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**COUNCIL FOR  
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# **Elections and Dialogue: The Role of Kosovo Serbs**

**Activity Report**

**Belgrade, October 2010**

**Council for Inclusive Governance**

**New York, 2010**

## **Executive Summary**

Kosovo's upcoming parliamentary elections and the announced dialogue between Belgrade and Pristina will shape the future of the Serb community in Kosovo. The elections and dialogue could be the most important political events for the Serb community in the past decade. While the dialogue is a long-term engagement and sufficient time is available to prepare for it, the decision on the election participation is urgent.

The decision to participate or not in the elections determines whether Serbs will have legitimate representatives at the central level or continue with representatives whose legitimacy rests on negligible number of votes. Strong political representation will receive stronger attention from the decision-makers in Pristina. The election participation has advantages and limitations. Solid Serb participation would ensure adequate institutional representation and produce a legitimate political leadership but would also substantiate Kosovo's institutions legitimacy, prompting some to equate it with recognition of Kosovo's independence. By contrast, the boycott would fully conform to the Serbian policy of non-recognition but risks leaving Kosovo Serbs out of the institutions for another four years. And now that Belgrade itself intends to engage with the very same institutions, the boycott by Kosovo Serbs, especially by those living south of the Ibar River, is impractical and ineffective.

Unlike the Serbs in the north, the Serbs in the south rely for many services on Kosovo's institutions. In this context, unlike the Serbs in north who are expected to massively boycott the election, the Serbs in the south are expected to vote in solid numbers. Participation by some and boycott by others could deepen the north-south divide, unless an understanding of the different political situations and a degree of solidarity for the Serbs in the south prevails. Serbs in the south themselves remain fractured politically and few expect them to form a pre-election coalition that would increase their chances for obtaining more than the ten reserved seats.

Crucial for solid turnout is not only a Kosovo Serb consensus but also Belgrade's support, preferably direct. A number of small Serbian parliamentary political parties support participation, but the bigger ones oppose it. The political party positions are relevant but what is decisive is the decision of the Serbian government.

The Serb community in Kosovo will be a focal point of the dialogue between Belgrade and Pristina announced to begin in spring 2011. The Serbs need to formulate a list of priorities to be included in the agenda for the dialogue. The dialogue could bring to an end the political uncertainty surrounding the Serb community by defining a long-term framework with clear terms for Serb political action in Kosovo. Kosovo Serbs expect to have representatives in both Belgrade and Pristina delegations. How inclusion of Kosovo Serb officials in two teams with conflicting objectives would benefit the Serbs remains to be defined. A "two teams, one platform" strategy to turn this seeming liability into an asset was proposed.

These conclusions derive from a series of activities – two roundtables, one in Belgrade and one in Pristina, and a small group policy discussion in Pristina – organized by the Council for Inclusive Governance (CIG) in October 2010. Participants included Kosovo Serb political representatives, Serbian government and parliamentary officials, and Serb civil society members.

The activities are part of a program on political development of the Serb community in Kosovo funded by a generous grant from the Swiss Federal Department of Foreign Affairs.

To encourage frank discussions, CIG does not attribute remarks to specific discussants and asks for the understanding of those whose remarks have not been fully captured in this brief report, for which CIG accepts sole responsibility. Participants took part in the activities in their personal capacities. The activities were held without media presence.

### **Election participation: do benefits outweigh costs?**

Benefits of participation outweigh costs for the Serbs in the south but not for those in the north. The majority of the Serbs in the north are adamantly against any cooperation with and inclusion in Kosovo's institutions. This is primarily because, unlike the Serbs in the south living in small enclaves surrounded by Albanians and relying for services on Pristina and the international community, the Serbs in the north receive all the necessary services from their own local institutions, known as parallel institutions, and from Belgrade. Their links to Pristina are almost non-existent. As such, no incentives exist for them to establish relations with Pristina. At least not until the 'frozen status' is "unfrozen." They have successfully thwarted the efforts of Pristina to establish control in the north. In this context, a number of discussants suggested that the efforts of relevant factors should focus on the accommodation of the Serbs in the south. What will happen with the north will likely be known only after a political settlement between Belgrade and Pristina.

The Kosovo Serb politics, in areas where it is possible, should be institutionalized both at local and central levels. This is not an ideal solution but "the best under circumstances." This is not because Kosovo Serbs have become receptive to the declaration of Kosovo's independence, but because they believe they could achieve more through institutions. Such a belief resonated well with the local voters in the 2009 local elections in which large numbers of Serbs, in the south only, voted. Their election turnout has not been without results. The Serbs established local institutions that have shown some significant results in road infrastructure, health, and education. Receiving a substantial number of votes, in some cases more votes than the parallel institutions received in the parallel elections of 2008, they are considered by a large Serb population as legitimate representatives.

