

Roundtable for Members of Parliaments of Serbia and Kosovo and Meetings with International Officials in Brussels

The policy discussion roundtable for six members of parliaments of Kosovo and Serbia and their meetings with international officials took place on February 23-24, 2017 in Brussels, Belgium. At the roundtable, the parliamentarians reached a number of conclusions and recommendations—some of them by consensus—and then presented them to the international officials. The group picked one member to present their recommendations to the international interlocutors. The participants and some international interlocutors considered the fact that one member presented the views of members of both parliaments rather rare and interpreted it as an indication of the commitment of the group to address their issues bilaterally.

These activities were part of CIG's project on relations between Kosovo and Serbia supported by and implemented in cooperation with the Swiss Federal Department of Foreign Affairs.

This report lays out a number of challenges to the dialogue, the vision of the participants, suggested changes to the current approach, a list of remaining issues, and some recommendations for the next steps. It also includes a brief summary of the discussions with international interlocutors. We have tried to be accurate and balanced in summarizing the discussions, and ask for the understanding of participants whose remarks may have not been fully captured in this brief report, for which CIG accepts sole responsibility. The discussions were held under the Chatham House Rule. The report is only for the participants.

Roundtable discussions

Challenges to dialogue

1. *Sporadic incidents*—train, wall in Mitrovica—complicate the normalization process. As a result, a lot of domestic and international resources concentrate on damage management rather than on the implementation process. On a positive note, these events have not resulted in a single interethnic incident in Kosovo, showing that relations between the two communities are stable and can no longer be destabilized by symbolic incidents. Also, the reaction of the people in the north to these incidents was peaceful. The EU could help by becoming more proactive to prevent the occurrence of such incidents in the future.
2. *Inflammatory rhetoric* coming from both sides remains a constant burden to the process, causing confusion and suspicion about the dialogue and its objectives. The same leaders that speak of war in the morning speak of peace in the evening. Publics in Kosovo and Serbia are understandably disoriented and as a result have lost trust in their political leadership.
3. The dialogue lacks *clear principles*; it is more of an ad hoc process. Other processes, such as Vienna negotiations, were based on some broad principles. However, setting principles at

this stage might not be possible so the resources should focus on the implementation of the agreements. Future dialogues, though, should be based on clear and transparent principles.

4. Dialogue is not sufficiently *inclusive at home*. The governments operate in secrecy and rarely share information about the dialogue with their legislatures. Parliamentarians are usually informed only after the agreements have been signed.
5. EU *credibility is decreasing* in Serbia and Kosovo. EU membership is increasingly considered a distant outcome, which in turn results in less enthusiasm for the dialogue process. The delay of visa liberalization for Kosovo because of non-ratification of the border agreement with Montenegro—while visa liberalization is granted to Ukraine and Georgia with real border issues—is undermining hopes for EU integration.
6. *Constructive ambiguity*, while it may have been a necessary asset at the outset of the process for reaching agreements, it is becoming a liability for the implementation process. Constructive ambiguity should be replaced with constructive clarity and transparency.
7. The continuing resistance of *five EU non-recognizers* to recognize Kosovo is considered a serious problem for Kosovo's EU prospect.
8. There is a *lack of domestic support for the dialogue*. Governments should engage more in public campaigns to increase support of citizens for the normalization and EU integration.

Vision of parliamentarians

1. The process is not *sufficiently inclusive at home*. More space for substantive engagement of parliamentarians in the dialogue should be created.
2. The facilitator (EU) should offer *more explanations* on the details of the agreements when tensions arise (e.g., the wall), not necessarily get involved in domestic debates in Serbia and Kosovo, but simply explain the terms of the agreements.
3. *Constructive ambiguity* should be replaced with *constructive transparency*, the process should become more understandable, clearer, and principle-based.
4. The normalization process should become more *dynamic and efficient*, not to allow too much distance between the agreeing and the implementing (time distance allows for conflicting interpretations and confusion).
5. EU should find a way to *include Kosovo Serbs* in the dialogue.

