

Belgrade-Pristina Dialogue and Kosovo's North

Introduction

The Council for Inclusive Governance (CIG) organized on March 22-23, 2013, in Istanbul, Turkey, its fifth roundtable for political party and civil society representatives from Kosovo and Serbia on searching solutions for Kosovo's north. Participants included officials of Kosovo's Democratic Party of Kosovo (PDK), Democratic League of Kosovo (LDK), Alliance for the Future of Kosovo (AAK), Independent Liberal Party (SLS), United Serb List (JSL), Kosovo's government and president's office, and Serbia's Serbian Progressive Party (SNS), Socialist Party of Serbia (SPS), United Regions of Serbia (URS), Liberal Democratic Party (LDP), Serbia's government and president's office, and a number of analysts from Serbia and Kosovo. European and U.S. diplomats took part as well.

The roundtable is part of a project on Kosovo's north generously funded by the Swiss Federal Department of Foreign Affairs.

On the first day, CIG organized a workshop that included six analysts from Kosovo and Serbia. They were asked to discuss the EU-sponsored dialogue between Prime Ministers of Kosovo and Serbia, outline possible challenges for the implementation process and suggest a number of recommendations to address those challenges. The analysts outlined recommendations in four areas: the nature of a future agreement; influence of party politics on the success of implementation; the role of the Serb population in Kosovo's north in the implementation and the transition period. These recommendations were discussed by the larger group during a roundtable discussion on the second day. Though the participants differed on how a comprehensive solution for the north should look like, they suggested a number of steps to improve the quality of the ongoing the dialogue and its outcomes and to implement future agreements. They recommended to Belgrade and Pristina to better inform their publics about the dialogue, the agreements, their costs and benefits, and avoid conflicting interpretations, to produce clearer agreements with tangible benefits for the populations, and to begin preparations for the transition period.

The following is a summary of the roundtable discussions. To encourage a frank discussion, 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.

Dialogue and Kosovo's north

The majority of participants were confident that a comprehensive agreement would be reached between Pristina and Belgrade. They suggested that it is important that people know what the agreements are about and that they provide enough detail to show the benefits that the people in Kosovo's north would receive. The Serbs in the north should see that the agreements will have a direct positive effect on their lives and that their living conditions will be improved gradually even though they may lose some of the current benefits. Many said that the agreements should also have deadlines and timetables for implementation. Eventual progress in the north will not only stabilize the situation there but also relax the overall interethnic situation in Kosovo and improve relations between Belgrade and Pristina. The reason the participants believed an agreement was imminent was that many thought the sides do not have many options, and believe that they would not be able to get later what is offered to them now. But the international community should be careful in making sure that there would be no losers in the dialogue, that everyone should give up something but also benefit from the agreements, a number of speakers argued.

Some participants predicted that the implementation would be even more difficult than the process of achieving the agreements. Many problems will arise, and some were skeptical that the agreements would be implemented at all. Both Pristina and Belgrade have dragged the implementation of the past agreements. A speaker said that Pristina has not been very good at implementing the Ahtisaari Plan in full in the south either. "Appointment of police chiefs by local authorities and establishment of local judiciary have not been implemented yet. The law on languages is not respected fully either." The speaker added that the laws are modern on paper but the implementation process has been lagging. While Pristina may drag implementation of parts of the agreements it does not like, Belgrade would have a difficult time to explain to the Serbs in the north the benefits of the agreements and convince them not to undermine the process. Many speakers said that Belgrade is the main actor in relation to the Serbs in the north and its influence is key to the implementation process.

A number of Kosovo Albanian speakers, however, said that Belgrade should not be significantly involved in the implementation of agreements on Kosovo's territory and that Kosovo's institutions and the Serbs in the north should be the main implementing actors. They said the Serbs in the north should be involved more, but were adamant against the inclusion of the leaders of the Serbian institutions there in the implementation process. They rejected suggestions of other participants for legalizing the Serbian local institutions in the north. "Serbs should accept the new reality in Kosovo and nobody should manipulate with the feeling of the Serbs. Of course Belgrade has the right to be interested about the Serbs in Kosovo, but Kosovo's government is in charge," a speaker argued. A Serb from the north said that, "not Belgrade, not Pristina, but the Serbs in the north should be the main actor in the implementation process." A number of speakers said that if no agreement is reached in April, the dialogue "should not be declared dead."

A Serb speaker said that the rights of the Serbs in the south should not be diminished regardless of the nature of the agreement on the north. He asked for more clarification from both Pristina and Belgrade and for commitment of Pristina not to reduce the rights of the Serbs in the south if

extra rights are given to the Serbs in the north. He suggested that Serbs in the south should sit with the Serbs in the north to discuss their experiences and the manner in which the situation in the north could be gradually stabilized.

