

Kosovo Serbs, Belgrade, and Serbian Elections

Introduction

The Council for Inclusive Governance (CIG) organized on February 28, 2012 in Belgrade a roundtable for various Kosovo Serb representatives and officials of Serbia's parliamentary parties and government on the pros and cons of holding Serbian local elections in Kosovo. Participants included members of Serbia's Democratic Party, G17 Plus Party, Socialist Party of Serbia, Serbian Renewal Movement, Liberal Democratic Party, and Kosovo's Independent Liberal Party, United Serb List, Serb Democratic Party of Kosovo and Metohija, as well as a number of Serb civil society representatives from Belgrade and Pristina.

The roundtable was part of a project on the future of the Serb community in Kosovo funded by the Swiss Federal Department of Foreign Affairs.

The meeting agenda included the following questions: What are the costs and benefits of holding Serbian local elections in Kosovo under the current circumstances? Are there different consequences in the north and in the south? How to mitigate the negative consequences if the elections are held? Is it at all politically possible not to hold the elections? What is the best way of organizing local governance in the municipalities in the north? In the south, is it possible to end the fragmentation of local governance institutions and erase the divide among the Serbs in Kosovo?

The participants were divided over three options. Some suggested that Serbia should organize both parliamentary and local elections in Kosovo. Some said that Serbia should organize only the parliamentary elections. And some recommended that Serbia should organize local elections in the north and in some municipalities in the south where it is possible but definitely not in the Albanian-majority municipalities.

The following is a summary of the roundtable discussions. 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.

Pros and Cons of Holding the Serbian Local Elections in Kosovo

A speaker said that the Serbian local elections should not be held in Kosovo for two reasons: 1) the institutions that would come out of these elections would not be able to operate. The

institutions that came out of the 2008 elections were not able to operate effectively and that's why Belgrade closed six municipalities; and 2) the elections would complicate the relations with the international community. "It's like putting your finger in the international community's eye." The speaker said that only the Serbian parliamentary elections should be held in Kosovo. "It would be a good compromise." He, however, agreed that Belgrade is in a difficult position. "Belgrade knows it's difficult to hold elections in Kosovo for political and technical reasons. It can't even transport the election materials to Kosovo." But at the same time, it has to organize something in the north. He predicted that the local institutions in the north would be one of the topics of the election campaign. The speaker was against holding local elections in Kosovo. "I'm not saying the municipalities should be closed immediately, Serbia has a responsibility towards these employees, a solution should be found." He said that the UN Resolution 1244 also bans Serbian local elections in Kosovo. Responding to the argument that the Albanians violate it too, he said that, "if Belgrade violates the UN Resolution 1244 because Pristina violates it, then the Resolution 1244 should be invalidated and nobody should be called on it."

Some supported the holding of local elections in the north. A speaker familiar with the Serbian institutions in the north said that the result of the referendum in the north showed that the Serbs are against Kosovo's independence and don't accept Kosovo's institutions. "We don't want to be Kosovars, we are and will remain Serbs." Addressing the fact that Serbian local elections in Kosovo are in conflict with the Resolution 1244, the speaker said that the Albanians violated it first. "They organized elections themselves. Only UNMIK has the right to call elections in Kosovo." "It's unfair to expect Belgrade to respect the Resolution when every one else violates it," the speaker added. "We should not even debate whether we should hold elections on our territory. The laws state clearly we should." He said that if Belgrade doesn't organize elections in the north, a large number of Serbs in the north would enroll their children in schools in Serbia and gradually leave Kosovo.

Addressing the effects of the elections on the Serbs in the south, the speaker said that they live in a "very difficult situation." "They participate in Kosovo's institutions not because they want to, but because they have to." He said that they take Kosovo documents and car plates because they have to. "If they don't, they will be fined." He said that the local elections should be organized in the south too, in places such as in Gračanica and Strpce. "If Serbia doesn't organize elections in Kosovo, it means it has given up a part of its territory." He didn't expect any serious problems. "The elections should be held, we will have legitimate representatives, and nothing would happen. There is a possibility for some provocations in the south but no major conflict."