Serb representatives at the central level, however, cannot claim the same level of legitimacy. While voter turnout in local elections ranged from twenty five percent in Gračanica to sixty five percent in Partes, the Serb turnout in Kosovo's 2007 parliamentary elections was around one percent. Three years later, the Serbs have another chance to repeat the boycott of 2007 or vote in large numbers to elect a legitimate representation. The next chance will not be before for another four years. The decision is not an easy one because it will have implications not only for Kosovo Serbs but also for Belgrade.

Belgrade's position is crucial for the turnout and subsequent incorporation of the Serbs into Kosovo's institutions. The Serb majority view, including many Belgrade politicians, is that the Serbian policy on Kosovo should become more pragmatic and reflect the changing reality. It should also rely on the feedback of Kosovo Serbs. The Kosovo Serb criticism should be considered as well-intentioned feedback and not as intentional attack to discredit Belgrade's

policy. There is consensus that Belgrade's position towards Kosovo's local institutions has changed. Belgrade no longer denounces those who take part in Kosovo's elections and institutions, considering it an individual democratic right to choose. Many interlocutors are also satisfied that Serb politicians from Kosovo run the Serbian Ministry for Kosovo.

The Kosovo Serbs fully support Belgrade's position of 'non-recognition' but not that of 'non-cooperation.' They believe there are models that allow for "cooperation without recognition." A Kosovo Serb politician has now for a long time suggested a model of "accepting but not recognizing" the institutions of Kosovo. This model could serve as a model of cooperation between Kosovo Serbs and Kosovo's institutions until a solution to the status between Belgrade and Pristina is reached. This temporary solution would entail that the Serb take part in institutions, including police, judiciary, and public administration, but not recognize Kosovo's declaration of independence. To formulate such major policy, a discussion among all Kosovo political parties and Belgrade is necessary.

The Kosovo Serbs need a standing forum, which also includes the Serbs in the north, to debate such major proposals. The forum would address major issues such the upcoming parliamentary elections and Belgrade-Pristina dialogue. The lack of intra-Serb cooperation has prevented them to create a common platform aimed at winning more than the ten reserved seats. Kosovo's assembly, according to the Ahtisaari plan, will have ten seats for political parties that represent the Serb community for the first two electoral mandates upon the adoption of Kosovo's constitution, which means another election after the upcoming one. After the first two elections, the 'reserved seats' become 'guaranteed seats,' seats that the Serbs receive even if their number of seats won is less than ten.

A Kosovo Serb political alliance, similar to Povratak or DOS in Serbia, would be the best means to gain solid representation. The doors to such an alliance would be open to all those who want to contribute to the Kosovo Serb interests, including members of civil society. So far the efforts to unify the Kosovo Serb political forces have failed, mostly, according to a number of interlocutors, because of personal grievances between political leaders. Many expressed doubt that a Serb political coalition would be formed in time to register for the parliamentary elections.

Kosovo Serbs are represented by two types of parties: Belgrade-based party branches and Kosovo-based parties. Kosovo-based parties and some Belgrade-based party branches, such as the Serbian Renewal Movement, intend to take part in the elections. The Belgrade-based parties in the governing coalition – Democratic Party, G17 Plus Party, and the Socialist Party of Serbia – are ambiguous in their positions, while most of those in the opposition – the Serbian Progressive Party, the Democratic Party of Serbia and the Serbian Radical Party – are opposed to any interactions with Kosovo's institutions. The Liberal Democratic Party, an opposition party, is in favor of participation.

Kosovo Serbs are also represented by two sets of local institutions: the parallel institutions supported by Belgrade, and others supported by Pristina and the international community. The parallel institutions are a result of the Serbian 2008 elections held also in Kosovo. A number of Kosovo Serbs asserted that the 2008 Serbian elections, in retrospect, seem to have been a mistake, especially in the south where the parallel institutions cannot operate effectively due to

limitations by Pristina. Although there is wide agreement among the Kosovo Serbs that the parallel institutions in the south should be eventually phased out, a strategy on how to go about it does not exist. Some suggested that Belgrade is not happy with these institutions either and is searching for a way out, but officially it keeps providing the necessary political and financial support for them. It is speculated that Belgrade would not organize another local elections in Kosovo, essentially allowing for the mandate of the parallel institutions to expire.

Not all Belgrade-based parties are satisfied, for different reasons, with their government's policy towards Kosovo. While most of the opposition parties accuse the government for making too many concessions to the international community and Pristina, others, mostly smaller ones, assert that the government is doing too little to establish cooperation with Kosovo's institutions and improve its relations with the international community. "Belgrade cannot behave as if there are no Albanians in Kosovo."

