

CIG

Council
for Inclusive
Governance

Kosovo Serbs and the North

**Roundtable Report
Pristina, October 2011**

Council for Inclusive Governance

New York, 2011

Introduction

The partition of Kosovo's north is an unlikely option, for three reasons. First, it is too late. It could have been an optimal solution in 1999 and 2007, but not in 2011. Second, it would leave the majority of the Serb community within Kosovo's 'new' border. This would weaken their bargaining power with Kosovo's institutions and make them a target of potential Albanian retaliation. Third, it would have implications for the entire region, particularly for Bosnia and Herzegovina and Macedonia. An Ahtisaari plan plus model would be more acceptable to Pristina and the international community but not to Belgrade and the Serbs in the north. A potential solution should take into account primarily the interests of Kosovo's Serb community as a whole—not only the interests of the Serbs in the north—and not the larger national and abstract interests of Belgrade and Pristina. Additional rights should be given to the Serbs in the north, but this should not be done at the expense of the Serbs in the south.

Kosovo's Serb community does not speak with the same voice. Perhaps this is why Belgrade and Pristina do not take its input into account as much when making their Kosovo Serb related policies. But one cannot blame the Kosovo Serbs for the division. The Serbs in the south and those in the north live under diametrically different circumstance. Since they have to defend different and sometimes conflicting interest, they have to speak with different voices and pursue different strategies. The power of Kosovo Serbs in Kosovo's institutions is limited but they should not leave these institutions under any circumstances. Independent Liberal Party (SLS) and United Serb List (JSL) should cooperate more closely, especially on such laws as the protection of cultural heritage in Prizren and Velika Hoca debated currently in the parliament.

Serbs in Kosovo's institutions and Belgrade have established some level of communication but no meaningful cooperation has begun yet. The tensions in the north have complicated this relationship, further polarizing not only the Serbs in the south and the Serbs in the north, but also the Serbs in both south and north and Belgrade. Kosovo Serbs in the south and those in the north need to agree to disagree. This also applies to Kosovo Serbs in the south and Belgrade.

These were the conclusions of a roundtable organized by the Council for Inclusive Governance in October 2011 in Pristina. Participants included Serb members of Kosovo's parliament, representatives of SLS and JSL, Serb mayors of Serb-majority municipalities in Kosovo, officials from the Serbian Ministry for Kosovo, members of Serbia's parliament from the Socialist Party of Serbia and the Liberal Democratic Party, and Serb members of civil society from Serbia and Kosovo.

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

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 report has not been reviewed by the participants and CIG takes the responsibility for its content.

Kosovo Serbs and the North

Participants recommended active engagement of the Kosovo Serb representatives in the debates about the north. They analyzed a number of options put forward by various analysts, such as partition, autonomy, special status, a so-called Ahtisaari Plan Plus, and the Ahtisaari Plan. Given the implications it would have for the region and the international community's resistance to it, partition was considered an unlikely option. A so-called Ahtisaari Plus model would be more acceptable to Pristina and the international community but not to Belgrade and the Serbs in the north. The central message of the roundtable was that the solution should primarily take into account the interest of Kosovo Serbs, including those in the south, rather than the larger national and abstract interests of Belgrade and Pristina. The majority of participants agreed that additional rights should be given to the north, but this should not be done at the expense of the Serbs in the south. The rights of the Serbs provided by the Ahtisaari Plan and the Constitution of Kosovo—the ten reserved seats in the parliament and two ministries in the government, the formation of the new Serb-majority municipalities—should not be decreased or eliminated.

To avoid solutions that harm the interests of the Serb community in Kosovo, Kosovo Serb representatives should become an integral part of the initiatives on the north. Their inclusion in the process would not only contribute to the shaping of potential agreements but also to their implementation. Solutions agreed only by Belgrade and Pristina may not receive the support of the Kosovo Serbs. Some suggested that a potential solution should consider the north's economic development just as much as its political arrangements. The north's human and natural resources are not promising: it has only about 50,000 inhabitants, the economy is in a dire situation, and unemployment is very high. The north needs a substantial amount of financial assistance and investment, which won't happen for so long as it remains in a state of uncertainty. Despite the continuing crisis, participants believed that given Belgrade's desire for further progress towards European integration and Pristina's need for political stability a solution would be reached soon.

The Serbs in Kosovo do not speak with the same voice. "This is why their voice is not being heard in the policy debate," a speaker noted. But this is not their fault. The Serbs in the south and those in the north live under completely different circumstances and consequently have to defend different and sometimes conflicting interest. For the Serbs in the south, surrounded by an Albanian population, integration into Kosovo's institutions has become the only available mechanism through which to improve their living standards. For the Serbs in the north, living compactly and adjacent to Serbia, integration into Kosovo's institutions has never been on the list of options. Their goal is to resist the very same institutions that more than half of the Serb community has joined. Given these conflicting interests, their different approaches—integration versus resistance—are pragmatic, even though they inevitably polarize the Serb community and may not be sustainable in the long run.

