

# KEY ELEMENTS NEEDED FOR PROGRESS IN THE NORMALIZATION OF RELATIONS BETWEEN KOSOVO AND SERBIA

A perspective from **Kosovo and Serbia**



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# **KEY ELEMENTS NEEDED FOR PROGRESS IN THE NORMALIZATION OF RELATIONS BETWEEN KOSOVO AND SERBIA:**

**A PERSPECTIVE FROM  
KOSOVO AND SERBIA**

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This publication of the Kosova Democratic Institute, divided into two sections, presents the perspective of two authors from Kosovo and Serbia on the main principles or elements that should guide the dialogue process between Kosovo and Serbia, necessary for the completion of this process and its positive epilogue. The positions presented in this analysis are exclusively those of the authors and do not necessarily represent the positions of the Kosova Democratic Institute.

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Authors: **Visar Xhambazi and Miloš Pavković**

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Address: Str. Bajram Kelmendi, No. 45. 10 000, Prishtina, Kosovo  
Tel: +383 (0)38 248 038  
E-mail: info@kdi-kosova.org  
Ueb: www.kdi-kosova.org

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**Author:** Visar Xhambazi

## Key elements needed for progress in the normalization of relations between Kosovo and Serbia: A perspective from Kosovo

# Introduction

The Kosovo-Serbia dialogue was affected by a paradigm shift following the December 2020 general election in Kosovo. The left-wing Self-Determination Movement (Lëvizja Vetëvendosje) led by Albin Kurti won a landslide victory in the Kosovo election in February 2021, gaining 50.3% of the vote.<sup>1</sup> This was the first time since the declaration of independence in 2008 that a political party exceeded the 50% threshold and was able to form a government without the need for a coalition partner. This provided an enormous opportunity for Prime Minister Albin Kurti to set the agenda on important issues, without having to deal with any serious backlash from the other opposition parties.

Kurti ran on an anti-establishment, anti-corruption campaign, focusing predominantly on domestic issues, avoiding any serious mention of the Kosovo-Serbia dialogue. He had stated on several occasions that the dialogue will not be a priority for his government.<sup>2</sup> Despite his reservations, Kurti participated in his first dialogue meeting facilitated by Brussels, where he met with Serbian President Aleksandar Vučić. During this meeting, Kurti outlined a list of proposals which included forming a new South-East European Free Trade Agreement (SEFTA), which according to his proposal, would advance from CEFTA (Central European Free Trade Agreement) to SEFTA, and the establishment of bilateral reciprocity following mutual recognition, among others.<sup>3</sup> A second meeting followed in July without any major progress.<sup>4</sup> None of Kurti's proposals were taken into serious consideration. However, Kurti has

been pursuing the principle of reciprocity, making it the epicenter of his government's approach to the Kosovo-Serbia dialogue. On June 29, his government decided that Serbian issued license plates for Kosovo cities would need to be replaced with Kosovo plates by September 30, 2022. In addition, the government decided that Serbian citizens would not be able to enter Kosovo using their ID cards, but would instead be provided with a declaration form to be filled out at the border crossing.<sup>5</sup>

Kurti and Vučić did not have a good start in the Kosovo-Serbia dialogue process. There have been major setbacks and confrontations; however, in the last couple of months there has been some progress with the implementation of technical deals such as the temporary deal over the license plate issue and the agreement on a roadmap for the implementation of the energy deal in the north of Kosovo. Despite some progress, parties continue to uphold diametrically opposing views on how the dialogue should conclude. While Serbian President Vučić insists on a compromise deal, Kosovo Prime Minister Kurti is firm on his statements that the final deal must be centered on mutual recognition. While a final agreement is far from the horizon, some elements and principles are needed for progress in further normalization between the two countries. The goal of this policy brief is to list some of the most important principles that are a precondition for further progress in the normalization of relations between Kosovo and Serbia.

## Center the normalization talks on transitional justice, dealing with the past, and building the right narrative

The trauma and consequences of war remain deeply rooted in Kosovo's society. This makes it increasingly difficult for Kosovo to fully normalize relations with a country which has not shown any remorse or empathy for the victims of war in Kosovo. Belgrade's narrative includes no recognition of what happened during the war in Kosovo. For instance, Serbian Prime Minister, Ana Brnabić, recently stated that there was no genocide committed in Kosovo.<sup>6</sup> The Serbian interior minister, Aleksandar Vulin, often uses the derogatory term "Šiptar" when referring to Albanians.<sup>7</sup> He went as far as denying the massacre of Albanians in Racak, branding it as a "huge lie and fabrication."<sup>8</sup> Such statements and denial diminish any real progress in the Kosovo-Serbia dialogue. The Serbian leadership must refrain from derogatory language and hostile discourse, and instead focus on establishing better channels of communication

for such a sensitive issue. This is the most important element for further progress in the dialogue. Without mutual respect, neither side will be fully committed to the process.

There are around 1,600 people still missing from the Kosovo war, the vast majority of them Albanian.<sup>9</sup> In the past two decades, Serbia has not shown full cooperation to provide answers to what happened to these individuals or their whereabouts. However, there are some positive developments in this regard, with Serbia being close to signing an agreement with Kosovo on missing people.<sup>10</sup> A potential agreement that would focus on finding the missing people and bringing some sort of peace to the families of the victims would be a major step forward towards normalization. Furthermore, acknowledgment of war crimes by Serbia and due punishment to those responsible would help bring the normalization process on track.

