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# **Shifting Tides: Understanding the Evolving Topics of Kosovo- Serbia Dialogue and their Implications for Reconciliation**

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# TABLE OF CONTENTS

<u>Executive Summary</u>	01
<u>The 2020 Washington Agreement</u>	04
<u>The Impact of Government Transitions on Dialogue Topics</u>	06
<u>Implications and Challenges of Shifts in Dialogue Topics</u>	08
<u>Proposition: Including Opposition Parties in Dialogue for Enhanced Stability and Consensus</u>	09
<u>Going Forward</u>	11

## EXECUTIVE SUMMARY

The dialogue between Kosovo and Serbia began in March 2011 when Kosovo's Chief Negotiator Edita Tahiri and the then-leader of the Serbian delegation Borko Stefanovic sat down for the first time at an EU-facilitated meeting. This initial stage of the dialogue or the technical dialogue focused on [practical issues](#) affecting people's lives such as freedom of movement, civil registry, and customs. With the signing of the [First Agreement of Principles Governing the Normalisation of Relations in April 2013](#) or the 'Brussels Agreement', the nature of the dialogue shifted to include more substantial topics, including energy, telecommunications, and the establishment of an Association/Community of Serb-majority municipalities in Kosovo (ASM/CSM). This agreement also included issues of integration of Justice, Police and Civil Protection-Serb parallel structures (in northern municipalities) into the system of Kosovo and the holding of Local Elections in the four northern municipalities (Leposavić/Leposaviq, Zubin Potok, North Mitrovicë/a and Zvečan/ Zveçan) under the jurisdiction of Kosovo. Between 2016 and 2018, dialogue efforts focused on addressing the challenges in the implementation of agreements reached in the previous stages, especially regarding the establishment of the (ASM/CSM) which raised political and [constitutional issues](#) within Kosovo. From 2019 to 2020, with new political leadership in both Kosovo and Serbia, the dialogue witnessed a recalibration. Discussions focused on economic normalization, with talks about direct flights, rail links, and other economic cooperation, culminating with the signing of the '[Washington Agreement](#)' facilitated by the United States. In the more recent years, the dialogue has addressed the painful issue of missing persons from the conflicts in the 1990s, aiming to provide closure to affected families.

The two parties facilitated by the EU got to work and 12 years on much has been achieved. Throughout this period, a series of 38 different agreements have been signed, signifying progress and challenges in the [negotiation process](#). Over the years, the topics of these agreements have undergone significant changes, reflecting changes in government leadership, regional dynamics, and evolving priorities. The purpose of this policy brief is to explore the reasons behind the shifts in dialogue topics between Kosovo and Serbia and assess their implications for the dialogue process. Through a comprehensive analysis of the historical context,

changes in government leadership, and our contribution aims to provide insights into the complexities of the negotiation process. By understanding the drivers of the changing priorities in the dialogue, we seek to offer informed approaches and strategies to foster meaningful normalization of relations between Kosovo and Serbia. Ultimately, this policy brief aims to support the broader goal of promoting sustainable peace and stability in the Balkan region by contributing to a deeper understanding of the challenges and opportunities in resolving long standing disputes and facilitating reconciliation between the two nations.

## THE 2020 WASHINGTON AGREEMENT

In the history of the Kosovo-Serbia dialogue, one significant turning point was the signing of the 2020 [Washington Agreement](#). This agreement represented a shift in the dialogue's direction, transitioning from primarily sovereignty-related matters to a more comprehensive economic collaboration and normalization agenda. Led by then-Prime Minister of Kosovo, Abdullah Hoti, and mediated by the United States under the leadership of former President Donald Trump, this agreement aimed to promote economic ties and regional integration between the two countries.