Some Kosovo speakers admitted that not all Kosovo's laws are implemented, "but not only in Serb areas, but also in Albanian once." The speaker was strongly against a proposal that came out of the analysts' meeting the day before to establish a joint implementation coordination body with Serbia. He argued that Serbia should not be part of a body for implementing policies in Kosovo's territory. He admitted that Belgrade cannot be excluded, saying that, "Belgrade should have some say, but not too much."

A speaker familiar with the dialogue process in Brussels said that in theory it looks good to have detailed agreements, but in practice it does not work. He explained that it is better to have detailed agreements, but it is easier to get agreements that are vague and most likely that how it is going to be this time as well. He predicted that the implementation will be difficult, with many different interpretations, but said that, "this is the nature of the process." He noted that deadlines and timetables are great but "we are not likely to have them strict this time, especially that we cannot attach penalties to non-implementation." "We can push for implementation even after the process is lagging."

Some speakers asked that the agreements reached between the prime ministers should be ratified by the parliaments of Kosovo and Serbia so as not to leave room for reinterpretations later, especially if there are changes in the governments of either Pristina or Belgrade. Moreover, they also asked that the negotiating teams should inform their parliaments more regularly. Though the ratification of agreements by parliaments would give them legitimacy, the majority of speakers said that the international community is still needed as a guarantor for the implementation of the agreements. A number of Serb participants said that the international community should also be a guarantor of stability and security for the entire Serb community in Kosovo.

Some questioned the role of a guarantor. A speaker wanted to know about the eventual role of the guarantor especially if the Serbs in the north resist the implementation of the agreements. He recommended that the agreements be first and foremost in line with the interests of the Serbs in the north. Another speaker said that the main actors should involve the people in the north more in the process. "Nobody asks the people in the north about anything; only the local leaders talk all the time; the voice of the people is not heard." A speaker said that their voters expect them to protect their constitutions and laws but also understand the necessity and need for reaching compromises. She claimed that Pristina though seems to be interested only in the preservation of the territory, not so much in the welfare of the people who live there.

The role of the political parties in the dialogue was considered important. A Kosovo speaker said that his party supports the dialogue but not unconditionally. A member of another Kosovo opposition party also said that his party, too, supports the dialogue but only as long as the agreements are in line with Kosovo's system. He further asked to provide more clarifications about the agreements to avoid conflicting interpretations. He suggested that Kosovo's government should do more outreach in the north. "The government should be engaged in

outreach activities, media, civil society, and with regular people in the north.” He also added that it’s legitimate for Belgrade to pay attention to the future of the Serbs in Kosovo.

Political parties in Serbia also support the dialogue. Some speakers, however, suggested that SNS should be more involved in the process through a direct participation of its president in the dialogue. They also suggested that the Serbian political parties, especially those in power, SNS and SPS, should become more involved in the north to convince the people there to accept the agreements.

Preparing for transition

Given that the majority of the participants believed an agreement is inevitable, a part of the discussion was dedicated to the transition period. Many expect that there will be a lot of frustration and dissatisfaction with the eventual agreements in the north. Though the main issue will be transformation of the current institutions in the north, the debate focused more on the proposed association of municipalities and whether it should have legislative and executive powers.

A speaker said that the association of municipalities should have the right for cross-border cooperation, and that an election should be part of the overall deal, and not just organize elections without having a clear plan for afterwards. However, another speaker said that elections in the north should be the first step of the transition. Elections should be first and the formation of the association of municipalities second. He also said that the local mayors in the north should commit to the implementation of agreements.

Some wondered how the process would go in case there is violence in the north. “We tend to forget what exists on the ground, what are the things that the Serbs in the north are trying to protect? Serbs in the north will resist change.” Especially sensitive will be the issue of the parallel structures, particularly those in security. Some said they would have to be integrated into Kosovo’s security structures.

Other contentious issues that will be decided in the dialogue include documents to be used by the voters in the north, voters’ list, the issue of party registration, etc. Also the opposition and anti-agreement Democratic Party of Serbia (DSS) is in power in two municipalities in the north, which in this case is a disadvantage for the Serbian governing parties. These mayors will certainly be against any agreement. Some suggested finding ways to involve these people in the dialogue. Belgrade should also be clear about participation of Serbs in Kosovo’s elections and institutions and support it, some argued.

For the transition to go smoothly, many said it is important that Serbian officials stop giving conflicting messages for the Serbs in the north. The messages should address their concerns and explain to them that their interests will be guaranteed, and that their lives will not deteriorate as a result of the agreements. In this context, many suggested that the implementation process should involve EULEX and KFOR more, but also Kosovo’s police.