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**1,600 people still missing**

1 Central Election Commission of Kosovo, [Election results according to political entities](#), February 14, 2021.

2 Talha Ozturk, ['Belgrade-Pristina normalization dialogue not priority'](#), Anadolu Agency, February 18, 2021.

3 Euronews Albania, [Kurti's four proposals: Kosovo and Serbia sign an immediate non-aggression pact](#), June 16, 2022.

4 Xhorxhina Bami, [Serbia, Kosovo Leaders Cross Swords at Second Meeting](#), Balkan Insight, June 19, 2021.

5 Government of Kosovo, [Nr. 01/85](#), June 29, 2022.

6 Euronews Albania, [Serbian PM Brnabic denies genocide in Kosovo](#), June 17, 2022.

7 Prishtina Insight, [Serbian minister defends use of the term 'siptar'](#), October 05, 2020.

8 Bledar Qalliu, [Serbia Denies Massacre against Albanian Civilians, Funds Revisionist Documentary](#), Exit News, December 10, 2021.

9 International Committee of the Red Cross, [23 years on, more than 1,600 people still missing in Kosovo](#), August 30, 2021.

10 Kristi Ceta, [Serbia Ready to Sign Agreement with Kosovo on Missing Persons](#), Albanian Daily News, June 14, 2022.

## Implement present agreements and constitutional court rulings

On June 24, Kosovo and Serbia agreed on a roadmap to solve the issue of electricity in the north of Kosovo, predominantly inhabited by Kosovo Serbs, who didn't pay their electricity bills for over two decades.<sup>11</sup> The roadmap is based on an agreement that was finalized in 2013 but was never implemented. According to the roadmap, the Kosovo Energy Regulatory Office is obliged to give a license to Drustvo Elektrosever, a Serbian company that will bill, collect payments and provide maintenance services in four Serb majority municipalities in the north of Kosovo.<sup>12</sup> The implementation of the roadmap is yet to be seen; however, this is a huge step forward in the dialogue. The implementation of the roadmap will ensure equality among Kosovo citizens and enforce rule of law. Implementation of such agreements provides a big boost to the dialogue and creates an impetus for cooperation between the parties.

On the other hand, the Kosovo government is refusing to implement two constitutional court rulings which are hampering progress in the dialogue: The establishment of the Association/Community of Serb majority municipalities in Kosovo (ASM) and the Serbian Orthodox Dečan Monastery land verdict which validates the Monastery's right to 24 hectares of land. Both decisions are final and cannot be appealed. The verdict of the Constitutional Court of Kosovo on the ASM states that the general principles/elements of the agreement are not in compliance with the constitution of Kosovo; however, the court calls for its implementation based on the 2013 agreement.<sup>13</sup> Specifically, the second article of the verdict says the following: "the Association/Community of the Serb majority municipalities is to be established as provided by the First Agreement, ratified by the Assembly of the Republic of Kosovo and promulgated by the President of the Republic of Kosovo."<sup>14</sup> Despite the court ruling, Kurti recently stated that the ASM "should not be implemented by any means."<sup>15</sup>

Another major obstacle is the lack of implementation of the constitutional court verdict which confirmed the Dečan Monastery's ownership of 24 hectares of land after a 16-year-long dispute with the municipality of Dečan over ownership.<sup>16</sup> This is not directly linked to the dialogue process; however, the Dečan Monastery bears significant historical and cultural importance for the Kosovo Serbs. The 24 hectares of land were donated by the Serbian government to the Monastery in 1997. After the war in Kosovo, the 24 hectares of land have been claimed by the two socially owned companies Apiko and Iliria. However, the 2016 court decision recognized the Monastery's right of ownership to the land. This decision sparked a wave of protest among Kosovo Albanians who disagreed with the decision of the court and say that such a move was illegal because Kosovo Albanians were being oppressed at the time by the Serbian Government.<sup>17</sup> Ever since, the government of Kosovo has refused to implement the decision, stating that it is up to the Municipality of Dečan to implement the decision, which has similarly refused to implement the court's ruling.<sup>18</sup>

Failure to implement final court rulings endangers the integrity of the rule of law in the country, inter-ethnic relations and progress in the dialogue. Most importantly, it showcases that the government of Kosovo is not fully committed to the rule of law and implementation of final court decisions. Before being elected Prime Minister, Albin Kurti had stated on numerous occasions that he is willing to initiate an internal dialogue with the Kosovo Serb community, because unlike the Serbian List party, the Kosovo Serbs are not controlled by Belgrade's regime.<sup>19</sup> Nevertheless, Kurti has been in power for almost a year and a half, but there are no signs of such an "internal dialogue."<sup>20</sup> Even if Kurti attempts to launch it, lack of implementation of constitutional court rulings that directly concern the Serb community in Kosovo will foster distrust among the community and make it difficult for the government of Kosovo to initiate a meaningful internal dialogue with the Kosovo Serbs.

11 Miroslav Lajčák, [Twitter Post](#), June 24, 2022.

12 Perparim Isufi and Milica Stojanovic, [BIRN Fact-Check: What Will the Serbia-Kosovo Energy Deal Achieve?](#), Balkan Insight, June 24, 2022.

13 Constitutional Court of Kosovo, [Case No. K0130/15](#), December 23, 2015.

14 Ibid.

15 Arta Sopi, [Kurti: Asociacioni kurrsesi nuk bën të zbatohet](#), Kallxo.com, June 27, 2022.

16 Constitutional Court of Kosovo, [Case No. K1132/15](#), May 20, 2016.

17 Shkodran Nikçi, [Residents protest over Dečani Monastery land dispute](#), Prishtina Insight, June 17, 2016.

18 Arton Konushevci, [Neveria Kurti hesh lidhur me Manastirin e Dečanit](#), Radio Evropa e Lirë, May 21, 2021.

19 Sandra Cvetković, [Kryeministri i Kosovës "harroi" dialogun e brendshëm me serbët](#), Radio Free Europe, March 28, 2022.