Image by [RFE/RL's Balkan Service](#)



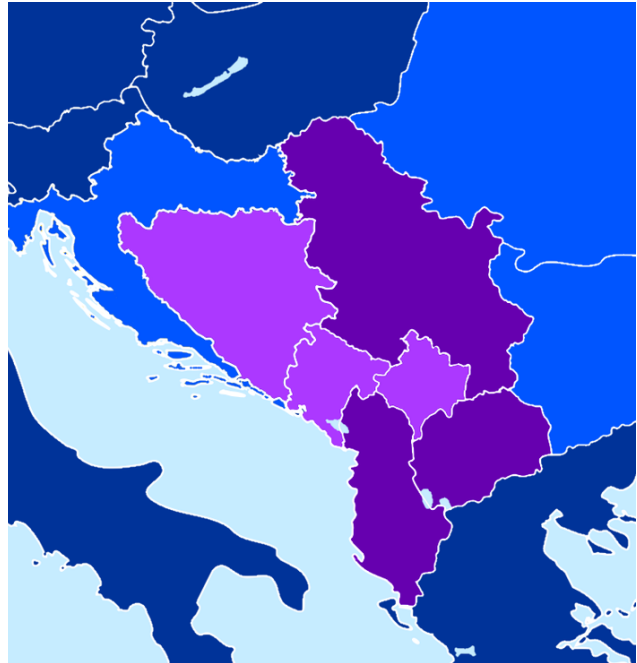
U.S. President Donald Trump (center) speaks before Kosovar Prime Minister Avduallah Hoti (right) and Serbian President Aleksandar Vucic sign an agreement on opening economic relations, in the Oval Office at the White House on September 20, 2020

The Washington Agreement focused on various critical areas of cooperation, including the implementation of the Belgrade-Pristina highway and rail agreement, which aimed to enhance transportation links between the two nations. Additionally, it entailed working with international entities such as the U.S. International Development Finance Corporation (U.S. Development Bank) and EXIM (U.S. Export-Import Bank) to operationalize multiple bilateral projects, fostering economic development and stability.

Joining the ["mini-Schengen zone"](#) was another significant commitment made by both Kosovo and Serbia under the Washington Agreement. By aligning with Serbia, Albania, and North Macedonia in an economic zone promoting the free movement of goods, services, people, and capital, Kosovo aimed to foster greater regional

integration. Benefits of this zone included increased trade opportunities, streamlined regulations, and improved economic cooperation, which could stimulate economic growth and attract foreign investments to the region.

Despite the potential benefits, the "mini-Schengen zone" initiative also faced some [criticisms](#). Some stakeholders were concerned that this economic collaboration might not address the underlying political issues and historical grievances between Kosovo and Serbia. Critics argued that prioritizing economic matters over political ones could delay the resolution of contentious issues related to sovereignty and national recognition, which had been at the core of the Kosovo-Serbia dialogue for many years.



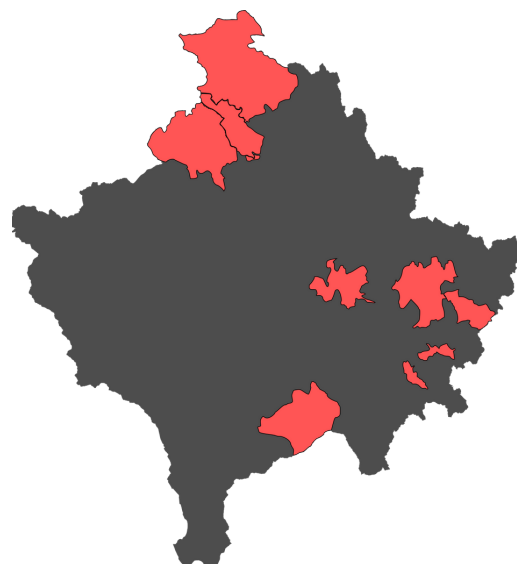
## THE IMPACT OF GOVERNMENT TRANSITIONS ON DIALOGUE TOPICS

One of the significant challenges in a democratic system arises from government transitions, where changes in policies and priorities can lead to shifts in the negotiation agenda. [New governments](#) may bring distinct approaches to the dialogue process, potentially causing tension and disagreement between the ruling government and opposition parties. Such divisions can hinder the smooth progression of the dialogue and create skepticism surrounding the agreements reached during negotiations.

