



Kosovo Alert: northern Kosovo after the elections

9 December 2013

Summary

Contrary to the positive reaction by many international and national political representatives, the local elections held in northern Kosovo last month were flawed. The election process was marred by security incidents and intimidation, both against and in favour of participation. In addition, there was a lack of essential information on which voters could make an informed choice. The election process has shown that security continues to be a major problem in northern Kosovo – and this situation must be addressed. The EU's reaction has given the impression that it favours success over the wellbeing of the people in northern Kosovo. The EU should do more to show its commitment to improving the life of citizens in northern Kosovo. Serbs in northern Kosovo and the southern Serb majority municipalities mostly voted for the Belgrade-supported candidate and, thus, seem to be continuing to follow Belgrade's lead. Efforts are needed to stimulate them and enable them to make their own choices. If these issues remain unaddressed they will affect the success of the implementation of the agreement between Kosovo and Serbia.

Key recommendations

1. Kosovo, the EU and Serbia should prioritise improving security and rule of law in northern Kosovo.
2. Kosovo, Serbia and the EU should ensure an inclusive and transparent approach in working out the agreement between Kosovo and Serbia and further dialogue pertaining to northern Kosovo.
3. Kosovo, Serbia, the EU and international donors should invest in producing tangible results that improve the life of the citizens of northern Kosovo.

Analysis

In the past month local elections took place in four municipalities in northern Kosovo. The elections were heralded as a success by many international representatives including from the European Union, and not without reason, as these elections were an important part of the implementation of the April 19 agreement between Serbia and Kosovo. Now local leaders are in place who are considered legitimate by Belgrade, Pristina and the international community and who they can all legally work with to implement the other outcomes of the Kosovo-Serbia dialogue.

However, the enthusiasm in Brussels, Pristina and Belgrade is not in line with the reality on the ground nor with the perceptions of the people in northern Kosovo. The elections on 3 November 2013 did not provide Serbs in northern Kosovo with a free and fair choice. People were intimidated not to vote, intimidated to vote for a particular election list, and did not truly have the opportunity to understand what they were voting for.

Security was a major problem in the run up to, and on, the election day. The period leading up to the first round of elections was marred by an intimidating atmosphere, including explosive devices and physical assaults against candidates. On the election day, election boycott supporters, including many radical groups from Serbia, were posted outside polling stations and accused those entering of treason. The election day ended early with violent attacks on three polling stations. Many people did not vote because they feared for their personal safety.

Although intimidation affected the turn out in all municipalities in northern Kosovo, polling was repeated only in the three polling stations that were attacked. The rerun of voting in these three polling stations on 17 November and the mayoral runoff on 1 December took place in an orderly manner. In both rounds the

boycott campaign was hardly visible. However, pressure to vote was much higher than before. People working for Belgrade-sponsored public services were reportedly intimidated to vote for the Belgrade-supported Citizens' Initiative Srpska and to instruct their families to do so as well. As the public sector is the biggest employer in northern Kosovo, this had an impact on the election turnout as well as the election results.

The election process was also hampered by a lack of a democratic choice. A democratic election process presumes the possibility of an informed choice. In this case, the choice to vote or not to vote was a choice between accepting (grudgingly) or opposing the agreement between Serbia and Kosovo. This was, in essence, an impossible choice, as the implications of the agreement for the people of northern Kosovo and their daily lives are still unclear. What does the agreement mean for jobs and salaries, for the economy, and for social services? The details of the agreement were not sufficiently explained to the citizens of northern Kosovo by either Belgrade or Pristina, or by the EU facilitator. Accepting the agreement and choosing to vote in these elections was, therefore, a leap of faith.

The insistence among international representatives of the need to embrace the elections in northern Kosovo and to see the attacks on the polling stations as small blemishes on an overall success process does not do credit to the values that the EU stands for. Nor is it supportive of those people in northern Kosovo who strive for democratic change, which, in addition to workable relations between Serbia and Kosovo, includes inter ethnic coexistence, rule of law and accountable institutions. A more critical appraisal of the election process would have been better suited both to the facts on the ground and to the creation of conditions that stimulate sustainable improvements for people of different ethnic backgrounds living in northern Kosovo.

What have these elections shown? Firstly, these elections have confirmed that there is still a lot of space for intimidation and violence and that people in northern Kosovo are far from being secure. To Serbs in northern Kosovo it is clear that there are people within their own ethnic group who are powerful and well organised and who can instigate unrest and use violence at will. Security concerns were, and will continue to be, a major determining factor in people's choices in northern Kosovo. These concerns need to be urgently addressed to enable further implementation of the agreement between Serbia and Kosovo and to improve living conditions.