20 Fitim Gashi, [Serbët i kërkojnë Kurtit që mbajë premtimin përmes dialogut të brendshëm](#), Koha, July 05, 2022.

## Reinvigorate the Euro-Atlantic perspective in the Western Balkans

The last EU-Western Balkan Summit held on June 23 failed to make a long-awaited breakthrough. North Macedonia and Albania were not granted the green light to start the EU accession talks, Bosnia and Herzegovina did not get EU candidate status, and Kosovo did not get visa liberalization, despite fulfilling all required benchmarks and waiting for a decision since 2018.<sup>21</sup> Serbia is already in the process of accession talks, although progress has been minimal. Kosovo, on the other hand, signed its first contractual agreement with the EU in 2016, the Stabilization and Association Agreement, but no further progress has been made since then in its EU integration aspirations. Meanwhile, Prime Minister Kurti has stated that he plans to apply for EU candidate status by the end of 2022.<sup>22</sup> However, there was a positive shift on July 19th, when the EU launched accession talks with Albania and North Macedonia.<sup>23</sup>

It is increasingly important for the EU to deliver in the region when it comes to the Euro-Atlantic perspective. The enlargement policy is the EU's key policy in the Western Balkans. In the past two decades, the EU has employed a "carrot and stick" approach to promote

democracy in the region, rewarding progress with further enlargement and using punishment when countries slowed down on reforms. However, in the last few years, the EU's sticks seem to have become more frequent, while carrots have become increasingly scarce. The enlargement policy is the EU's best tool to positively push Kosovo and Serbia closer to a final settlement. Absence of rewards for progress will make it difficult for both Kosovo and Serbia to fully commit to the dialogue. This is crucial especially for Serbia which is already a candidate country and will not be inclined to commit to full normalization with Kosovo without a concrete path towards EU membership.

Furthermore, the Western countries should consider a path towards NATO integration for Kosovo. Although full membership is almost impossible taking into account the present circumstances, such as the lack of recognition from four NATO member states (Greece, Romania, Slovakia and Spain), the West should consider NATO's Partnership for Peace program for Kosovo, in which Serbia participates too.<sup>24</sup> This could prove to be a good incentive for Kosovo to progress in its Euro-Atlantic aspirations. There have been signals from the US about such a move; however, the European NATO member states haven't stated their position on this matter yet.<sup>25</sup>



In the past two decades, the EU has employed a "carrot and stick" approach to promote democracy in the region, rewarding progress with further enlargement and using punishment when countries slowed down on reforms. However, in the last few years, the EU's sticks seem to have become more frequent, while carrots have become increasingly scarce.

21 Sinisa Jakov Marusic, [Western Balkans Leaders Voice Frustration over EU Summit Failure](#), Balkan Insight, June 23, 2022.

22 Mediana Halili & Arta Sopi, [Kurti: Sivjet synojmë të aplikojmë për statusin e vendit kandidat për anëtarësim në BE](#), Kallxo.com, June 10, 2022.

23 Camille Gijs, [EU launches accession talks with North Macedonia, Albania](#), Politico, July 19, 2022.

24 The [Partnership for Peace \(PfP\)](#) is a NATO program aimed at creating trust between the member states of NATO and other states. It is a program of practical bilateral cooperation between individual Euro-Atlantic partner countries and NATO. It allows partners to build up an individual relationship with NATO, choosing their own priorities for cooperation.

25 Barbara Halla, [US backs Kosovo's plan to join NATO peace programme](#), Euractiv, May 27, 2022.



## Pressure Serbia to align with the EU policy and sanctions on Russia

Russia's decision to invade Ukraine on February 24 has created a sense of urgency in the Kosovo-Serbia dialogue process. With the exception of Belarus, Serbia remains the only European country which has not imposed a single round of sanctions against Russia, highlighting Serbia's close relationship with Russia. Despite being a candidate country for EU accession—being considered as a frontrunner in the process—Serbia has continued cooperating with Russia, despite numerous calls by EU institutions and EU member states to impose sanctions.<sup>26</sup> Serbia has recently agreed on a new gas deal with Russia, which will ensure a three-year Russian gas supply to Serbia.<sup>27</sup> In June, Serbia expected an official visit by Russia's foreign minister, Sergei Lavrov, whose trip was canceled due to the no-fly zone imposed by Balkan NATO member states.<sup>28</sup> Despite such developments, the EU hasn't put a lot of pressure on Serbia to change its approach. If Serbia continues with its non-alignment approach and ignores the calls of the EU on this important matter, it will have a negative impact on the Kosovo-

Serbia dialogue and the EU efforts for a final settlement. Kosovo also plays an important symbolic role in EU-Russia relations. Russian President Vladimir Putin used Kosovo as a precedent for justifying the annexation of Crimea in 2014 and his full-scale war in Ukraine in 2022, as well as for recognizing the self-proclaimed breakaway Ukrainian regions of Donetsk and Luhansk as independent republics.<sup>29</sup> Russian support for Serbia is an incentive for Vučić to perpetuate the status quo of maintaining a good relationship with Russia in times of war. Even though the EU, as a mediator, has tried to remain neutral in the Kosovo-Serbia dialogue, the war in Ukraine is a situation where the EU and its member states cannot remain neutral and respect Serbia's foreign policy stance. The EU and its member states must pressure Serbia to declare sanctions against Russia and reconfirm its European path. Otherwise, this could damage the EU's efforts and its credibility in the dialogue process. The EU must be adamantly clear to Serbia that countries wishing to join the block must align with the EU's foreign policy on such an important matter, and consider enforcing consequential measures, such as disqualifying Serbia from EU accession talks.<sup>30</sup>