A speaker suggested that immediately after the agreement, better services such as water and electricity should be provided to the Serbs in the north as a sign that the region would only become better. Another recommendation was to provide economic and financial investments immediately after an agreement is reached between Belgrade and Pristina. In this context, the development fund for the north should be activated as soon as possible.

An exchange occurred at the meeting between a government participant from Belgrade and a government participant from Pristina regarding possibilities for joint actions to be taken by their respective governments following the signing of the agreements. It was proposed that first such step could be a joint visit, on the same day, of senior officials from the ministries of internal affairs of Kosovo and Serbia to Kosovo and to Serbia to show their commitment to the implementation of the agreements and normalization of relations. The majority of participants endorsed such a step.

Conclusions and recommendations

A number of conclusions and recommendations came out of the roundtable.

- Agreements should have achievable implementation timetables and clear deadlines.
- The governments should inform their publics in greater detail about the agreements and work on winning greater support for the agreements from the populations and political parties in Serbia and Kosovo respectively.
- Delegations of Pristina and Belgrade should agree not to give conflicting statements on the dialogue and the agreements. If this continues to happen, EU should clarify such statements.
- Establishment of a joint body headed by EU should be considered to monitor the implementation of the agreements. Participants from Pristina clarified in strong terms that the Kosovo institutions should be *in charge* of the implementation but Belgrade could help in helping to create an overall atmosphere needed for the implementation especially in Serbia and in the north of Kosovo.
- The Kosovo and Serbian governments should appoint a senior official, preferably a deputy prime minister, to be in charge of the implementation on each side.
- Pristina and Belgrade should organize public campaigns on the implementation of agreements and involve media and non-governmental organizations more.
- Communication between and within Serbia's and Kosovo's political parties should be intensified.
- Kosovo's and Serbia's officials should organize joint public outreach activities, such media appearances, visits, and increase communication between lower-level Serbian and Kosovo officials. A good start could be a joint public visit to Kosovo and to Serbia by senior officials from the ministries of internal affairs.
- Agreements reached so far should be fully implemented. There was overall agreement that all parties should be active participants in the implementation of agreements but disagreed on the level of engagement. Albanians insist Pristina is the main actor, while Serbs say only Belgrade can change the hearts and minds of the Serbs in the north and convince them to implement agreements.
- Belgrade and Pristina should speak with one voice and involve the Serbs in the north in the process of implementation and explain to them the benefits and costs of the agreements.

- Belgrade should encourage local institutions in the north to assist in the implementation of agreements and organize an outreach campaign there. Belgrade should encourage Serbs in Kosovo and especially in the north to participate in Kosovo's political life and its institutions.
- The mayors in the north of Kosovo should facilitate the implementation of the agreements.
- Initiate communication between Serbs in the north and Serbs in the south and share information and experiences.
- With the implementation of the agreements, visible and quick real life improvements need to be made in the north in order to win greater support of the local population for the agreements.
- It should be clear in the agreements what parallel structures in the north (members of the civil protection force, judiciary, municipal governments, healthcare, education, etc.) should be transformed, and which should remain as they are, and the manner in which this process should take place.
- It should be clear what bodies will be in charge of conducting services before the new structures are in place, so as not to have a security and service vacuum. Models to legitimize the current leadership until a new institutional structure is in place should be searched.
- Cooperation between Serbs in the north, EULEX, and KFOR should be strengthened during the transition period. Establishing security in the north and fighting the organized crime are key.
- Belgrade and Pristina should begin to engage with OSCE to prepare for political transition and the next local elections in the north. Also, if parties registered in Serbia plan to take part in an eventual election in the north, they should begin the process of registration in Kosovo.
- A number of mechanisms should be put in place before organizing elections in the north. For instance, it is important to have a functional judicial mechanism to address, among others, election complaints after the election process is over.
- The international community should be a guarantor of the agreements, especially given the experience of the past agreements, where they had to be renegotiated.
- Kosovo's government should do more outreach in the north.
- Responsibilities of the liaison officers should be clearly defined and the offices should be established as soon as possible. In addition to the political liaisons, establishment of economic and trade liaisons should be considered as well.
- If no agreement is reached, the dialogue should not be declared dead.

List of Participants

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Ardian Gjini, Alliance for the Future of Kosovo
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Adem Grabovci, Democratic Party of Kosovo
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Dusan Janjic, Sociologist
Jadranka Joksimovic, Serbian Progressive Party
Adriatik Kelmendi, Koha TV
Dusan Kozarev, Office of the President of Serbia
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