



6 YEARS AFTER (NON) CONSOLIDATION OF STATEHOOD

Kosovo-Serbia dialogue from
the citizens' perspective





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CONTENTS

1. INTRODUCTION

6

2. METHODOLOGY

7

3. SURVEY QUESTIONS

9

3.1

A justice agreement has been reached under the Kosovo-Serbia dialogue, which foresees the integration of northern courts into Kosovo's court system. Do you think such integration will be successful?

3.2

Do you think that Serbian parallel structures in Kosovo have been dissolved?

3.3

Has the Kosovo-Serbia dialogue affected the extension of Kosovo's sovereignty to the northern part of the country?

3.4

What do you think will be the impact of the Association of Serb Majority Municipalities on Interethnic Relations in Kosovo?

4. CONCLUSION AND RECOMMENDATIONS

18



1. INTRODUCTION

The public opinion survey *6 Years After: (Non) Consolidation of Statehood: Kosovo-Serbia Dialogue from the Citizens' Perspective* is the third survey organized by the Kosova Democratic Institute (KDI) to shed light on the citizens' views of this process.

After six years of dialogue between Kosovo and Serbia and four years since the first Agreement of principles governing the normalisation of relations of 19 April 2013¹, this survey aims to understand the citizens' views on main issues that have accompanied this process since its beginning, namely the dissolution of parallel Serbian structures in Kosovo and extension of Kosovo's sovereignty to the country's north.

In addition, this survey focuses on two of the main agreements of this process which have given rise to a large social debate by also polarizing the political scene, namely on the Agreement on Justice and the Agreement on the Association of Serb Majority Municipalities.

The survey findings point to the need for increased transparency of the Kosovo-Serbia dialogue process. They also reflect the necessity for public debate, inclusive approach and increased seriousness in informing citizens about the reached agreements, the process of their implementation and, above all, on the effects of these agreements on the life of Kosovo citizens.

Concurrently, this survey reflects the public view that the dissolution of Serb parallel structures and the extension of Kosovo's state sovereignty to its entire territory remain issues that need to be addressed by the country's institutions.

These surveys are organized under the KDI's mission for promoting transparency, accountability and overall democracy. This project is financed by the Swiss Federal Department of Foreign Affairs (FDFA) and aims to strengthen parliamentary oversight of the executive and increase citizen involvement in the Kosovo-Serbia dialogue.

¹ http://votaimo.org/Uploads/Data/Documents/TekstiiMarreshjes_19prill2013_HGX-f5EDTG4.pdf

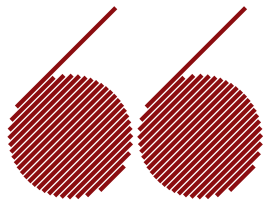




2. METHODOLOGY

The survey was implemented at country level using a systematic random sampling method. Its sample consisted of 1065 respondents selected to ensure a representative sample, stratified by ethnicity (Albanian, Serbian and non-

Serb minorities) and settlement distribution (urban/rural). The survey was implemented in the period 3-12 March 2017. Its error margin is $\pm 3\%$.



This survey reflects the public view that the dissolution of Serb parallel structures and the extension of Kosovo's state sovereignty to its entire territory remain issues that need to be addressed by the country's institutions.



3

**SURVEY
QUESTIONS**

3.1

A justice agreement has been reached under the Kosovo-Serbia dialogue, which foresees the integration of northern courts into Kosovo's court system. Do you think such integration will be successful?

The Justice Agreement is an integral part of the first Agreement on principles governing the normalisation of relations reached on 9 April 2013, which was ratified by the Assembly of the Republic of Kosovo. Its implementation was foreseen for the same year.

Non-implementation of this agreement led to further discussions which culminated with the Agreement on the Judiciary on 09 February 2015 and the EU conclusions issued on 30 November 2016. The date 10 January 2017 was set as the date for its implementation, but this did not take place. There is still no date either from EU or from institutions of the Republic of Kosovo regarding the full implementation of this agreement.

Reporting to the Assembly of Kosovo, the country's Prime Minister Mr. Isa Mustafa had declared: "There

is no winning or losing party in the justice agreement. Justice has triumphed with this agreement, therefore I consider that all parties have won, all citizens have won, the integrity and sovereignty of our country have won" ².

On the other hand, the Minister for Dialogue Ms. Edita Tahiri has dubbed this agreement as among the most important agreements, which will ensure consolidation of Kosovo's state sovereignty and establishment of a unitary justice system in the northern part of the country, as well as dissolution of Serbian justice parallel structures in Kosovo³.