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Beyond Serbia's close relationship with Russia, the attitude of President Vučić towards the Quint countries (Germany, France, Italy, the United Kingdom and the United States) has been accusatory. After Kosovo's recent decision to change Serbian issued license plates in Kosovo with the official Kosovo ones, Vučić accused Kosovo of preparing an assault on Serb majority areas of Kosovo, and added that this "assault" had the backing of the Quint countries.<sup>31</sup> Vučić has used this type of rhetoric before; for instance, when Kosovo sent police forces in the north to dismantle organized crime groups, Vučić described the police action as an attack against the Serbs.<sup>32</sup> The accusatory and warmongering nature of Vučić's rhetoric must be stopped. It is important that the Western countries call out such dangerous statements by the Serbian leadership.

## Instil deeper cooperation between EU-US and between the envoys in the Western Balkans

At present, there are five envoys appointed to the region by different entities: The EU envoy, Miroslav Lajčák; the US envoy, Gabriel Escobar; the British envoy, Stuart Peach; the German envoy, Manuel Sarrazin; and most recently, the Greek envoy, Sofia Grammata. The appointment of envoys is a step forward in the dialogue and sends a good signal to both Kosovo and Serbia. However, so far, it does not seem that there is much cooperation and coordination going on between the envoys. This cooperation would provide additional political support to Miroslav Lajčák, who is currently leading the EU facilitated talks, and at the same time, it will add more pressure to Kosovo and Serbia to remain fully committed to the process.

One specific issue where there could be more coordination on is the topic of regional cooperation. There are currently two regional cooperation processes in the Western Balkans: The Berlin Process and the Open Balkan (formerly known as the Mini-Schengen).<sup>33</sup> All regional countries support the Berlin Process, but only the US supports Open Balkan, which unlike the Berlin Process, is a locally driven initiative established by Albania, North Macedonia and Serbia. The Berlin Process and Open Balkan have similar objectives which overlap with each other. While it is not entirely clear what will happen with the Berlin Process, due to a change in leadership in Germany, the EU and its member states should make an official statement on the Open Balkan initiative to avoid confusion in the Western Balkans. Bosnia and Herzegovina, Montenegro and Kosovo—which haven't joined Open Balkan—are being pressured by the participating countries to join, and their refusal is being labeled as a threat to stability in the region.<sup>34</sup> Closer cooperation between the US and the EU is essential to full normalization between Kosovo and Serbia. Only a coordinated US-EU approach can serve as a catalyst and produce the needed synergy to finalize an agreement.<sup>35</sup>

## Conclusion

The decade-long dialogue between Kosovo and Serbia has had some relative progress; however, achieving a final comprehensive agreement is far from over. The dialogue has proved that it is imperative to establish key principles and elements to ensure continuous progress. Thus, the EU should take a step back and recalibrate its mediation approach in the negotiations. Furthermore, the governments of Kosovo and Serbia should fully commit to the dialogue for the purpose of normalizing relations between the two countries.

26 Euractiv, [Germany urges Serbia to apply sanctions against Moscow](#), June 11, 2022.

27 Reuters, [Serbia's Vučić says he agreed a three-year gas supply contract with Putin](#), March 29, 2022.

28 Radio Free Europe, [Lavrov Cancels Serbia Trip After Balkan Neighbors Refuse Clearance For Plane](#), June 06, 2022.

29 Jade McGlynn, [Why Putin Keeps Talking About Kosovo, Foreign Policy](#), March 03, 2022.

30 Carl Bildt, [Twitter Post](#), February 27, 2022.

31 Alice Taylor, [Vučić accuses Pristina of preparing assault on Kosovo's majority-Serb area](#), Euractiv, June 30, 2022.

32 Dusan Stojanovic, [Tensions soar at Kosovo-Serbia border over license plates](#), Associated Press, September 20, 2021.

33 Visar Xhambazi, [Mini-Schengen and Regional Cooperation: It Takes "Six to Tango" in the Western Balkans](#), Democracy for Development, May 26, 2020.

34 Bledar Qalliu, [Kosovo, Montenegro Presidents Warn of Open Balkan as Threat to the Region](#), Exit News, May 19, 2022.

35 Visar Xhambazi, [EU and US Need Each Other to Reach Final Kosovo-Serbia Deal](#), The Globe Post, November 11, 2019.



**Author:** Miloš Pavković, European Policy Centre

## Key principles needed for progress in the normalisation of relations between Serbia and Kosovo: A perspective from Serbia

# Introduction

After failed negotiations between representatives from Serbia and Kosovo<sup>36</sup> on the final status of the province under the auspices of the UN and the Contact Group in 2007, Kosovo unilaterally declared independence in February 2008. Three years later, the EU launched the Dialogue between Belgrade and Pristina as a mediator. At first, talks were held on a technical level, but in 2012 they were raised to the highest political level and ever since the technical level and high political dialogue are going in parallel. During the more than a decade of negotiations process had its 'up' and 'downs'. Since 2011, the two sides have signed 24 agreements,<sup>37</sup> recording some of the brightest moments of the process. Some of the most important agreements are the following: the Regional Representation Agreement (2012), the First Agreement of Principles Governing the Normalisation of Relations (the Brussels Agreement - 2013), the Agreement on Energy (2013), and the Agreement on the Integration of Judiciary (2015). All these agreements are serving the purpose of introducing gradual normalisation of relations.