Changes to current approach

1. Just like Serbia, Kosovo should also have clear and *credible EU integration prospects*. Visa liberalization is a good start (search for a solution for de-conditioning visa liberalization with border demarcation with Montenegro).
2. The governments should be more *transparent with their parliaments*. How to balance transparency with efficiency? Is the process not transparent and inclusive enough at home (Kosovo, Serbia) or in Brussels? What can Brussels do? What models of transparent negotiations exist out there? These were some of the questions posed during the discussions.
3. Normalization should be supported through other outside *complementary activities* such as sports, arts, and education.
4. *Kosovo Serbs feel excluded*, with many feeling not represented by Srpska Lista since it came to power through an allegedly manipulated electoral process. EU and other international and local institutions should prevent the manipulation of Serb votes in the next elections in Kosovo. A free and fair election is the only way to help ensure democratic representations of Kosovo Serbs into Kosovo's institutions.

Remaining issues for the dialogue

1. The Association/Community (an institution where municipalities cooperate and coordinate activities, joint projects; it cannot assume powers of municipalities, the statute should be clear, not ambiguous; Belgrade and Kosovo Serbs insist on it having real powers); the Government of Kosovo should draft a letter of commitment and invite the Serbs to return to the institutions to begin the work on the Association/Community. It is a challenge for all involved to transform the issue of the Association/Community from a political to a technical one.
2. Energy.
3. Courts in the north.
4. Serbia's parallel institutions in Kosovo.
5. Missing persons.
6. Pension fund of Kosovo contributors before 1999.
7. The status issue.

Recommendations

1. All sides should show constructive transparency of the normalization process, less ambiguity: offer details of the agreements and prepare progress reports on implementation backed up by data—such as in the case of diploma recognitions—when applicable.
2. EU should offer more explanations and guidance in the implementation process and warn parties internally of the consequences of their actions.
3. EU should make the prospect for EU membership for both Serbia and Kosovo more credible and visible. When possible, it should support infrastructure projects and institutional reform through concrete actions.
4. In the event of border non-ratification, EU and Kosovo should try to delink or find some alternative solution for border demarcation with Montenegro to ensure the visa liberalization.
5. EU together with Kosovo and Serbian stakeholders should define a set of broad principles for the normalization process.
6. Kosovo political parties should be helped join their sister pan-European parties.
7. Kosovo and Serbia are no longer on top agendas of international actors. This is an opportunity for Belgrade and Pristina to work out a common agenda on issue of mutual interest, including regional cooperation and EU integration.

Meetings with international officials

The parliamentarians presented to and discussed their recommendations with a number of international officials. Below are some of the main reactions from the international interlocutors.

U.S. Mission to the EU

- Encouraged by the fact that Kosovo and Serbian parliamentarians presented joint positions. “The group deserves our attention just because of what you are doing jointly.”
- The US remains committed to the Balkans and supports future EU membership for the remaining six Western Balkan countries. It is normal for new administrations to look at and reevaluate existing policies. Though there may be changes in the approach, the core elements of the US Balkans policy will remain the same.

- EU and US have had good cooperation in the Balkans and will continue to do so, particularly focusing on good governance and fighting corruption.
- The US understands that with clear EU prospects for Kosovo and Serbia, the normalization between them will be easier.
- Normalization process needs more inclusiveness—more communication between the governments and the people—and less ambiguity. Dialogue has no alternative and the US is committed to supporting it.

DG NEAR, EC

- Enlargement not a popular topic for member states, but the process continues. We have to walk a middle road between the 23 member states that recognize Kosovo and the five that do not. We have found a way to agree with all members for certain principles and measurable steps that need to be implemented. Some results are more visible—such as the telephone code—others less so.
- Parties need to agree on what is been agreed and not renegotiate the same agreements over and over.
- Inclusion of Kosovo in the visa liberalization process was very difficult because some member states were resisting it outright. There is no way the visa liberalization for Kosovo could enter into force without the ratification of the border demarcation agreement with Montenegro.
- Connecting the need for reform and the EU prospects is a false premise. Countries would need to do their reforms even if the EU did not exist.