There was wide agreement that partition is an unlikely option, mostly because of potential regional implications. But the strongest argument against it was the fact that the majority of the Serbs in Kosovo lives in the south and would in any case remain in Kosovo's 'new' borders. The problem is that neither Belgrade nor Pristina control the situation in the north. The Serbian mayors of the four municipalities also at times operate rather independently from Belgrade, often

expressing their opposition to Belgrade's actions, such as the agreements reached with Pristina in the 'technical' dialogue.

The 'technical' dialogue was suspended after the escalation of the situation in the north. "It makes no sense to talk about energy when there is shooting in the north." Kosovo's special police units consist almost entirely of Albanians; therefore, the Serbs will not trust them, even if their actions are harmless. Not enough trust and bridges exist between Serbs and Albanians to sit down and search for a solution to the north. The north is a political, not policy, problem. The Serbian government is at the end of its mandate and has no sufficient power to deal with such big issues. The Kosovo government, on the other hand, consists of several parties with diverse and sometime conflicting objectives, and the majority of Albanian members of Kosovo's parliament belong to the opposition parties.

Kosovo Serbs in Kosovo's institutions

Of the 100 members of Kosovo's parliament elected directly in the last elections, 52 belong to the opposition parties and 48 to the governing parties.¹ Of the 20 members of parliament elected through the reserved seats provision, 17 voted in favor of forming the new government, bringing to 65 the number of the members of parliament supporting the government. All the members of non-Albanian parties, except for three JSL members, voted in favor. SLS obtained three ministries, a deputy prime minister, and a number of deputy ministers. Kosovo's government has 19 ministries, making it one of the largest in the region.

The numbers show that Kosovo's government would have not been formed without the votes of the Serb members in the parliament. In the first look, it looks like the SLS could bring the government down anytime it wants. Some even recommended that SLS should have brought it down after Kosovo's special police intervention in the north. But SLS representatives, as some of them explained, don't have as much power as the numbers suggest. "If we leave the government, the Albanian parties have the numbers to form a new government, without us." This is accurate. The Albanian parties would either form a new government or organize a new election and form a government without the Serbs. But what if SLS could bring it down? Would this action be an end in itself or a means to achieve a goal and what would this goal be? To the proponents of non-participation, the goal would be to incapacitate Kosovo's institutions. But, as many SLS representatives explained, this is impossible. "SLS doesn't have a veto power." But even if it did, "it would have been irresponsible politics and running away of responsibility."

SLS won the majority of the Serb community's votes in Kosovo's south in the last election. Its members reason that they received the mandate of the Serbs to represent them in Kosovo's institutions and should behave responsibly. "Leaving the government means running away from responsibility." SLS representatives said, however, that they have analyzed all options but concluded that participation in the political process has no alternative. "It's not possible to have significant influence on institutions from outside." SLS officials denied that they have not done

¹ Some members of the Albanian opposition parties call it a 'minority government,' not because it includes parties of minority communities, as misunderstood by some, but because the opposition parties have received more votes than the governing ones.

anything in response to the Kosovo police intervention in the north. “SLS boycotted a parliament session, requested clarifications from Kosovo’s senior government officials and international representatives, and helped to prevent the escalation of tensions.”

Despite different situations of the Serbs in the south and those in the north, Kosovo Serbs should work on achieving some form of consensus on major issues. Belgrade, Pristina, and the international community take into account only consistent and well-articulated messages. Kosovo Serbs should try to jointly articulate positions on major issues, such as the north. And this is a good moment for Kosovo Serbs to influence the policies of Belgrade and Pristina, which themselves are searching for solutions to similar problems.

Kosovo Serbs and Belgrade

Kosovo Serbs and Belgrade have established some communication but no meaningful cooperation has begun yet. The tensions in the north have complicated this relationship, further polarizing the debate between not only the Serbs in the south and those in the north but also between Serbs in both south and north and Belgrade. Belgrade has two sets of policies towards Kosovo Serbs: one towards the northern Serbs and one towards the rest. But given the diametrically different circumstances, it would be impossible to have the same set of policies for the entire Serb community. Some Serbs from the south feared that the dispute between Belgrade and Pristina is only about territory, not people. “Belgrade and Pristina want the territory in the north, they care little about the people.” A number of speakers said that the erection of barricades in the north could not have occurred without Belgrade’s prior approval, though no evidence to support this account was offered.