On the other hand, negotiations 'downs' resulted in an escalation of relations and long periods without agreements and in some cases without meetings. The two most notable standstills during negotiations under the EU facilitation happened in 2018 and 2021. In November 2018 the government in Pristina introduced 100% tariff for goods imported from Serbia as an answer to its diplomatic initiative for the derecognition of Kosovo's independence. The standoff lasted until March 2020, for a year and a half, when the taxes were abolished and trade normalised. The second crisis happened in 2021 with two weeks crisis over the licence plates. This time the EU mediation helped the two sides reach a provisional agreement. Having in mind different dynamics of the dialogue, this paper aims to provide key principles that could provide a solid basis for future negotiations in order to minimise the chances of negotiations being disrupted again in the future with the aim to successfully complete the process of normalisation of relations.



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<sup>36</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

<sup>37</sup> List of all signed agreements is available on the [webpage](#) of the Office for Kosovo and Metohija of the Government of the Republic of Serbia

## Principles needed for progress in normalisation

The normalisation of relations in the case of Kosovo and Serbia is a lingering process which is showing slow progress. In order to preserve the current process, and avoid any potential regression in the Dialogue, this part of Analysis offers 13 key principles for both sides to follow.

### 1. Remain open to the dialogue

This is a basic principle both sides need to pursue in order to be able to reach any kind of agreement and continue the process of normalisation of relations. Failure to reach an agreement is a normal part of the dialogue, but what is important is for the dialogue to continue no matter the hurdles that may arise during the process. Openness in the dialogue is clearly important for Serbs as more than 2/3 of them support it.<sup>38</sup> As long as both sides talk, there is an opportunity for agreements to be reached. On the other hand, refusing to talk means certain failure and it can raise tensions as well. That is why it is important to keep the dialogue alive because, as long as delegations negotiate, the process is ongoing and the chance for final normalisation of relations exists. Both sides have been boycotting negotiations in the past. Firstly Serbian president 2018 snubbed planned talks with Kosovar counterpart Hashim Thaci.<sup>39</sup> Then, another round of negotiations in Brussels was boycotted in May 2021 when the PM of Kosovo refused to come with his delegation to the negotiating table.<sup>40</sup> It is important that these stay isolated cases, and that both sides remain open for dialogue and engage in dialogue in a good faith.

### 2. Put the interests of the local population in the first place

Interests of local communities should be put at the forefront in the course of negotiations, particularly as Kosovo is a mixed community that except for the majority Albanian population also hosts multiple minority communities: Serbs, Bosniaks, Turks, Askhali, Egyptian, Gorani and Roma. There are several reasons for this. First, negotiations have the aim to resolve many technical problems on a local level that are currently preventing the normal functioning of life in some parts of Kosovo. Problems such as freedom of movement, overall security, property issues, postal services etc. Some of these issues concern the citizens of Serbia as well, such as the freedom of movement, as the existing agreements regulate travel and mutual recognition of identity cards. Second, when the interests of these people are prioritised, agreements can be reached swifter and their implementation could start without delay. Third, one of the main reasons why the dialogue between Belgrade and Pristina was launched, was for the decent and normalised life of people living in Kosovo. Therefore, providing a normal life for communities and individuals living in Kosovo should be a sufficient driving force for negotiators to bring to an end process of normalisation of relations.

### 3. Stop the circle of mistrust and build the confidence among actors

One of the pertinent problems that burdens the process of normalisation of relations and mutual relations is general mistrust among the actors of the dialogue. Various research shows that there is overall mistrust among people on both sides.<sup>41</sup> On the other hand,



Therefore, providing a normal life for communities and individuals living in Kosovo should be a sufficient driving force for negotiators to bring to an end process of normalisation of relations.

<sup>38</sup> Maja Bjeloš, *Stavovi građana Srbije o odnosima sa Kosovom i Albanijom. Analiza istraživanja javnog miñenja*, Beogradski Centar za bezbednosnu politiku, Beograd, 2022, p. 2.

<sup>39</sup> Valerie Hopkins & Michael Peel, *Serbia snubs Kosovo in peace talks blow*, Financial Times, 2018, accessed: 19.07.2022.

<sup>40</sup> European Western Balkans, *Kurti says he will not be in Brussels on 11 May, the date announced for a meeting with Vučić*, accessed: 21.06.2022.

<sup>41</sup> See more at: Center for Social Dialogue and Regional Initiatives, (CSDRI), *Normalization of relations between Belgrade and Pristina from citizens perspective – What we know and what we feel?*, Belgrade, 2019, accessed: 22.06.2022.



both Serbs and Albanians living in Kosovo are ready and want inter-ethnic reconciliation.<sup>42</sup> This means that their political leaders must take responsibility and break the circle of mistrust. Some of the ways for building trust may be to increase the number of joint public appearances, press conferences, and strengthen personal relations. Good personal relations between French president Charles de Gaul and German Chancellor Konrad Adenauer resulted in the Elysée Treaty – a basis for historical reconciliation and the creation of a united Europe with France and Germany at its heart. Similarly, building personal relations among political leaders can help in building trust among leaders themselves, but what is more important, among citizens. It might as well lead to the signing of a treaty on Serbo-Albanian friendship which would mark a new era of relations between the two nations and full normalisation of Kosovo-Serbia relations.