Cabinet of Commissioner Hahn

- Normalization process between Serbia and Kosovo has gone faster, further and smoother than similar processes, such as Cyprus. However, more work is needed in preparing the societies for the normalization. In this regard, the parliaments can do a lot.
- Transparency is important but we should be careful how transparent we want to be. Too open and transparent processes usually do not last long.
- EU is paying more attention to the Balkans but it needs to translate its attention into concrete and visible steps.
- EU is understandably a catalyst for reform but main incentive for the governments in Serbia and Kosovo should be modernization of their countries and improvement of the lives of their own people.
- No single country has the same criteria for visa liberalization or EU membership. So Kosovo has a condition—border demarcation—that other countries did not have, on the other hand, other countries have other conditions that Kosovo does not have. For example, while Kosovo has fewer than 100 conditions—e.g., Ukraine has over 115 conditions. Visa and accession process are dynamic, we constantly apply lessons we learn in previous processes.

EEAS

- There are many arguments against including the border condition for the visa liberalization for Kosovo, but taking it out is too late. There will be no visa free travel for Kosovo without the resolution of the border issue. The condition will not be removed.

- EU remains committed to the region and is helping it to prepare for membership. It helped Albania adopt a crucial justice reform, helped Macedonia with electoral processes and hopefully with forming a new government, and is helping Kosovo and Serbia to normalize relations and reform their internal systems.
- Dealing with Serbia is easier than with Kosovo: Serbia has clear prospects for EU, while Kosovo faces the issue of non-recognizers. When Serbia asks us what is next, we tell them you get more chapters. When Kosovo asks us what is after SAA, all we can say is ‘we don’t know.’ Though the EU integration process for Kosovo is not defined yet, the time will come when it will necessary to define it, as it was the case with SAA.
- Parliaments should themselves do more to engage in the dialogue and normalization process. E.g., they can invite EU officials in charge of dialogue to closed parliamentary hearings.
- A legally binding agreement is a condition for full normalization but it is not clear by when it should be reached.

Next Steps for the Group of MPs

The group of MPs suggested a number of activities for the remainder of the year. There was agreement among the MPs that Serbia and Kosovo should rely less on international assistance for the normalization of their relations and take their own initiatives, especially on some issues that are not too politically sensitive.

- *Public panels with the youth in Mitrovica, Pristina, and Belgrade.* The objective of such panels is to send positive joint messages of members of the two parliaments that the dialogue has no alternative and to increase support for a smoother process of normalization. Currently the process suffers from conflicting interpretations.
- *Joint visits to ethnic minority localities in Kosovo and Serbia.* A group of MPs has already been on a visit to Velika Hoca/Hoca e Madhe, a Serb village in Kosovo. The next visit is planned to be in Presevo, an Albanian-majority town in Serbia. The objective of the visits is to hear directly from citizens about their problems and try to devise solutions to such local problems for local and central governments.
- *A roundtable of MPs in Pristina, including young participants from OSCE’s Follow Us initiative.* MPs agreed that the meetings should take place either in Serbia and Kosovo (except when tensions are too high) and suggested that the next roundtable should also address the missing persons issue.
- *Policy discussion of small groups of MPs.* Organize more small discussions of MPs addressing specific topics. For instance, when addressing the missing persons, invite MPs that are more engaged on the issue. The goal of such activities is also to promote bilateral cooperation and resolution of many problems, and not having to always go to Brussels.
- *Workshop with analysts working on a comprehensive normalization draft report.* The objective of the workshop is to discuss jointly the recommendations of the analysts and include the input of the MPs in the document, so as to make it more acceptable for the governments of Kosovo and Serbia. Only a small group of MPs would take part in the workshop.

CIG will discuss the details of these proposed activities with the stakeholders as well as with FDFA throughout the year.

Participants

Besim Beqaj, Member of Parliament of Kosovo (Democratic Party of Kosovo)
Gordana Comic, Member of Parliament of Serbia (Democratic Party)
Aida Derguti, Member of Parliament of Kosovo (Self-Determination Movement)
Sadri Ferati, Member of Parliament of Kosovo (Democratic League of Kosovo)
Nenad Rasic, Member of Parliament of Kosovo (Serb List/Progressive Democratic Party)
Branko Ruzic, Member of Parliament of Serbia (Socialist Party of Serbia)
Arber Kuci, Representative in Kosovo, Council for Inclusive Governance
Shpetim Gashi, Vice President, Council for Inclusive Governance
Alex Roinishvili Grigorev, President, Council for Inclusive Governance
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