Belgrade should show more understanding for the actions of the Kosovo Serbs in the south. Unlike the Serbs in the north, the Serbs in the south can do very little to resist the state of Kosovo. “When Kosovo police stops you, you need to have Kosovo documents to avoid fines.” Belgrade should also understand the reasons why Serbs from the south joined Kosovo’s institutions.

Participants also discussed the implications of the upcoming Serbian election campaign on Kosovo Serbs. The message of some Kosovo Serbs for the Serbian officials was to refrain from extreme rhetoric on Kosovo and to encourage realistic thinking. Belgrade needs to be more concrete about its ideas and policies. It should particularly have clear and realistic positions on the developments in Kosovo and on resolving the outstanding disputes. Some predicted that there will be Serbian parliamentary elections in Kosovo, but it is not sure yet about the Serbian local elections. A decision not to have local elections would mean abolishing parallel institutions. The participants recommended that the debate about the benefits and disadvantages of holding local elections in Kosovo should begin now. Kosovo Serbs should provide their input, which most likely will be conflicting: representatives of the Serbian institutions would be in favor of the elections while those in Kosovo’s institutions against. Regardless of these conflicting positions, communication between Belgrade and Kosovo Serbs is important.

The participants did not support the suspension of the dialogue. One can always talk about electricity and travel documents, regardless of politics. There have been wrong moves by Belgrade since 2008, a number of participants said. Belgrade always waits until it is too late. Partition could have happened in 1999; in 2004, when a form of ethnic cleansing in the south took place; and in 2007, during the Vienna negotiations when the international community said “nothing was off the table.”

A speaker criticized the Serbian officials dealing with Kosovo. “It’s not serious to have the same person a minister in Kosovo’s government and later in Serbia’s government. People won’t trust them, because it appears that they care about their own interests rather than the interests of the people they claim to represent.”

Conclusions

1. **Open a constructive and realistic debate about the north.** Neither Belgrade nor Pristina should feel threatened by an open debate on the north. While Belgrade does not have a clear position on the north—it’s official position remain restoration of its sovereignty on Kosovo’s entire territory—Belgrade senior government officials have indicated through a number of public statements that partition would be acceptable to them. Pristina strongly objects to partition but at the same time it has not been able to establish its authority in the north. It insists on the implementation of the Ahtisaari plan, with no plus. Several participants said that the Ahtisaari plan provides a good basis for reaching a solution for the north by offering security guarantees and a substantive level of self-rule but that it should be open to modifications.
2. **Influence of Kosovo Serbs in Kosovo’s institutions is limited.** Although they were key in forming the government, the influence Kosovo Serb parties in the institutions is limited. The Albanian parties could form governments without the Serbs. The Kosovo Serbs in the government do not have veto power. But a veto power is not necessary to improve the living standards of the Serb community. Despite the shortcoming, participation of the Serbs in the south in the political process has no alternative.
3. **Kosovo Serbs and Belgrade should discuss pros and cons of holding Serbian local elections in Kosovo.** The majority of the Serbs in the south are against holding another Serbian local election in Kosovo. They recommend directing energies and resources towards consolidation of the local institutions that came out of Kosovo’s local elections. But the Serbs in the north support holding Serbian local elections in Kosovo. However, in light of new developments in the past three years, since the last Serbian local elections held in Kosovo, Kosovo Serbs and Belgrade should analyze the benefits and constraints of such elections in Kosovo.

Participants

English Alphabetical Order

Sasa Djokic, Serbian Democratic Party of Kosovo and Metohija
Sladjan Ilic, Shterpce/Strpce Municipality
Oliver Ivanovic, Serbian Ministry for Kosovo and Meothija
Dusan Janjic, Forum for Ethnic Relations
Biserka Kostic, Independent Liberal Party
Goran Marinkovic, Independent Liberal Party
Sasa Milosavljevic, Independent Liberal Party
Bratislav Nikolic, Independent Liberal Party
Dragan Nikolic, Radio Kompas
Randjel Nojkic, Serbian Renewal Movement
Zoran Ostojic, Liberal Democratic Party
Slobodan Petrovic, Independent Liberal Party
Dejan Radenkovic, Socialist Party of Serbia
Nenad Radosavljevic, Radio/TV Mir
Vladimir Todoric, New Policy Center
Boban Todorovic, Independent Liberal Party
Momcilo Trajkovic, Serbian Resistance Movement
Rada Trajkovic, United Serb List
Jasmina Zivkovic, Independent Liberal Party
Shpetim Gashi, Council for Inclusive Governance
Alex Grigorev, Council for Inclusive Governance
Arber Kuci, Council for Inclusive Governance
Krystyna Marty Lang, Swiss Federal Department of Foreign Affairs
Norbert Ruetsche, Swiss Federal Department of Foreign Affairs
Caroline Tissot, Swiss Federal Department of Foreign Affairs