² <http://www.kryeministri-ks.net/?page=1,9,4729>, accessed on 17 April 2017

³ http://www.kuvendikosoves.org/common/docs/proc/trans__2017_02_22_11_6867_al.pdf
Reporting of the Minister for Dialogue Ms. Edita Tahiri to the Parliamentary Commission for Legislation.

Do Kosovo citizens believe that the integration of northern courts into Kosovo's court system will be successful?

Survey findings indicate that 58% of respondents believe that the integration of northern courts into Kosovo's court system will not be successful. Only 14% of respondents believe that this agreement will effectuate unification of the justice system in the Republic of Kosovo.

A significant number of citizens (28%) stated that they do not know if this agreement will succeed in achieving its objective, i.e., integration of northern courts into Kosovo's court system.

Analysis of citizens' perception based on ethnicity, 60% of respondents from the Serb community believe that the integration of Serbian courts in the north will not be successful, against 58.2% of respondents from the Albanian community and 50% of other non-majority communities who share the same opinion.

On the other hand, a higher rate of respondents from the Albanian community (or 14.2%) believe that the integration of northern courts into Kosovo's court system will be successful, compared to 10% of respondents from the Serb community and 9% of respondents from other non-majority communities.

The highest number of respondents who are not informed about this agreement comes from other non-majority communities in Kosovo (41%), compared to 30% from the Serb community and 27.6% of respondents from the Albanian community, who stated that they did not know if the integration of northern courts into Kosovo's court system will be successful.



3.2

Do you think that Serbian parallel structures in Kosovo have been dissolved?

The agreements reached under the dialogue are directly related to the dissolution of Serbian parallel structures financed by the state of Serbia, which have continued functioning after the declaration of Kosovo's independence, particularly in the country's north.

These agreements aimed at dissolution of Serbian parallel structures, extension of the legal and legitimate sovereignty of Kosovo institutions over its entire territory and at integration of the Serb community in these institutions.

Minister Tahiri, chief negotiator on behalf of the Government of Kosovo, has declared in continuity that parallel structures have been dissolved in all areas over which the parties have reached agreements ⁴.

Extension and consolidation of Kosovo's state sovereignty through its dialogue with Serbia has been foreseen both in the resolutions that have gone through the Kosovo

⁴ http://www.kuvendikosoves.org/common/docs/proc/trans_s_2017_02_09_10_6844_al.pdf

Assembly and given the green light to the Government for negotiations ⁵, and in the Government Platform for the technical dialogue with Serbia⁶, according to which "the technical dialogue between Kosovo and Serbia will consolidate Kosovo's independence and sovereignty". They also described the expected effects from the implementation of the agreements resulting from this process.

These two issues have been topic of vast disagreement in the country's political scene, including opposite stands as to whether they ought to be discussed within the Brussels dialogue or, instead, addressed within an internal political dialogue.

⁵ Point 3, Resolution No. 04-R-08 Dialogue and its outcomes should be in compliance with Kosovo's sovereignty, international subjectivity, territorial integrity and the internal regulation and constitutional order of Kosovo. http://www.kuvendikosoves.org/common/docs/Rezolute_Marredhenive_Kosova_Serbia.pdf

⁶ Government of the Republic of Kosovo – Platform of the Government of the Republic of Kosovo on the interstate technical dialogue between the Republic of Kosovo and the Republic of Serbia: http://votaime.org/Uploads/Data/Documents/PlatformeQeveriseRepublikes-seKosovesperdialogunteknikmesKosovesdheSerbise_mars2011_652VRxëC6v.pdf (qasur me 04.04.2017)