Following the signing of the '2020 Washington Agreement', there have been notable changes in the governments of Kosovo, which have influenced the dialogue's focus and priorities. In Kosovo, [Albin Kurti](#), the leader of the left-wing party 'VETËVENDOSJE,' assumed power, replacing Avdullah Hoti's government. As a long-time member of the opposition and vocal critic of previous governments, Kurti's administration placed a greater emphasis on asserting control over regions not fully under Kosovo's authority and seeking reciprocal recognition of documents and car plates with Serbia.

Under Kurti's leadership, the dialogue shifted towards issues that directly impact Kosovo's state-building efforts, territorial integrity, and national identity. Discussions on the integration of northern regions and the formation of the Association/Community of Serb Municipalities [have gained prominence](#), reflecting Kurti's commitment to addressing challenges related to the governance and territorial control of Kosovo.

The Association/Community of Serb Municipalities (ASM)/CSM is a proposed governing body that aims to represent and protect the interests of the Serbian minority living in Kosovo. It was added to the dialogue agenda to address concerns related to the political representation and cultural rights of the Serbian community within Kosovo. The ASM/CSM is intended to have specific powers over issues such as education, health, and urban planning in the predominantly Serb-inhabited regions of Kosovo.





However, the proposal has been a subject of contention, with some arguing that it may challenge Kosovo's territorial integrity and sovereignty by granting autonomy to these regions especially by the Kurti's party while they were in the opposition

Furthermore, Kurti's government prioritize efforts to consolidate the state's institutions and improve administrative efficiency. As a result, topics such as the recognition of Kosovo's identification documents and car plates became crucial to ensuring the country's sovereignty and national identity. However, these topics have also introduced complexities, as Serbia remains cautious about recognition actions that might compromise its stance on Kosovo's statehood.

## IMPLICATIONS AND CHALLENGES OF SHIFTS IN DIALOGUE TOPICS

While the shift in dialogue topics aligns with the changing priorities of respective governments and the evolving needs of the region, it has also introduced challenges to the negotiation process. Firstly, a focus on issues of national identity and territorial control has led to heightened tensions between Kosovo and Serbia, hindering the prospects of finding common ground on these complex matters.

Secondly, the shifting dialogue topics may divert attention from addressing certain areas covered in previous agreements, potentially slowing down progress in other critical areas of normalization. "I do not believe that it is intended to be implemented," [Kurti said in May 21](#). "There are some positive elements, so we should see it as a set of points and not a deal". This highlights the need for a comprehensive and integrated approach to the dialogue process, ensuring that past agreements are not neglected while addressing new priorities.

Moreover, the shift in dialogue topics has implications for the overall regional stability and European integration prospects. Disagreements over issues such as the formation of the Association of Serb Municipalities (ASM/CSM) and the recognition of Kosovo's documents could impede efforts to foster trust and cooperation between the two countries. The key issue regarding establishing the Association of Serbian Municipalities is the dispute over its competences. While Serbia [insists](#) that it must have executive powers, which is supported by the text of the 2015 agreement, Kosovo insists that the ASM/CSM must be established based on the model of the existing Association of Municipalities in Kosovo, thereby making it barely more than a non-governmental organization. These topics are closely linked to the fulfillment of preconditions for European Union accession, and a lack of progress could hinder both Kosovo's and Serbia's EU integration paths.

## PROPOSITION: INCLUDING OPPOSITION PARTIES IN DIALOGUE FOR ENHANCED STABILITY AND CONSENSUS

As we delve into strategies to ensure the continuity and effectiveness of the dialogue process between Kosovo and Serbia, it becomes evident that the involvement of opposition parties in the negotiation teams can play a pivotal role. This proposition seeks to underscore the importance of including representatives from opposition parties in the dialogue process, highlighting the benefits of fostering stability, building consensus, and ensuring a more inclusive and resilient negotiation process.

One of the significant challenges in a democratic system arises from government transitions, where changes in policies and priorities can lead to shifts in the negotiation agenda. New governments may bring distinct approaches to the dialogue process, potentially causing tension and disagreement between the ruling government and opposition parties. Such divisions can hinder the smooth progression of the dialogue and create skepticism surrounding the agreements reached during negotiations.

