

Institutional Integration in Kosovo's North

Introduction

The northern Serbs voted in solid numbers for the first time in Kosovo's elections since the declaration of independence in February 2008. The Belgrade-backed Citizen's Initiative Srpska won in 9 of the 10 Serb-majority municipalities, including all four in the north. Though marred with irregularities and an aggressive intimidation campaign, the election in the north was successful in that it elected officials and created the conditions for establishing institutions recognized by all stakeholders. The results were also accepted by all parties.

The integration process, however, includes a number of challenging steps in the upcoming weeks. These are the establishment of the new local institutions and transformation of the old ones, functioning of these institutions according to Kosovo's law, cooperation between local institutions in the north and Kosovo's central institutions, and the formation of the Association/Community of the Serb-majority municipalities. These steps were the focus of the sixth and last roundtable in the project held on December 5-6 in Brussels, Belgium. A number of participants from Kosovo and Serbia also had a discussion with a few members of the Delegation for the Western Balkans of the European Parliament. The report includes the discussions at this meeting as well.

The elected representatives in the north had been the most vocal against Kosovo's institutions, but now they have to establish and run themselves such institutions. Pristina had also refused to meet with many of these representatives when they headed the parallel institutions, but now it will have to work with them. Many expect this relationship will be tense and challenging. The first test is the convening of the assemblies and establishing of the administrations according to Kosovo's law.

The participants recommended that the mayors should begin their communication with Pristina immediately and in line with the existing laws. They particularly encouraged the mayors to focus more on policies that address the local concerns of their constituents—water, electricity, and road infrastructure—and less on politics. The mayors should also establish local administrations immediately and begin to provide services. Participants supported the full implementation of the Brussels agreement and called on all sides to do their part. There was consensus that the political stability is key for economic development of the north, especially for foreign assistance, and called on the mayors to create an environment conducive to foreign assistance and investment.

Establishing local institutions

The transformation of the Serb parallel institutions in the north occurs to be a more complicated process than the establishment of the Serb-majority municipalities south of the Ibar River four years ago, a number of participants concluded. Particularly complicated is the integration of hundreds of members of informal security structures, such as the civil protection and Serbian police officers, into Kosovo's respective structures. The Serbian authorities have submitted a list of 337 members of the Serbian police to the Kosovo authorities, which will recruit between 250 and 270 to the police force. Kosovo's intelligence agency and EULEX are reviewing the applications. Members of the civil protection force will also be integrated into the police and security force according to the same procedures.

The Kosovo Albanians questioned the loyalty of these members to the institutions of Kosovo. Some said that not only they had been at the forefront of resistance to Kosovo's institutions, but that they also refuse to recognize Kosovo's sovereignty. The statements of various Serbian officials that the new local institutions will "strengthen the state of Serbia in Kosovo" do not contribute to a climate of cooperation and tolerance, many speakers said. A number of Serb speakers said the integration of the Serbs should take place according to the Brussels agreement, which, according to them, is status neutral. Some of the officials argued that they will not recognize Kosovo's independence and its institutions but will try to cooperate with them in the spirit of the agreement. They agreed to take the oath of office, but not "because they recognize the institutions of Kosovo but because the oath does not mention the Republic of Kosovo." Though this may help to convene the administrations, it is no solution, as the mayors will be confronted from the very first day with many documents with the symbols of the Republic of Kosovo.

The first test will be the convening of the assemblies and creation of local governments according to Kosovo's law. According to the local governance law, municipal assemblies should convene 15 days and mayors should take the oath 30 days after the Central Election Commission certifies the election results. If the mayors fail to take the oath, the Commission organizes a new election. Some Serb participants suggested that the local institutions should not be formed until the Association/Community is formed.

Implementation of Kosovo's laws by local institutions in the north and their cooperation with Pristina is key to the successful integration. Revenues from municipal sources are negligible, thus municipalities rely on funds from the central budget. Many speakers suggested that the Serb mayors in the north should begin to talk themselves with Pristina, and not wait for Belgrade to discuss every detail on their behalf. They recommended that the local administration should be recruited as soon as possible and services should be provided immediately.

