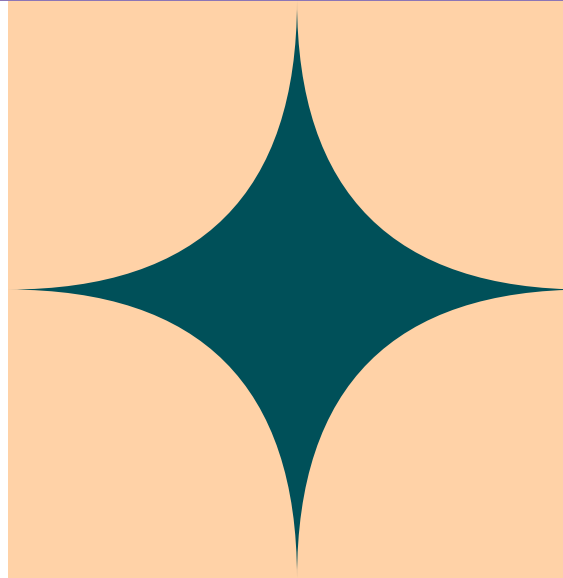


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BEYOND CONSTRUCTIVE AMBIGUITY: RECOMMENDATIONS FOR THE ASSOCIATION OF THE KOSOVO SERB MAJORITY MUNICIPALITIES

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This paper outlines a proposed framework for establishing the Association/Community of Serb-majority Municipalities (A/CSM) in Kosovo, a vital component of the ongoing dialogue between Belgrade and Pristina. The framework encompasses the creation of a Commission comprised of community representatives and civil society, the launching of a public information campaign to address misconceptions, and the drafting of a Statute for the A/CSM with the involvement of relevant political and municipal bodies. Furthermore, the proposal includes the establishment of a new Serb-majority municipality to ensure adequate representation for Serb communities in specific regions. The authors emphasize that the A/CSM should not be viewed as analogous to the Republika Srpska, as this parallel undermines the unique context and framework of Kosovo's institutional landscape.

Beyond these procedural elements, the authors suggest designating Gračanica/Graçanicë as the headquarters for the A/CSM, given its status as a cultural and political hub for Kosovo Serbs. Additionally, the framework proposes the establishment of liaison offices in Serb-inhabited areas outside of Serb-majority municipalities to facilitate enhanced coordination. To promote inclusivity, it is recommended that reserved seats for non-majority communities be incorporated within the governance structure of the A/CSM, alongside the creation of a dedicated office for preserving Kosovo Serb cultural heritage and a department to address the shortcomings of language law implementation.

Crucially, the establishment of the A/CSM represents a critical opportunity to advance the stabilization of Kosovo and foster the normalization of relations between Serb and Albanian communities. By facilitating inter-ethnic cooperation and addressing the rights of non-majority groups, the A/CSM has the potential to significantly enhance Kosovo's political landscape. However, the authors emphasise the necessity for a proactive approach and unwavering commitment from all stakeholders, particularly Kosovo's political leadership, to ensure the successful implementation of this initiative.

WHY AN ASSOCIATION/COMMUNITY OF KOSOVO-SERB MAJORITY MUNICIPALITIES?

Policy recommendations authors outlined in their research aims to respond to the question: how can Kosovo Serbs be included in Kosovo's legal frameworks while respecting their legal and constitutional rights?

The A/CSM, as a concept, is generally viewed negatively by much of the general public in Kosovo and its potential positive effects on inter-ethnic relations, reconciliation and the overall institutional and political health of Kosovo are largely ignored. The rhetoric of many political actors in Kosovo has fed into negative pre-conceptions that the A/CSM would constitute a threat to the Albanian majority. Furthermore, it is a fact that large and often violent protests are reflective of entrenched opposition to the idea. This is largely due to popular misconceptions of what the A/CSM would actually be, what powers it would have and the role that it would play in political life and in the state-building process in Kosovo. In this section, a number of main arguments for the A/CSM will be outlined and elaborated upon.

