federation.” Third, the Ahtisaari Plan allows Serbia to transfer tax-free funds to Serbs in Kosovo through commercial banks. And fourth, the Plan allows for double citizenship: Serbs can have two drivers’ licenses, two passports, and other documents. And the Serbs in Kosovo themselves can decide which documents to use. He urged the northern Serbs to articulate their needs and fears that the Ahtisaari Plan doesn’t address. What kind of decisions they want to make themselves? But concluded that Albanians wouldn’t accept any territorial or non-territorial federation.

A Way Forward? Building Confidence

A number of speakers, both Albanians and Serbs, said that Albanians and Serbs needed to build a common understanding, focus on practical issues and not on generic questions such as whether they should divide Kosovo or whether Serbs and Albanians can live together. These questions should not be part of debate on the north. Integration of Serbs in the south of Kosovo should serve as a template to convince the Serbs in the north that integration is possible, that the Albanian majority cannot dominate the institutions.

An Albanian participant suggested that politicians should focus more on economic development. “I am for a developed Kosovo, not for a multiethnic Kosovo.” Regarding the north, he said that the issue is not about money. “It is not about competing with Serbia who is offering more. The north is about status. We can’t resolve practical issues without first resolving the status.”

A Serb speaker from the north said that the lack of confidence of northern Kosovo towards Pristina is because Pristina has not done enough to build trust. A large number of court cases have not been resolved. “My house was burned and the perpetrators are still at large. Pristina wants the territory without the population.” An Albanian speaker replied that hundreds of

thousands of Albanian houses were burned and the perpetrators are also still at large. The Kosovo courts are still not properly operational so it's difficult to know what is ethnically-motivated and what is due to poor court performance, he suggested. The Serb speaker said that even if they were to accept Pristina's money, 20 million euros is an insignificant amount. "Only the University in Mitrovica receives from Belgrade 10 million euros."

The need for reconciliation and for confronting the past was a recurring theme. A Serbian party official said the Serbs and Albanians should recognize the problem and provide no excuses for crimes committed in the past. The speaker said that such confidence-building measures as resolving court cases and provide conditions for the refugees to return should be taken immediately. To build confidence also requires more direct communication. "Only a few people from both sides have the chance to communicate directly with each other." In the end, both sides should give up something to reach a solution acceptable to both sides, the speaker concluded.

The International Community

An international participant argued that the EU doesn't have a balanced approach: it offers Serbia EU candidate status and Kosovo only access to its northern territory. Another participant disagreed with the assertion that the EU has an unbalanced approach and pointed to the results that the ongoing EU-sponsored Belgrade-Pristina dialogue in Brussels brought to both sides. "The dialogue broke the deadlock of Serbs and Albanians. Many believed they would walk out before they would begin. The results are thin but they exist. We have to build on them instead of criticizing and undermining the dialogue." The speaker said that the EU will soon begin a dialogue on visa liberalization with Kosovo and also soon reach a deal on the name of Kosovo to participate in the European program.

EU membership remains a major incentive for Serbia and Kosovo to cooperate. Serbia's EU integration path is directly linked to Kosovo, an Albanian speaker noted. He reminded the Serbs from the north that they have to take into account that their lack of cooperation will have negative consequences on Serbia's EU integration. The EU is not the same as two years ago; the influence of the five member states that continue to withhold recognition of Kosovo is not as powerful as two years ago. "Now Germany is playing the key role." He suggested that the pressure on Serbia should be increased in order to achieve progress, especially on removing the barricades and dissolving parallel structures.

An international participant suggested that both sides should focus on finding some intermediate steps to stabilize the situation and prepare the ground for a political solution for the north. "We can't ignore that Serbia doesn't recognize Kosovo, but let's analyze the situation and see what can be done under the circumstances." He noted that progress in one area could lead to progress to another. "Rising tide lifts all boats."

Conclusion

Despite the fact that both Albanian and Serb participants mostly reiterated their well-known public positions on the north and the status of Kosovo in general, the roundtable in Vienna presented a number of important outcomes and potential openings. It also laid out an agenda for

further discussions. The meeting provided a unique opportunity for many participants to sit down at the same table for the first time since early 2008 when Kosovo declared independence.

That said, it is clear the search for compromises is at a very early stage.

The major obstacle for further productive discussions that is evident from the exchanges in Vienna is the overwhelming lack of trust and insufficient level of communication between Belgrade and Pristina, between Serbs and Albanians in general and especially between the Kosovo institutions and representatives of the Serbs in the north of Kosovo in particular. Distrust and suspicion are high. Further discussions of the type organized in Vienna would most definitely introduce the sides to each other better and will contribute to further relaxation of the atmosphere between them.

However, the meeting in Vienna also showed that a number of confidence building steps are possible even before the resolution on the status of Kosovo's north is reached. Serb participants in the north identified the issues of security and the rule of law, and especially the functioning of the police and the justice system, securing property rights, unemployment, the organization of local self-governance in the north and fears of losing their Serb identity as important issues on which they were willing to engage in discussions with their Albanian counterparts. These issues, albeit general in nature, merit further exploration by the participants. A suggested dialogue between the Kosovo institutions and all influential political factors in the north would be a good venue for it. A discussion on these issues and steps towards resolving them would constitute elaboration of much needed confidence building measures.

These opportunities, presented by the roundtable in Vienna, should be explored at further meetings. CIG plans to organize a follow-up in early 2012.

List of Participants

English Language Alphabetical Order

Shpend Ahmeti, Self-Determination Party
Agron Bajrami, Daily Newspaper *Koha Ditore*
Berat Buzhala, Democratic Party of Kosovo
Bekim Collaku, Democratic Party of Kosovo
Sadri Ferati, Democratic League of Kosovo
Ardian Gjini, Alliance for the Future of Kosovo
Dukagjin Gorani, Democratic Party of Kosovo
Christopher Hoh, United States Department of State
Ylber Hysa, Coordinator for the North
Oliver Ivanovic, Civic Initiative “Serbia, Democracy, Justice”
Dusan Janjic, Forum for Ethnic Relations
Srecko Latal, International Crisis Group
Lawrence Meredith, European Commission
Shkelzen Maliqi, Publicist
Smiljana Milisavljevic, Democratic Party
Randjel Nojkic, Serbian Renewal Movement
Zoran Ostojic, Liberal Democratic Party
Stojanka Petkovic, United Regions of Serbia
Slobodan Petrovic, Independent Liberal Party
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