#### **4. Increase transparency of the process**

Although the negotiations are held behind closed doors in Brussels, the end product of those meetings is available online. All agreements are open to the public, while after every meeting press conference is organised with statements from all actors of the dialogue. However, in the case of Serbia, public opinion polls show that majority of respondents are not familiar with the content of agreements, all the while there is no clear idea among them what the normalisation process implies.<sup>43</sup> But leaders are mysterious sometimes when it comes to the dialogue. The episode of secret negotiations between the then



**Therefore, both sides should immediately implement all agreements/ parts of agreements previously signed that have not been implemented, and not delay the implementation of signed agreements in the future.**

42 Danas, *Istraživanje: Većina kosovskih Srba i Albanaca za meduetničko pomirenje*, accessed: 22.06.2022.

43 Centar za društveni dijalog i regionalne inicijative, *Novi narativ normalizacije*, p. 4, accessed: 23.06.2022.

44 Kossev, *Are Mogherini, Vucic, Thaci talking about the partition of Kosovo? The game of the two Presidents must be stopped*, 2018, accessed: 21.06.2022.

45 Heather A. Conley & Dejana Sarić, *The Serbia-Kosovo Normalization Process: A Temporary U.S. Decoupling*, Center for Strategic and International Studies, p. 8.

46 The timeline of signed agreements and level of implementation is available here: *Normalization – Brussels negotiations between Belgrade and Pristina*, accessed: 22.06.2022.

Kosovo President Hashim Thaci and the President of Serbia Aleksandar Vučić on a partition of Kosovo is the best demonstration.<sup>44</sup> With this kind of shady deal attempts, citizens are frustrated with leaders who reveal little about what is being negotiated on their behalf.<sup>45</sup> Having all that said, the leaders of both sides need to work more on transparency and communication of their intentions towards citizens in order to avoid misunderstandings in the public.

#### **5. Implement signed agreements without hesitation**

As was already mentioned earlier, the two sides have signed 24 agreements so far. Unfortunately, not all of them were implemented, and many of them were only partially implemented.<sup>46</sup> The cases of failure to implement parts of the Brussels Agreement on the establishment of Community/Association of Serbian Municipalities and the Agreement on Cadastre, and two energy agreements whose implementation has been agreed upon only recently after several years of stalemate, are vivid examples of problems that non-implementation is causing. Refusal or inability to implement agreements causes an additional stall in negotiations and blocks the process of normalisation of relations while at the same time harming the credibility of the process and creating additional mistrust among the parties. Therefore, both sides should immediately implement all agreements/parts of agreements previously signed that have not been implemented, and not delay the implementation of signed agreements in the future.

#### **6. Open new regional initiatives for representation of Kosovo and strengthen the cooperation in existing ones**

Kosovo, under the Regional Representation Agreement, is participating in various regional initiatives such as the Berlin Process, Common Regional Market, Regional Cooperation Council (RCC), Central European Free Trade Area (CEFTA) and others. Both sides should work on strengthening relations in multilateral frameworks where both parties participate. Last year, the Ministry of industry, entrepreneurship and trade of Kosovo decided to oppose all acts of the CEFTA Governing Board as it rejected Kosovo's request to be represented without UNMIK.<sup>47</sup> Although Kosovo's request might be legitimate, it should not give up on participation in any regional initiatives, especially not CEFTA, and should be a constructive partner. In the same way, Serbia should act constructively and friendly towards Kosovo in all regional initiatives and help Kosovo to strengthen relations with all partners. With an honest approach and support in various regional initiatives, the two sides can develop more extensive relations and partnerships. Consequently, this creates good prospects for the process of normalisation of relations. Furthermore, Kosovo should consider rethinking its current position towards the Open Balkan Initiative as it might provide another forum for regional cooperation and more contact with Serbia. Especially having in mind that it was recently endorsed by the EC Commissioner for enlargement.<sup>48</sup>

#### **7. Support each other on the common path towards the membership in the EU**

A strategic goal of both Serbia and Kosovo is membership in the EU. Yet, Serbia has been for too long on the path of European integration, while this long road for Kosovo is yet to come. In fact, the dialogue remains a blocking chapter for Serbia<sup>49</sup> - as progress in Chapter 35 alongside the rule of law reforms is the key determinant of its accession progress - and an important milestone for Kosovo in order to open accession talks. Furthermore, the war

in Ukraine, oil and gas crises and the fallout of the war are enforcing the necessity of the Balkan neighbours to stick together in these hard times. It is hence in their vital interest to continue with the dialogue. Without conducting negotiations in good faith, and without keeping the EU perspective in mind, the two sides risk being completely side-lined as the rest of Europe continues with their integrative processes. Therefore, it is of utmost importance for both sides to continue their respective European paths and join the EU. Once both countries become members of the EU, it will be easier to maintain the partnership.

#### **8. Give up the maximalist aspirations of both sides and strive for an essential compromise**

One of the main issues of the process of normalisation of relations between Belgrade and Pristina is the different understanding of 'comprehensive normalisation'.<sup>50</sup> For Kosovo, the end result of the dialogue should be 'mutual recognition' by the two states, while for Serbia recognising Kosovo's independence is a red line beyond which it will hardly move.<sup>51</sup> Having evident disagreement on this subject should not prevent the dialogue and both sides should not insist on their maximalist aspirations. Rather, they need to negotiate on topics they can find a common position on while leaving sensitive topics for the end in order to strike an essential compromise and complete the normalisation process.