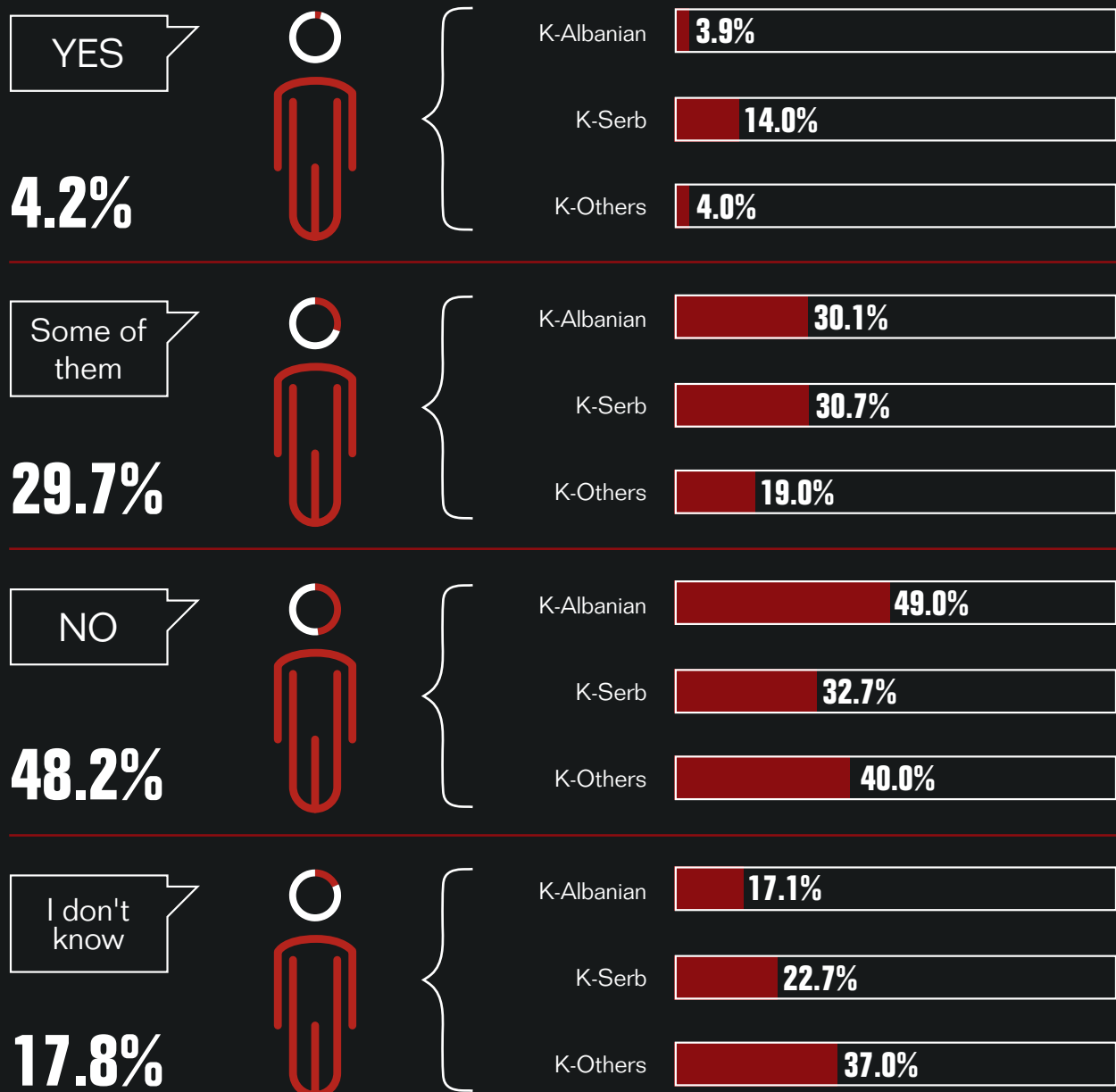
What is the citizens' view on the impact of the dialogue on the dissolution of Serbian parallel structures?

Asked whether they consider that the Serbian parallel structures in Kosovo have been dissolved, 48% of the respondents declared that they have not. Further, 30% of respondents stated that such structures have been dissolved only in some areas, whereas only 4% of respondents consider that Serbian parallel structures financed by the Serbian state are no longer operational in Kosovo. Finally, 18% of respondents stated that they did not if these parallel structures in Kosovo have been dissolved.

Regarding the respondents' view based on their ethnicity, 49% of the respondents from the Albanian community consider that the Serbian parallel structures are not dissolved,

compared to 33% of the respondents from the Serb community and 40% from non-majority communities who share the same opinion.

It is noteworthy that 30.1% of the respondents from the Albanian community and 30.7% from the Serb community declared that Serbian parallel structures have been dissolved in some areas. On the other hand, 14% of the respondents from the Serb community consider that these structures have been completely dissolved, compared to 3.9% of the respondents from other non-majority communities.



3.3

Has the Kosovo-Serbia dialogue affected the extension of Kosovo's sovereignty to the northern part of the country?