By including opposition parties in the dialogue team, a more inclusive and participatory negotiation process can be established. This measure aims to promote stability in the dialogue, as even if the government changes, the structure and composition of the dialogue team remain relatively consistent. The involvement of opposition representatives ensures a continuous presence and input, contributing to a more stable and comprehensive dialogue process.

Furthermore, the active engagement of opposition parties becomes especially crucial when agreements reached through the dialogue process need to be ratified or voted upon in the parliament. Opposition parties may be [tempted to vote against](#) agreements solely for political gain, using the occasion to demonstrate a contrasting stance to the ruling government. Such actions can create obstacles during the implementation phase, hampering progress and potentially derailing the normalization process. dialogue team remain relatively consistent. The involvement of opposition representatives ensures a continuous presence and input, contributing to a more stable and comprehensive dialogue process.

However, involving opposition representatives in the dialogue team from the outset allows for their concerns, suggestions, and reservations to be addressed during the negotiation phase itself. Early engagement of opposition parties offers an opportunity to build consensus and address potential points of contention before agreements reach the parliamentary vote. Consequently, opposition parties may feel a greater sense of ownership and responsibility for the agreements, reducing the likelihood of voting against them purely for political reasons.

Moreover, the inclusion of opposition parties in the dialogue process enhances transparency and accountability. With opposition representatives present during negotiations, there is increased scrutiny of the decision-making and implementation processes. This transparency can foster public trust and confidence in the dialogue, assuring citizens that all political factions actively participate and contribute to the discussions.

To ensure the effective involvement of opposition parties, several measures can be implemented. Regular consultations with opposition leaders can keep them informed of the negotiation progress, and creating clear mechanisms for opposition input during the dialogue can ensure their voices are heard. Providing opportunities for opposition representatives to openly present their views and concerns strengthens the democratic nature of the dialogue and encourages greater national consensus.

## GOING FORWARD

Since the beginning of the dialogue process, throughout its various stages, the EU has played a crucial role as a mediator, supporting the negotiation process and facilitating agreements between Kosovo and Serbia. The dialogue's progress has been marked by both successes and challenges, reflecting the complexities of the historical, political, and ethnic dynamics in the entire region of Western Balkans. At the same time, the dialogue process has been marked by major challenges as manifested in the changing topics as well [as the role of political actors at the negotiating table](#).

To mitigate the potential disruptions caused by changes in government, this policy brief puts forward strategies that can be considered.

### 1 **Building institutional mechanisms that transcend political transitions**

Ensuring continuity in the dialogue process requires building institutional mechanisms that transcend political transitions. Establishing a permanent and professional team for dialogue, consisting of representatives from various political factions, can help maintain consistency in negotiations and prevent abrupt shifts in focus. This inclusive approach ensures that the dialogue process remains resilient to changes in government leadership and political ideologies.

### 2 **Enhancing regional and international involvement in the mediation process**

Enhancing regional and international involvement in the mediation process can provide additional stability and continuity. Engaging neutral and experienced international actors as facilitators ensures a consistent approach to negotiations, irrespective of changes in national leadership. The European Union, the United Nations, and other relevant regional organizations can play a pivotal role in supporting the dialogue's progress.

## **1 Promoting communication between the governments and opposition parties**

Promoting open channels of communication between the governments and opposition parties in both Kosovo and Serbia can foster a shared commitment to the dialogue's objectives. Involving opposition members in the dialogue team allows for a broader spectrum of perspectives, encouraging national consensus on critical issues.

## **2 Identifying the underlying causes and considering strategies to maintain dialogue continuity**

Ultimately, the shift in dialogue topics reflects the evolving nature of Kosovo-Serbia relations and the changing priorities of respective governments. By identifying the underlying causes and considering strategies to maintain dialogue continuity, stakeholders can work towards constructive and sustainable solutions that contribute to the normalization process. Emphasizing open and inclusive dialogue can pave the way for genuine reconciliation and foster an environment.