Secondly, the EU seems so determined to herald success that it appears to be overlooking the challenges ahead. This unwillingness to explicitly acknowledge the various flaws in the election process affects the EU's credibility and leverage in northern Kosovo, as it is perceived that the EU cares more about interstate solutions and stability than the wellbeing of the people of northern Kosovo, sustainable peace and the EU's own values. This perception needs to be countered; in the end, the success of the agreement will not depend on its acceptance by Belgrade and Pristina, but on the people in northern Kosovo being sufficiently satisfied with the lives they lead, feeling secure and having workable relations with the people and institutions around them, as well as with Pristina and Belgrade. For this, the Serbs in northern Kosovo first need to accept the agreement between Serbia and Kosovo, understand how this agreement affects their future and know that the negative consequences (for example, the different levels of salary under the Serbian and Kosovar state systems) of the agreement will be limited. They need to have faith that their existential concerns and needs will be met. Belief in the EU's commitment to their wellbeing will give strong stimulus to this. Accordingly, the EU needs to be more perceptive of this in its actions and communication.

Thirdly, rather than indicating acceptance of the agreement and integration into Kosovo, the election results indicate that Serbs in Kosovo, including south of the Ibar river, are inclined to follow Belgrade's lead. Belgrade's relationship with, and influence over, Serbs in Kosovo will continue to be a complicated factor in the implementation of the April 19 agreement. More efforts are needed to ensure that Serbs in Kosovo choose their own future, instead of Belgrade planning it for them. To this end, inclusion of the citizens in northern Kosovo in the implementation of the agreement and maximum transparency and accountability of mechanisms resulting from the Belgrade-Pristina dialogue, especially the Association of Municipalities and the fund for the north, are essential.

Recommendations

1. Kosovo, the EU and Serbia should prioritise improving security and rule of law in northern Kosovo.
 - The Kosovo Police and European Union Rule of Law Mission in Kosovo (EULEX), supported by the NATO-led Kosovo Force (KFOR) and Serbia, should develop a plan to improve security and rule of law in northern Kosovo. This plan should be realistic and public, in order to manage the expectations of the people.
 - The Kosovo Police, supported by EULEX and KFOR, should make a public report about the incidents in northern Kosovo on election day on 3 November 2013 to explain why the situation got out of hand and how it could have been prevented.
 - EU member states and the Government of Kosovo should ask for a specific northern Kosovo plan in the run up to the review of EULEX. EU member states should commit more staff and funds to northern Kosovo and not prioritise specific security conditions for their own national staff.

2. Kosovo, Serbia and the EU should ensure an inclusive and transparent approach in working out the agreement between Kosovo and Serbia and further dialogue pertaining to northern Kosovo.
 - Pristina and Belgrade should be clear and consistent about the outcomes and implications of the Pristina-Belgrade dialogue and should take an inclusive approach in working out the details of all agreements resulting from this dialogue.
 - The European Commission, Pristina and the northern municipal councils should prioritise strengthening participatory procedures in the northern municipalities, as foreseen under Kosovo law.
 - The European Commission and other international organisations should further support and strengthen civil society to take an active role in participatory decision making on the local level and to increase democratic checks and balances in local institutions.
 - The European External Action Service (EEAS), Kosovo and Serbia should ensure that the Association/Community of Municipalities have mechanisms for transparency and accountability to citizens in place in the associated municipalities.
 - The EEAS, Kosovo and Serbia should ensure transparency and inclusive decision making regarding the fund for the north and other investments made for the public good.

3. Kosovo, Serbia, the EU and international donors should invest in producing tangible results that improve the life of the citizens of northern Kosovo.
 - The European Commission should invest in the building of local institutions and strengthening the capacities of local governance actors to develop and implement public policy in an accountable and transparent way and to improve quality in service delivery.
 - International donors should prioritise infrastructural investment in water and energy supply.
 - The four municipalities in the north, facilitated by the EU and in cooperation with Pristina, Belgrade, and the municipalities directly south of the river Ibar, should develop a plan to stimulate economic development in the region.
 - Serbia and Kosovo, supported by the EU, should develop and communicate about a transitional mechanism to prevent a fall in income for those transferring from the Serbian to the Kosovo state system.
 - Kosovo and Serbia, supported by international donors, should invest in opportunities for public servants to retrain for other jobs.
 - The European Commission and other international organisations should continue to invest in informal education, especially for youth, including international exchanges involving different ethnic groups.
 - The EU should clearly communicate its political and financial commitment to the wellbeing of people in northern Kosovo.

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