The Key Benefits of the Association/Community of Serb-majority Municipalities (A/CSM)

- The A/CSM has the potential to centralise a wide array of concerns and interests by creating a systematic means of addressing them;
- It could provide instruments for facilitating local solutions for local problems for the Kosovo Serb community to address issues affecting their communities directly (i.e pollution of the River Gračanka/LumiiGraçanicës, construction of small hydro-electric power plants in Štrpce/Shtërpçë and other similar problems.)
- It could facilitate communication between central-level governing institutions which has previously either been absent or partial;
- It could facilitate and streamline communication between Belgrade and Pristina by providing a sustainable conduit for information-sharing and cooperation;
- It could significantly reduce the pressure and stress on other Kosovo institutions by creating a go-between local governing authorities and the political centre – in other words, it would be a body with enough competencies to effectively protect many community rights both at the local as well as at the central level

- It could act as a body that is able to articulate the needs of the Kosovo Serb community in the sense that it would institutionalize the relationship between a non-majority and majority community.
- It could greatly contribute to the integration of Kosovo Serbs by providing them with adequate institutional protections and a layer of governance that will increase the level of trust and decrease feelings of alienation;
- It could have a degree of autonomy that would allow it to exercise 'overview' and control over areas such as education, healthcare, social welfare and cultural heritage by removing the controversy over so-called 'parallel institutions.' It would do so by officialising and legalising support provided to Serb communities in Kosovo by the Republic of Serbia;
- It could have a markedly positive impact on the health and safety of all communities by creating new channels of official contact and communication between health and welfare providers;
- It could create more quality and equality within the Kosovo Serb community by reducing the discrepancies between the amount of funding and attention received by the four northern municipalities as opposed to those south of the River Ibar, which would further contribute to the concept of decentralisation in Kosovo by transferring more responsibilities to the level of local governance;
- The A/CSM could be a realistic, achievable and humane alternative to territorial exchange/partition because it unites the Kosovo Serb community under one umbrella, while not posing a threat to the territorial integrity or the constitutional orders of Kosovo or Serbia;
- The A/CSM can be an example of providing realistic solutions to ethnic disputes while avoiding the more obvious pitfalls of partition such as regional instability;
- If Kosovo wishes to remain multi-ethnic then it should create a mechanism for retaining members of all of its communities the first step of which would be the creation of the A/CSM;
- The A/CSM could be a facilitator in the peace-building process between Kosovo and Serbia potentially becoming a success story for the Western Balkans region (having in mind unstable inter-ethnic relations);
- It could create an additional channels of communication between Kosovo Serbs, Pristina, and Belgrade, that is capable of giving a voice to Kosovo Serbs in the dialogue process thereby giving the overall framework for talks a much more grassroots dimension;
- It has the potential to generate additional economic opportunities that would motivate Kosovo Serbs to remain there;
- It could concentrate funds for development and infrastructure under a single umbrella that could lead to the more even and equitable distribution of economic and other forms of material assistance, particularly to those communities that have not yet had access to such resources as is the case with the Development Fund for the North of Kosovo;
- It could ensure a more sustainable and safer returns and reintegration process by making the A/CSM the principle arbitrator and facilitator in that process in close cooperation and coordination with the Ministry for Communities and Returns.

CONCLUSIONS AND RECOMMENDATIONS



The Association/Community of Serb-majority Municipalities is a unique opportunity to provide a tangible solution to many of Kosovo's current challenges and to significantly contribute to the normalisation process between Belgrade and Pristina. However, doing so will require a significant and pro-active approach on the part of all relevant stakeholders as well as a new willingness for inter-ethnic cooperation. It will also demand a commitment on the part of Kosovo-Albanian political elites to actively work to reduce anxiety among their constituents and assuage fears that the A/CSM would pose a threat to Kosovo's stability and territorial integrity.

The current political instability in Kosovo as well as the stalemate in negotiations between Belgrade and Pristina only deepens and aggravates overall institutional dysfunction in Kosovo. By adapting a legal framework that consecrates the rights of non-majority communities, Kosovo made a promise that it has thus far failed to keep, the A/CSM can rectify this.

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