"Serbian parliamentary elections should be held in the south but not local elections," a participant from the central Kosovo stated. Holding the national elections also mean that Serbs in Kosovo preserve their relationship with Serbia. "This also would mean that Serbs could take part in Serbia's national institutions and protect their interests there." He warned that it would be catastrophic if Serbia organizes elections only in certain parts of Kosovo. He noted that Serbia-funded service institutions would remain and nobody is against them. He disagreed with the previous speaker regarding the referendum. "The referendum was a provocation," and asked why wasn't it organized in the south as well. He said that many Serbs, especially in the north, say that Serbs in Kosovo's institutions are décor but they should ask why is it? "It's because we are not as active as we should be." He added that some Serb members of Kosovo's parliament don't

attend its sessions because they say, “we don’t want to listen to stupidities. If you think the parliament discusses stupidities, then you shouldn’t join it. Let those who are willing to defend the interests of the Serb community be there.”

The speaker of parliament cannot take a decision that is different than the one in 2008 that also called for local elections in Kosovo, a speaker familiar with the deliberations in the parliament of Serbia said. He said that if Belgrade organizes only parliamentary elections but not local ones, Serbs in Kosovo would ask why. The Serbian laws clearly state what Belgrade should do. “If we organize elections in Zvecan, we should also organize them in Gjilan/Gnjilane. The elections should be held in the entire territory of Serbia.” Addressing the turnout, the speaker said that more than 80 percent of the voters took part in the local elections in 2008, and predicted a solid turnout this time too.

The ambiguity over the elections once again shows that Serbia has no strategy and clear policy towards Kosovo, a Serb from Kosovo argued. He said that Serbia should organize national and local elections in Kosovo wherever it is possible and in line with its laws. But if Serbia organizes elections only in the north and not in south, this is not division; this is a reality, the speaker said. He advised that Belgrade should make a well-thought decision on this issue. “So far Serbia’s policy on Kosovo has been a simulation rather than a policy to defend Kosovo.” The Serbian institutions in the south have no possibility to operate. But he said it is not true that Serbs in the south are against Serbia’s elections. “Only the Serbs that are in Kosovo’s institutions may be against Serbian elections, but not the rest of us. Kosovo Serbs are united in favor of holding Serbian elections in Kosovo.”

The speaker said he was happy to see that those in the north have begun to understand the reasons behind the participation of the Serbs in the south in Kosovo’s institutions, that they no longer consider those who participate as traitors. “Being in the institutions is a must. One can’t even build a house if you don’t have a permit.” He explained that the Serbs in the south don’t recognize Kosovo’s independence but accept the reality.

The organization of local elections in Kosovo is a security risk. Kosovo’s institutions may consider it a provocation and try to prevent it, a speaker said. He confirmed that voter turnout for the referendum was solid but asked what now? He asked whether it’s better for Serbia to organize elections just in the north or also in the south or no elections in Kosovo at all? He agreed that Serbia by law is obligated to organize elections but said that this is more of a political decision than a legal one. He expected that Belgrade will be under pressure from both those who are in favor and those who are against elections, but Belgrade should think more about “the day after,” the speaker said. He suggested not to organize elections “just for the sake of elections. If the institutions coming out of these elections can’t operate, then the elections have no meaning.”

Another speaker also said that this is a political decision, not a legal one. “The decision will not be taken by the speaker of the parliament, but by the highest officials.” He said that the elections and the local institutions coming out of these elections would only compromise Serbia. He supported the parliamentary elections, which would also be allowed by Kosovo’s institutions and the international community, but not the local ones, which, he predicted, would be prevented by the Kosovo authorities.

