

Serbian and Kosovo Parliamentarians Discuss Solutions

Introduction

On December 2, 2018, the Council for Inclusive Governance (CIG) organized a roundtable in Tirana, Albania, for members of parliaments of Kosovo and Serbia to discuss how the parliamentarians can promote normalization of relations. As a distinctive branch of government, parliaments are primarily engaged in domestic lawmaking and government oversight, but in post-conflict contexts, they can play a significant role in peacebuilding and reconciliation.

This was the seventh roundtable in a series held in the course of two years. The roundtable is part of a larger CIG project on the relations between Kosovo and Serbia. The roundtable was supported by and implemented in cooperation with the Swiss Federal Department of Foreign Affairs and the Balkan Trust for Democracy of the German Marshall Fund of the United States.

Though the executives in Belgrade and Pristina remain the main dialogue actors, they are not exclusive players. While they are the sole authority to negotiate agreements—as was the case with the Brussels dialogue—the parliaments are essential in supporting negotiations and ratifying eventual agreements. The 2013 Brussels agreement required ratification by Kosovo’s parliament. An eventual peace agreement between Belgrade and Pristina would certainly need to be ratified by the parliaments. In Serbia it may also need to be put to a referendum, in which case the role of parliament is essential.

Parliamentary scrutiny in Serbia and Kosovo of the dialogue has often been characterized as ‘decorative.’ Parliaments have not been involved as much in the process, but mostly because the constitutional arrangements allow the executives and the presidents to deal with the issue exclusively. As a result, many participants said, the dialogue has not been adequately subjected to democratic scrutiny. Many said that the parliamentary input is important. The participants agreed that the process requires some secrecy, but argued that it does not mean that there can be no accountability mechanisms. The parliaments could be such mechanisms, many speakers concluded.

The report is based on the roundtable discussions held under the Chatham House Rule. 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.

New process, old actors

The Brussels dialogue has been criticized by almost everyone, including its carriers, Presidents Hashim Thaci and Aleksandar Vucic, for not resolving the issues it seemingly intended to. But

many asked whether the situation would have been better if the dialogue had not taken place at all. The answer was “most likely not.” Many participants suggested that instead of poking holes in the Brussels process, the parties should take the best from it and design a new and better process that would resolve the status dispute through a comprehensive agreement. However, many doubted that a new process with the same actors could produce better results.

In response to Pristina’s punitive tariffs of 100 percent on Serbian imports, Belgrade has announced a boycott of the Brussels process. The tariff policy has strong public support in Kosovo, mostly because it is expected to hurt the Serbian economy. Serbia exported about 300 million euros of goods annually to Kosovo, constituting about 2 percent of its total 16 billion euros or annual exports. Pristina is committed to continue the application of the tariff until “Belgrade recognizes Kosovo,” a policy with little prospect in the short term, as many Serbian parliamentarians contended. The international community has not been able to break the deadlock.

Though many expect the international community to play the main role in designing and managing a new process, some speakers said that Pristina and Belgrade should become more proactive in offering input and engaging in a process to conclude a peace agreement. Populism and the leaders’ desire to stay relevant in the domestic and international scene seem to be among the main obstacles for not moving forward. Many said that Belgrade’s ‘de-recognition campaign’ is driven by populism rather than by a genuine desire to advance Serbia’s interest. “Whether Suriname de-recognizes Kosovo or not has no effect on Serbia’s national interests.” The Kosovo participants insisted that if Serbia continues to work against Kosovo, there is no sense in continuing the dialogue. Some said that Pristina’s tariff has also populist elements, as it does not help Kosovo much. “The same companies are importing from other countries now. If Pristina wanted to do support domestic production, it could break up monopolies and help small and medium enterprises’ production capacities.

Pristina and Belgrade could cooperate even without trusting each other: mutual interest should drive their cooperation. “Donald Trump and the Chinese leaders do not trust each other but they still negotiate trade deals because it is in their mutual interest.” Some said that Serbia could cease its campaign to undermine Kosovo internally and internationally while Kosovo could remove tariffs in exchange. This would create some trust to begin preparations for the new phase of negotiations.

Some speakers said that the ‘old’ actors do not have legitimacy to negotiate. “President Thaci does not have the mandate and legitimacy to negotiate with Serbia.” The speaker said that Kosovo also has a weak government, representing no more than 40 percent of the electorate. Another speaker said that while Kosovo’s weak government and president could reach a deal, they would not be able to implement it, failing to even ratify in the parliament where two thirds are required.

President Vucic and his government have the numbers but they have other problems. Many speakers said that President Vucic under no circumstances could recognize Kosovo’s independence, mostly because of the public opposition to such a move. A speaker said that

“Vucic might recognize Kosovo only if he manages to get a piece of Kosovo’s territory, but even that it not for sure.”

Some speakers criticized the international community for trying to reach agreements with the ‘wrong people.’ “The EU calls on strengthening the rule of law while it supports and empowers precisely those that are responsible for undermining it.”

Informal parliamentary initiatives

In the afternoon session, the participants convened into small groups to discuss potential joint activities. As lawmaking institutions, the parliaments have limited opportunities in promoting peacebuilding and reconciliation but their input to the negotiators is nevertheless crucial. They can also influence executive agendas by issuing reports and through other mechanism. Engagement of parliamentarians in the process would not weaken the executives, but instead would strengthen them. The parliaments can issue reports on how to resolve issues ranging from energy to trade to education. The following is a joint list of activities suggested by the groups.

1. Establish parliamentary committees in Serbia and Kosovo to review and evaluate the dialogue process. Their reports would articulate positive and negative results, lessons learned, and any potential missed opportunities. The reports would be made public.
2. Conduct joint political initiatives on the issue of missing persons and create special commissions on this issue in each parliament.
3. Focus parliamentary attention on concrete and relevant issues—not status sensitive—such as the missing persons and education, including textbook availability and other technical issues for ethnic groups. Parliamentarians could begin joint activities to encourage their executives to intensify their efforts to uncover the fate of the missing people and shed light on war crimes.
4. Identify joint activities in further liberalizing freedom of movement of people, removing existing mutual trade obstacles, and promoting more economic cooperation, as well as in pushing to fully implement the IBM agreement.
5. Promote reconciliation through such activities as joint visits in multiethnic areas in Kosovo and Serbia.
6. Parliaments should seek regular briefings from the negotiating teams. The negotiators should inform the parliamentarians about the dynamics of the discussions, major topics, and, most importantly, include the parliamentarians’ input in the process. In other words, the negotiating teams should not simply inform but rather consult the parliaments.
7. Parliamentarians should continue their informal discussions even when the tensions between Belgrade and Pristina escalate.
8. Organize a football match between members of parliaments.

Despite the constraints faced by parliaments in Serbia and Kosovo, these institutions have the potential to strengthen peacebuilding endeavors. Parliaments should become forums that use dialogue to transform conflict into solutions that benefit their publics, the parliamentarians concluded.

Participants

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Vladimir Djukanovic, Member of Parliament of Serbia, Serbian Progressive Party
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Philippe Guex, Ambassador of Switzerland to Serbia
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Aleksandra Jerkov, Member of Parliament of Serbia, Democratic Party
Blerim Kuci, Member of Parliament of Kosovo, Alliance for the Future of Kosovo
Nada Lazic, Member of Parliament of Serbia, League of Social Democrats of Vojvodina
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