A policy shift of Belgrade towards Kosovo is visible though. The United Nations resolution calling for direct dialogue with Kosovo's institutions on non-status issues is a big step forward. Belgrade also no longer denounces those who take part in Kosovo's political system and, in fact, by remaining silent, it left it to the Kosovo Serbs themselves to decide whether to take part or not in the last local elections. Kosovo Serbs should become more active to take advantage of this new opening and help Belgrade in its policy formulation with input and feedback. An interlocutor contended that the Serbs have been passive in the past years but because "Belgrade wanted them to be so, but now there are indications that Belgrade wants them to become active."

There are also those who argue that Kosovo Serbs should participate in the elections with or without Belgrade's support on the grounds that the benefits outweigh the costs. Kosovo Serbs might be accused of recognizing Kosovo's independence but would gain real political power that will change their way of living. Inclusion in the political process would bring to an end their decade-long isolation in enclaves and dependency on outside factors. These concrete benefits outweigh the eventual abstract accusations. There is something in this deal for Belgrade, too. Belgrade would be freed from the current obligation to provide substantial funding and manage politics in a territory outside of its control.

This group of Serbs supporting the election participation even without Belgrade's support believes the participation is a means to regain the political power they had until 2004 and is in no way an action against Belgrade. "Kosovo Serbs regained their political power by taking part in the 2009 local elections, which created the conditions to build functional local institutions." Their advocacy for participation should not be interpreted as a direct action against the parallel institutions either. "We are not against parallel institutions or in favor of others. We are simply in favor of "institutions that can operate effectively." The parallel institutions' activities in the south are limited by Pristina. "If parallel institutions need police assistance, they will receive it neither from Pristina nor Belgrade. Pristina does not recognize them. Belgrade cannot access the territory."

The parallel institutions in the north, however, operate unhindered. They have successfully thwarted the efforts of Pristina to organize elections and build institutions. Pristina has not been able to establish any form of control in the north. The boycott of the upcoming parliamentary

elections by the Serbs in the north is a sure thing. The expected solid participation by the Serbs in the south and the boycott by the Serbs in the north would inevitably have implications for the relations not only between Serbs themselves but also between Serbs and Albanians. Some Kosovo Albanian officials have publicly stated that they do not support this arrangement, for it creates the conditions for de facto partition, a widely held view among the Serbs in the north. Serbs in the south would like the Serbs in the north to also take part in elections and present a “united Kosovo Serb community stand.” “We need to resolve the issues of the north not for the Albanians’ sake, but for our own.” In this context, a large number of discussants suggested that the Serbian Ministry for Kosovo should devise a strategy to unite the Kosovo Serbs into a “single political entity.”

Kosovo Serbs expect a more consistent, pragmatic, and unambiguous policy from Belgrade. Belgrade’s ambiguous message – those who participate will not be punished – regarding the 2009 local elections left many Serb voters wonder whether Belgrade is in favor of or against the elections. Kosovo Serbs prefer that Belgrade supports participation openly and helps in creating a single electoral list. They understand Belgrade’s delicate position, that public support could be interpreted as recognition of Kosovo’s independence, but expect Belgrade to consult with them more extensively on such issues. In the absence of a clear public message, many believe that an ambiguous decision is better than a call for boycott.

But there are some who believe that “ambiguous and clandestine politics” is not serious politics for a serious state. “Ambiguous messages do not have the power of clear public positions.” The problem, according to this discussant, is not as much the fact that by supporting participation in elections, Belgrade may be accused of recognizing Kosovo’s independence, but the implications that such support will have for the parallel institutions. It will appear as if Belgrade is supporting Kosovo’s institutions to the detriment of the Serb parallel institutions. “Belgrade cannot support both participation in Kosovo’s elections and the parallel institutions.” The Kosovo Serb parties, however, should not be discouraged by Belgrade’s absence of open support. They should focus on how they would like their long-term arrangements in Kosovo to look like and work towards achieving that goal. Belgrade-based party branches in Kosovo should also be more pragmatic and not abide strictly to their party programs and discipline. “A party branch in Nis and a party branch in Kosovo face different challenges, therefore, they need different courses of actions.”

There is overall agreement that Belgrade’s position on the elections – continuation of ambiguity – will not change. The north will boycott the elections. The Serbs in south will vote in large numbers. The formation of a single electoral list is considered unlikely. The main post-election challenge is consolidating Serb institutions that are acceptable to Pristina, Belgrade, and the international community. Another challenge is the Serb majority recognition of the legitimacy of the Serb political leadership that will come out of the elections. “That is why those who vote give legitimacy to an election just as much as those who run for office.”

### **Belgrade-Pristina dialogue: how will the Kosovo Serbs be represented?**

The dialogue between Belgrade and Pristina is expected to be long and difficult. Although it officially will address technical issues, many discussants believe that separation of technical issues from status issues is impossible. “Travel documents and car registration plates are

technical but also status issues.” The Kosovo Serbs will be the group most affected by the dialogue outcomes. In this context, they should actively get involved in the discussions and, if need be, be part of both Belgrade’s and Pristina’s teams. Inclusion in both teams could be an opportunity, rather than a liability, as long as “Kosovo Serbs are not used simply as decoration.”