More than half of the surveyed citizens (51%) stated that the dialogue did not contribute to Kosovo extending its sovereignty in the northern part of the country. 27.6% of respondents judged that thanks to the dialogue, Kosovo has managed to extend its sovereignty to the northern

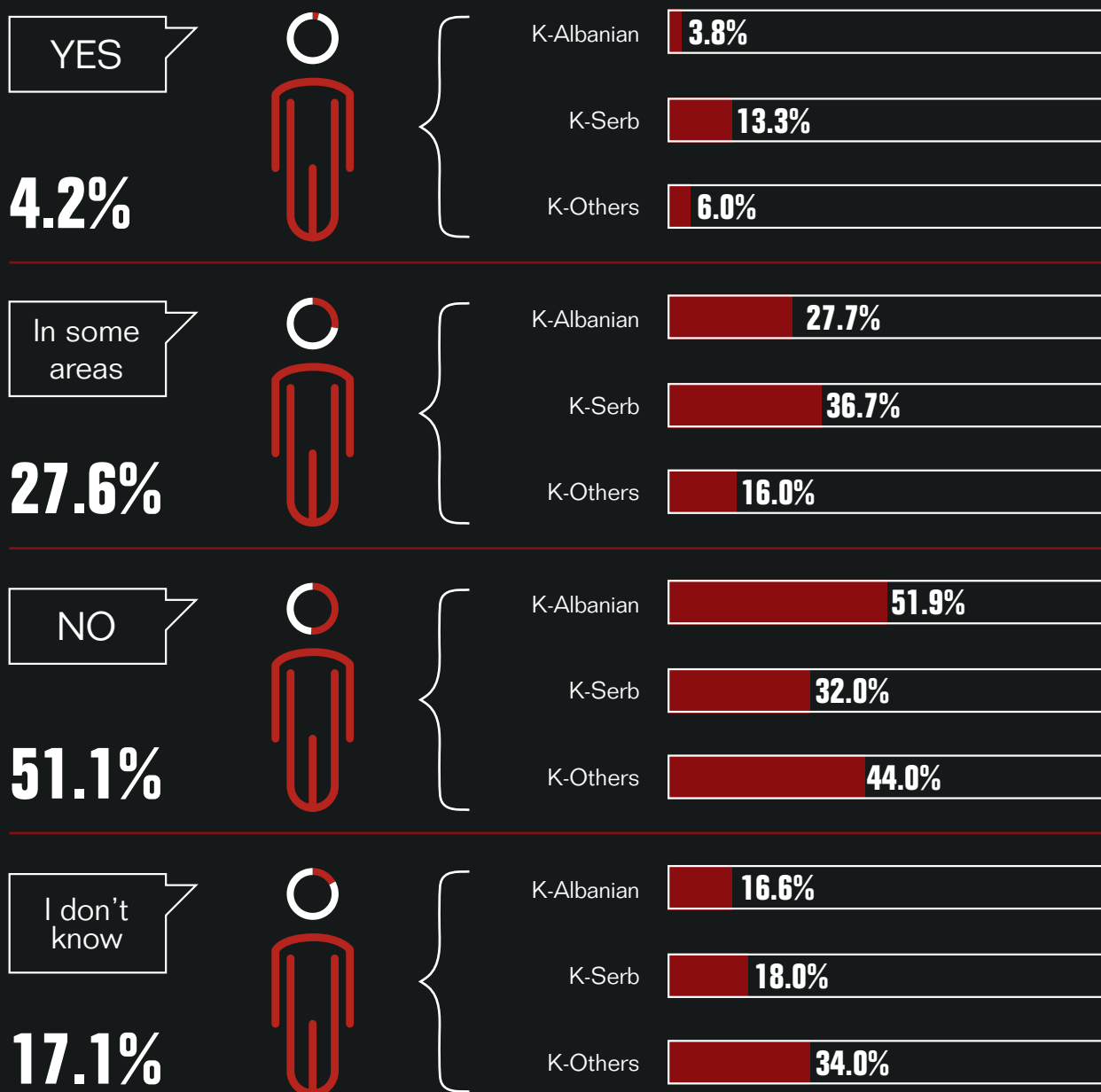
part of the country only in some areas, whereas only 4.2% of citizens believe that the dialogue has affected the full extent of sovereignty of Kosovo in the northern part of the country, compared to 17% of citizens who do not have an opinion on this matter.

Analysis of respondents' opinion based on their ethnicity shows that most of the respondents of the Albanian community, (52%) said that the dialogue did not affect the extent of sovereignty of Kosovo in the northern part of the country, compared to 32% of respondents from the Serb community and 44% of respondents from other communities sharing the same opinion.

A higher rate of citizens of the Serb community (36.7%), compared to 27.7% from the Albanian community and 16% from other communities, stat-

ed that Kosovo's sovereignty has extended to the northern part of the country through the dialogue in some areas.

It is the citizens of the Serb community, respectively 13.3% of them, who judge that through the dialogue, the state of Kosovo has managed to fully extend its sovereignty in the north, compared to only 3.8% of the citizens of the Albanian community and 6% of the citizens of other communities.