#### **9. Move rounds of negotiations from Brussels to Pristina and Belgrade to bring Dialogue closer to citizens and secure ownership**

So far, all negotiations were conducted in Brussels as the EU is the official facilitator of the process. Originally, EU High Representative for Foreign Affairs and Security Policy was in charge of facilitating the dialogue, but in April 2020 the EU named Miroslav Lajčak as the Special Representative of the EU for the Belgrade-Pristina Dialogue. Lajčak has several times visited both Belgrade and Pristina in separate visits, but the rounds of dialogue are always done in Brussels. In order to bring the dialogue closer

47 N1, *CEFTA odbacila zahtev Kosova da bude predstavljeno bez UNMIK-a*, accessed: 22.06.2022.

48 Euronews, *Varhely: Open Balkan could accelerate the way into EU*, accessed: 22.06.2022.

49 Chapter 35 Other questions – Kosovo stipulates that Serbia and Kosovo need to sign a 'Comprehensive normalisation agreement' in order for Serbia to close this chapter. Chapter 35, together with several others has the so-called 'suspensive clause' meaning that if no progress is achieved in this chapter, the opening and closing of other chapters can be stopped until satisfying progress is made in Chapter 35.

50 European Parliament, *Belgrade-Pristina Dialogue – The rocky road towards a comprehensive normalization agreement*, Brief, p. 4, accessed: 23.06.2022.

51 Ibid, p. 4.



to citizens and strengthen the ownership of the dialogue by local elites, moving at least some rounds of negotiations might help this cause. For starters, placing technical negotiations in the region could be the right way forward, including cooperation between civil society organisations on this matter. Having the Dialogue in Belgrade and Pristina would give it the perspective of being more independent, as one of the identified problems of the Dialogue is frustration with the interference of foreign powers.<sup>52</sup> Reaching and announcing agreements in two capitals by political leaders has the potential to demonstrate to the local population the importance and successfulness of the dialogue.

#### **10. Establish a mechanism to monitor the implementation of signed agreements**

Except for attempts of civil society organisations to monitor the implementation of previously signed agreements between Belgrade and Pristina, there was no structured monitoring and reporting mechanism by the EEAS – at least not the one available to the public. Out of more than 24 agreements and a few Conclusions by the EU as a mediator, by the end of 2021 two are not yet implemented while 12 of them are being implemented partially.<sup>53</sup> Besides increasing the accountability of political leaders engaged in the process, the EEAs monitoring mechanism should provide a good basis for annual reports of the Commission for candidates and aspiring states for membership. This mechanism would be used

to emphasise the importance of implementation and remind parties and the public when there is no progress in implementation. It would as well be an effective and impartial tool for assessing progress in implementation. This mechanism will be useful for Serbian progress in negotiations on membership in the EU, as it could be used as a source of verification for progress in Chapter 35.

#### **11. Refrain from using inflammatory language and populist statements**

Using hostile speech and populist statements by government representatives of both parties affects the process of normalisation very negatively. Some examples of hostile discourse are statements by the minister in the Serbian government Aleksandar Vučić who often uses derogatory terms for Albanians<sup>54</sup> and calls for demarcation between Serbs and Albanians with the “hard border”.<sup>55</sup> On the other hand, populist statements by Kosovo’s officials, such as calls for unification of Kosovo and Albania by PM Kurti,<sup>56</sup> creates mistrust among parties and impairs the overall environment for dialogue. Negative statements are broadcasted much easier and much faster by the media and they can easily cause setbacks in the dialogue. Therefore, both sides need to prevent their government officials from using inflammatory language and populist statements and instead build an atmosphere of cooperation and partnership.



Reaching and announcing agreements in two capitals by political leaders has the potential to demonstrate to the local population the importance and successfulness of the dialogue.

<sup>52</sup> See more at: Centar za društveni dijalog i regionalne inicijative, [Novi narativ normalizacije](#), p. 3, accessed: 23.06.2022.

<sup>53</sup> Centar za društveni dijalog i regionalne inicijative, [Deset godina sporazumevanja Beograda i Prištine, Od Brisela do Vašingtona, pa nazad](#), Belgrade, 2021, pp. 14-19, accessed: 23.02.2022.

<sup>54</sup> RSE, [Vučić opet uvredljivo o Albancima](#), accessed: 23.06.2022.

<sup>55</sup> N1, [Vučić: Ja sam za što hitnije i što sigurnije razgraničenje sa Šiptarima](#), accessed: 23.06.2022.

<sup>56</sup> Orlando Crowcroft, [I would vote to unify Albania and Kosovo, election winner Albin Kurti tells Euronews](#), Euronews 2021, accessed: 23.06.2022.

#### **12. Refrain from the use of violence**

The war that culminated in 1998-1999 was the worst possible outcome of the Serbo-Albanian dispute in Kosovo. With many civilian casualties and war crimes on both sides,<sup>57</sup> it has brought nothing good except for the lesson to both sides that the violence is in no one’s interest. Unfortunately, the examples of the 2004 pogrom<sup>58</sup> and the movement of the Serbian army near the administrative line separating Kosovo,<sup>59</sup> are very dangerous and harm the dialogue. This becomes even more concerning in the context of the movement of the Russian army near the Ukrainian border which eventually led towards open aggression. Therefore, both Serbia and Kosovo should refrain from using military and or any other special forces unjustifiably. This includes the necessity to refrain from public statements that call for or threaten with the use of force to resolve issues.

#### **13. Two sides should not unduly block visits of government officials**

Official visits from Belgrade to Pristina and vice versa can help build trust among parties and at the same time raise the process of normalisation one level higher. In that sense blocking government representatives from entering the territory of the other party creates additional tension and a negative environment for the continuation of negotiations. Examples of the arrest of the former director of the Kosovo and Metohija Office Marko Đurić,<sup>60</sup> and a ban on Serbian president Vučić<sup>61</sup> and the current Director of the Office for Kosovo and Metohija Petar Petković<sup>62</sup> to visit Kosovo represent negative practices. On the other hand, hospitality for the then minister of foreign affairs of Kosovo – Hashim Thaci was denied by Serbia in 2015 when the interior minister of Serbia threatened that if Thaci comes he will be arrested.<sup>63</sup> Instead of blocking each other’s visits, political leaders should organise official receptions of their colleagues and send messages of friendship and reconciliation. Once official receptions in Belgrade and Pristina are established, leaders should work on maintaining them on regular basis.