If Serbia doesn't organize elections in Kosovo, this would be a bad message for the Serb community in Kosovo, a speaker from the north asserted. The message would be that the Serbs should close the Serbian institutions and integrate into Kosovo's institutions. Nominating coordinators, as some have suggested, is unacceptable. If the internationals don't agree with elections, the answer of the Serbian government should be that this is the will of the people, the speaker said. She said that there is a dilemma whether to organize elections everywhere in Kosovo or just in the municipalities where it is possible, but strongly supported the holding of elections in the north. She further said that holding elections only in the north would not create divisions among Serbs, as some suggested. "If the Serbs in the north understand the need of the Serbs in the south to take part in Kosovo's institutions, the Serbs in the south would also understand the need of the Serbs in the north to organize Serbian local elections."

Serbia's decision to hold local elections in Kosovo in 2008 was a spontaneous reaction to Kosovo's declaration of independence, a speaker said. The decision on the local elections in Kosovo will be taken by the highest levels of the state institutions and will take into consideration Serbia's bid for the EU candidacy and the efficacy of the Serbian local institutions in Kosovo. In 2008 the international community ignored the elections, but this time the reaction of the EU will be stronger. EULEX will not provide any help. And Pristina will try to prevent it, the speaker predicted. "The role of the state leaders is to take into consideration the interests of the entire country and make decisions that harm the national interests the least." He noted that the political scene in Serbia is very polarized on the Kosovo issue. He said that the Serbs in the north should respect Belgrade's decisions and that they have no chance to operate without Belgrade's support.

Another participant also said that the international community would put a lot of pressure on Belgrade. "After the Europeans give the candidate status to Serbia, they would want to give something to Pristina too, in this case guarantees that Serbia will not organize local elections there." Most of the EU countries and the US are strongly against the Serbian elections in Kosovo. He said that Serbia's economic situation is also a factor. "Serbia has a number of standby arrangements with IMF and needs to maintain good relations with the international community for the agreements to be adopted."

Serbian elections in Kosovo will have no long-term meaning and effect, a participant asserted. He said that Serbia's and Kosovo Serbs' interests are a bit different. "Serbia's interest is to be able to say that it is defending its sovereignty. The interest of Kosovo Serbs is to live better." He suggested that this reality should be recognized by Belgrade. The speaker predicted that the local elections will not be held in Kosovo and that local officials will be nominated by Belgrade and recognized by Pristina. Another participant said that the quality and capacity of the Serbian institutions in Kosovo is not sufficient and their effectiveness is undermined by Kosovo's institutions. Belgrade needs to understand that Kosovo is at best under an international protectorate. "We are living in a fake world, as if we have our sovereignty there." He also blamed Pristina for not implementing what it has committed to. "Serbs have no confidence in Kosovo's institutions because they are trying to prevent the implementation of the laws they have agreed to."

Another participant said that Belgrade should not organize local elections in Kosovo and this would represent the first step towards resolving the status dispute with Pristina.

Conclusions and Recommendations

A number of conclusions and recommendations came out of the roundtable. They were made by individuals or groups of individuals but are not based on consensus. Some supported the holding of both parliamentary and local elections while others said that only parliamentary elections should be held.

- Serbian local elections should not be organized in Kosovo. The Serbian local institutions, especially in the south, have not been able to operate while being rather expensive. Organization of elections could also lead to confrontation with the international community at a time when Serbia needs its cooperation the most. Parliamentary elections should be organized.
- Organize all elections everywhere in Kosovo and establish functional and inexpensive institutions.
- Organize elections only where it is possible and needed. Elections should be organized in the north and in a few Serb-majority municipalities in the south. Elections will make the Serb community stronger.
- It is not only politically but also technically difficult to organize elections in the south. Pristina may prevent elections in the south. Serbia has also a lot of problems and is not in a favorable position to take risks such as alienating the international community and provoking the Albanian population.
- Belgrade should reach a compromise with the international community on this issue. It should not organize elections unilaterally. The 2008 elections showed that it is senseless to have local institutions in municipalities that are almost hundred percent Albanian, such as Gjakova/Djakovica or Glogovc/Glogovac. In 2008 Belgrade organized elections in 27 of 29 municipalities, 6 of which were later suspended.

List of Participants

English Language Alphabetical Order

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