3.4

What do you think will be the impact of the Association of Serb Majority Municipalities on Interethnic Relations in Kosovo?

The establishment of the Association of Serb-majority Municipalities (ASM) in Kosovo continues to be among the main and most controversial topics in the country. Situated at crossroads, between international pressure for the establishment of this association and strong objection from the opposition, the Government of the Republic of Kosovo has not started yet drafting the statute of this Association. The idea of the establishment of ASM is also doubted by the citizens of the country, whereby, in the preliminary poll organized by KDI, most of the citizens respectively 36% of them considered that the Association of Serb-majority municipalities will be a mechanism with executive competences ⁷.

This time, KDI has asked citizens about how the establishment of the Association of Serb-majority municipalities will affect interethnic relations in Kosovo.

Most of the respondents (46%) believe that the Association of Serb-majority municipalities will deteriorate the interethnic relations in Kosovo. There are 30.8% of respondents who think that interethnic relations will remain the same, while only 5.2% of citizens judge that they will improve, while 17.9% of respondents do not know the impact of the association of Serb-majority municipalities on the interethnic relations in Kosovo.

⁷ <https://www.kdi-kosova.org/publikime/101-hulumtim-i-opinionit-publik-2-dialogu-dhe-mar-reveshjet-ne-syte-e-qytetareve.pdf>

Analysis of citizens' views based on their ethnicity shows that 47.2% of the respondents from the Albanian community think that the association of Serb-majority municipalities will deteriorate interethnic relations, versus 33.3% of respondents from the Serb community and 24% of respondents from other non-majority communities that share the same opinion.

Regarding the view that interethnic relations will remain the same even after the establishment of the association of Serb-majority municipalities, there is

no significant difference between the citizens of different ethnicities, where 30.9% of the citizens from the Albanian community, 30.7% of citizens from the Serb community and 27% of citizens from other communities share this view.

It is noteworthy that a higher rate of citizens from the Serb community (18%) believe that the association of Serb-majority municipalities will improve interethnic relations, compared to 4.7% of citizens from the Albanian community and 8% from other communities that share this view.





4. CONCLUSION

In its third survey on measuring citizens' perception about the dialogue between Kosovo and Serbia, KDI has addressed the main and most discussed issues in the country about this process. More specifically, this time KDI has treated the issue of the Justice System extension throughout the whole territory of the country, dissolution of Serbian parallel structures, extension of sovereignty of Kosovo institutions throughout the territory of the country, and the impact of establishment of the Association of Serb majority municipalities on interethnic relations.

The main findings of this survey are as follows:

- 1.** The majority of Kosovo citizens, or 46%, estimate that the association of Serb-majority municipalities could lead to the deterioration of interethnic relations.
- 2.** Half of Kosovo citizens, or 51%, estimate that the dialogue between Kosovo and Serbia has not affected the extension of Kosovo's sovereignty to the northern part of the country. Only 4% of citizens believe that the Kosovo-Serbia dialogue has had an impact on this aspect.
- 3.** Half of Kosovo citizens, or 48%, estimate that Serbian parallel structures in Kosovo, funded by the state of Serbia, have not been dissolved. It is worth pointing out that only 4% of Kosovo citizens estimate that these Serbian parallel structures are completely dissolved after 6 years of dialogue between Kosovo and Serbia
- 4.** A high number of Kosovo citizens, or 58%, believe that the justice agreement will not be successful in integrating northern courts into the Kosovo judiciary system.

Recommendations:

- 1.** KDI recommends that the Justice Agreement reached within the Kosovo-Serbia dialogue should be made public to citizens.
- 2.** KDI recommends that the Government and justice institutions actively engage in enhancing transparency about the Justice Agreement to citizens affected by this agreement, to the general public and to the justice system officials that will operate within this Agreement.
- 3.** KDI recommends to the Government and the Assembly of Kosovo that the process of implementing the agreements should be more transparent for the citizens of Kosovo and it should contain systematic information on the degree of implementation of the agreements and their expected effects in the field.
- 4.** KDI recommends to the Government of Kosovo to increase its concrete commitment to dismantle Serbian parallel structures funded by the state of Serbia in all areas across the country
- 5.** KDI recommends to Kosovo institutions to take all the necessary measures for guaranteeing the extent of sovereignty of the state throughout its territory.
- 6.** KDI recommends that the Government of Kosovo guarantee a comprehensive approach and full transparency to the establishments of the association of Serb-majority municipalities, elaborating in detail the competences of this mechanism and guaranteeing a genuine social debate about its effects.





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Confédération suisse
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Swiss Cooperation Office Kosovo