<sup>57</sup> The aim and the scope of this paper do not provide the space to analyse the problem of war crimes in more detail. However, as the Yugoslav and Serbian army and police forces were incomparably more numerous, they certainly had more responsibility for stopping war crimes during the conflict.

<sup>58</sup> See more at: [The March Pogrom \(2004\)](#), The Government of the Republic of Serbia, accessed: 23.06.2022.

<sup>59</sup> Al Jazeera, [Serbian troops at heightened alert at Kosovo border](#), 2021, accessed: 23.06.2022.

<sup>60</sup> Andrew MacDowall, [Kosovo detains Serbian politician after ‘illegal entry’ into region](#), The Guardian, 2018, accessed: 23.06.2022.

<sup>61</sup> Direktno, [Vučiću zabranjen ulazak na Kosovo](#), 2020, accessed: 23.06.2022.

<sup>62</sup> N1, [Petru Petkoviću zabranjen ulaz na Kosovo](#), 2021, accessed: 23.06.2022.

<sup>63</sup> RTS, Stefanović: [Uhapsićemo Tačija ako dođe u Beograd](#), 2015, accessed: 19.07.2022.



# Conclusion

This part of Analysis provided a short overview of the Brussels dialogue and offered **13 principles/elements** necessary for progress in normalisation. While not all of them have the same political weight, and some are harder to implement than others, following them would certainly help create a positive environment for the normalisation of relations. The dialogue between Belgrade and Pristina has two key aims: to avoid any setbacks or stalls; and to pave the way towards the Comprehensive normalisation agreement. Proposed principles for normalisation

of relations in the future range from staying open for dialogue, over putting the interests of the local population in the first place, to increasing the number of official visits of government representatives and not blocking them. Finally, the above-presented list is not exhaustive nor pretends to be all-inclusive. It tried to identify and filter some of the most important principles/elements for the normalisation of relations between Kosovo and Serbia in the future. Depending on the future dynamics of negotiations, additional principles might be added.



**Proposed principles for normalisation of relations in the future range from staying open for dialogue, over putting the interests of the local population in the first place, to increasing the number of official visits of government representatives and not blocking them.**

# Annex

## Kosovo-Serbia Dialogue: Key developments 2021-2022 (in chronological order)

- **April 2021:** The United States President, Joe Biden, stated through an official letter that the final deal between Kosovo and Serbia should be "centered on mutual recognition."
- **September 2021:** The Kurti government imposed reciprocity measures, requiring the removal of Serbian vehicle license plates and their replacement with temporary Kosovo ones upon entering the country. A final agreement is currently under negotiations and is yet to be achieved. In the meantime, parties involved have agreed to allow special stickers for vehicles that cross the border as a temporary measure.
- **December 2021:** Britain appointed Stuart Peach as Prime Minister's Special Envoy.
- **March 2022:** the German government appointed Manuel Sarrazin as their Special Envoy for the Western Balkans.
- **April 2022:** The Kurti Government refused to allow Kosovo Serbs to vote in Kosovo for the presidential, parliamentary and local elections scheduled for April 3, 2022. This was the first time that the Kosovo Serbs were not allowed to vote since the war ended in 1999.
- **May 2022:** Kurti and Vučić met for the third time in Berlin where they held closed door meetings with the EU envoy Mirsolav Lajčák and the German Chancellor, Olaf Scholz. This was quickly followed by a visit of Chancellor Scholz in Kosovo and Serbia in June. This was the first time since Kosovo declared independence that a German Chancellor visited Kosovo institutions and leaders. Chancellor Scholz stated that Kosovo and Serbia must recognize each other in order to join the European Union, explicitly stating the German policy.
- **June 2022:** Kosovo and Serbia agreed on a road map that would solve the two-decade long dispute over electricity supplies in northern Kosovo, predominantly inhabited by Kosovo Serbs who have not paid electricity, costing Kosovo 12 million euros a year. With the new energy deal, Kosovo will start billing electricity consumption in the north.
- **June 2022:** The Greek Foreign Ministry appointed Greece's Ambassador to Bucharest, Sofia Grammata, as their Special Envoy for the Western Balkans.
- **June 2022:** During the Open Balkan Summit in North Macedonia, US Special Envoy to the Western Balkans, Gabriel Escobar, stated that the US supports the Open Balkan initiative. However, Prime Minister Kurti has stated on several occasions that Kosovo will not join the initiative because this move would satisfy Serbia's hegemonic plans and pave the way for Russian and Chinese influence in the region.
- **June 2022:** The EU-Western Balkans Summit in Brussels failed to make a breakthrough in the region. Albania and North Macedonia did open EU accession talks, Bosnia and Herzegovina did not get candidate status, and Kosovo did not get visa liberalization.
- **June 2022:** The Kosovo government decided that Serbian issued license plates for Kosovo cities would have until September 30, 2022, to obtain plates issued by the Republic of Kosovo. In addition, the government decided that Serbian citizens would not be able to enter Kosovo using their ID cards, but will be provided with a declaration form at the border crossing that temporarily replaces the use of such a document. This is a procedure that Kosovo citizens have to undertake when they cross the border to Serbia.