More relevant than which delegations Kosovo Serb would be included in is a common platform to ensure that the interests of the Kosovo Serbs are not neglected in these discussions. Though the dialogue would inevitably address the Kosovo Serb interests, many fear that national interests of Belgrade and Pristina could overshadow the interests of the Serb community. The two-year long negotiation in Vienna is often mentioned as an example of how status issues eclipsed the interests of the Serb community.

Sensitive issues of the recent past, prejudices, and stereotypes will consume a substantial amount of time and effort at the beginning of the dialogue. The good news is that by agreeing to direct dialogue, interrupted after Kosovo’s declaration of independence, Belgrade has recognized that Kosovo Albanians are “part of the puzzle,” and the Kosovo Albanians have recognized that the accommodation of the Kosovo Serb community is crucial to stable relations not just between Kosovo Albanians and Kosovo Serbs but also between Belgrade and Pristina. Some Serbian officials have reiterated that for them Kosovo is more than just about the Serbs living there. “National interests are at stake here.”

Dialogue, if successful, will improve education, healthcare, employment, and telecommunications. Kosovo Serbs have institutions of education and healthcare that are separate from Kosovo’s, and are mostly employed in the parallel institutions. A number of Serbs are employed in Kosovo’s public administration but almost none in public enterprises and the private sector. Telecommunication has become a serious problem after Pristina took down antennas of what it considers “illegal operators,” thus disrupting telephone services for the Serbs in the south who use mostly services of Serbian providers. These issues should be prioritized in the dialogue.

Belgrade should prioritize the resolution of urgent issues affecting the lives of the Serbs in Kosovo. Preservation of the Serb community is not just a Kosovo Serb interest but also a Serbian national interest. The extent of Serbia’s presence in Kosovo is dependent on the extent of the Kosovo Serb presence “Serb presence in Kosovo is more important than the preamble of Serbia’s constitution which claims that Kosovo is Serbia.”

Suggestions were made that the dialogue should be a two-track process: one track between Belgrade and Pristina, and the other between Kosovo Serbs and Pristina. The dialogue between Belgrade and Pristina would cover issues such as cultural heritage, travel documents, car registration plates, missing persons, transportation, police cooperation, judiciary, trade, and so on. The dialogue between Kosovo Serbs and Pristina would be limited to issues within Kosovo, such as establishing a television channel in Serbian language within the Radio Television of Kosovo, consolidation of new Serb-majority municipalities, employment in public administration, and so on.

The census in Kosovo planned for spring 2010 is a sensitive issue. Given that large numbers of Kosovo Serb refugees have not been able to return to Kosovo, Serbs fear that the census will legitimize the “1999 ethnic cleansing.” It is the first census since 1981. This is an urgent issue on which Kosovo Serbs and Belgrade should work with Pristina and the international community to find a solution to register the Kosovo Serb refugees in Serbia.

Serbia needs to define, not necessarily through public debate, the objectives of the dialogue with Pristina. Belgrade should know what it wants to achieve from the dialogue and how, and avoid repeating the mistakes of past negotiations. Belgrade should be realistic in articulation of the topics it wants be addressed, and not produce “wish lists.” Partnership with the international community, which is likely to organize and mediate the dialogue, is crucial for Serbia. Although the dialogue is less urgent, there is consensus among the Kosovo Serbs and Belgrade officials that the process of defining the issues that would be addressed in the dialogue should begin now.

## **Conclusion**

The Kosovo early parliamentary elections allow for little time for Kosovo Serb political parties to bridge the differences and formulate a common election platform and run on a single electoral list. Nevertheless, these elections are expected to produce a legitimate leadership to represent the Serbs in the institutions. The legitimacy of the elections hangs on the Serb voter turnout. Serbs in the south are expected to vote in large numbers while those in the north are expected to boycott it. Solid Serb participation in the elections and integration into the central institutions would inevitably lend more legitimacy to Kosovo’s institutions, but would also strengthen the position of the Serbs in the decision-making, essential for the preservation of the Serb community.

The dialogue between Belgrade and Pristina has no official agenda yet. While Belgrade and Pristina have mentioned a few topics that could be included in the discussion, no official lists of issues have been made public. Without an official agenda, it is difficult to define the role of the Kosovo Serbs and the modalities for their engagement in this dialogue. The Kosovo Serbs will most likely be part of both teams. There are concerns about the idea of them being part of two teams with conflicting goals. Discussants concluded the dialogue should first resolve the daily problems confronting Kosovo Serbs and only later address the larger issues.

## Participants

*English Alphabetical Order*

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