Cooperation is also a condition set by the international community. The European Union has allocated 38.5 million euros for the north for the first year, but its officials say the funds are contingent upon the north's cooperation with Pristina and the international community and the implementation of the laws. Many speakers said that the implementation of Kosovo's local laws is not negotiable, and believed that the EU funds is a solid incentive. The EU financial assistance

is significant. And in addition to the EU 38.5 million euros, the four municipalities will receive additional funds from central authorities, local revenues, and the development fund for the north. In total, the funds for the north for the 2014 will be about 60 million euros. To put it into context, the north with about 40 thousand inhabitants will have an equivalent budget with Pristina that has about 200,000 inhabitants.

Association/Community -- an integrative or divisive force?

The objective of the Association/Community is to connect the Serb-majority municipalities with each other and serve as an umbrella organization representing the interests of the Kosovo Serb community. Kosovo officials say they agreed to the Association/Community in exchange for the dismantling of the parallel system in the north. The Association/Community remains one of the most contentious issues of the Brussels agreement. The Kosovo Albanian participants argued that it would further divide the Albanian and Serb societies, create a separate Serb entity within Kosovo, and undermine the state of Kosovo and the concept of multiethnicity. But a number of Serb speakers argued that the Association/Community would just represent the interest of the Serb community in a more organized way and act as a unified Serb body in Kosovo. They also added that it should have solid legislative and executive powers, including some currently held by the municipalities.

The mandate and role of the Association/Community has not been defined yet. The Kosovo prime minister assured that the Association/Community would simply be a consultative mechanism without any executive or legislative powers. The Serbian prime minister, on the other hand, said that the body would have executive powers in areas of security, judiciary, education, health, urban planning, and economic development. Members of the international community, including the American and German ambassadors in Kosovo, have recently recognized in separate interviews that there are tendencies by Belgrade to form a version of Republika Srpska in the north but said that they will not allow it. Members of Kosovo's opposition Self-determination movement argue that stopping it is too late and blame Kosovo's government for creating a separate entity in the north.

What is known about the Association/Community is that it will not have an elected legislative body and that its leadership will include mayors and other members of local institutions of the Serb majority municipalities. Some of these municipalities, such as Novoberde/Novo Brdo, Shterpe/Strpe, north Mitrovica, have substantial Albanian population. The debate over the questions is creating tensions between the communities. Participants suggested that an agreement on this mechanism should be reached quickly.

Conclusions and recommendations

The following is a list of conclusions and recommendations that came out of the discussions.

1. *The Pristina-Belgrade dialogue on Kosovo's internal issues should be phased out.* The dialogue should continue on bilateral issues, such as economic cooperation, energy, regional cooperation, and European integration. The remaining internal issues should be discussed between Pristina and Kosovo Serbs.

2. *Mayors should begin to talk directly with Pristina and not continue to rely on Belgrade.* Not only this is a responsibility given to them by their electorate but also that Belgrade may not be able to negotiate on their behalf every local issue that will come up during the implementation of the agreement. Representatives of Kosovo's institutions, including the prime minister, and mayors in the north have expressed willingness to have direct meetings.
3. *The EU 38.5 million euros for the north should be used for development projects.* Members of the international community called on the newly-elected mayors to set up their administrations as soon as possible and begin to use the money. They also called on them to employ experts who are able to use these funds for development projects.
4. *The details of the Association/Community should be agreed upon soon and bring to an end the heated debate.* The debate about the Association/Community has widened the gap between Albanians and Serbs regarding the Brussels agreement. Albanians claim that the Association/Community sets the stage for the creation of a Republika Srpska in Kosovo. The Serbs, on the other hand, argue that only a strong Association/Community is a guarantee for their rights in Kosovo. Both sides claim that the Association/Community will have certain powers but so far there is no agreement between Pristina and Belgrade on the details of the Association/Community.
5. *Mayors of Serb-majority municipalities should operate within Kosovo's framework.* Whether the mayors of the Serb-majority municipalities recognize Kosovo's independence or not is not important as long as they operate within Kosovo's framework and in line with the Brussels agreement.
6. *Local institutions should focus on local issues.* Local candidates in Albanian-majority municipalities focused on local issues such as water and roads and local governance as never before. However, the campaign in Serb-majority municipalities had very little to do with local governance and more with national politics and Serbia's role in Kosovo. But once they assume their position, the mayors and members of local assemblies, especially those in the north, should focus on local issues.

Roundtable Participants

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