

**THE POPULIST DISCOURSE AND THE CHALLENGE TO RECONCILIATION:
A COMPARATIVE ANALYSIS BETWEEN KOSOVO AND SERBIA**

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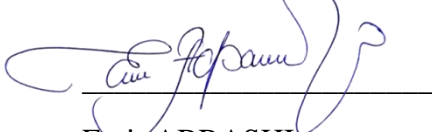
Author's Declaration

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Emir ABRASHI

Executive summary

This thesis project treats the issue of the populist discourse in two countries – Kosovo and Serbia – that have been attempting to normalize their relations through a European Union-facilitated dialogue with the support of the United States.

The path to normalization of relations in post-conflict societies is a painful task that requires leadership and often unpopular decisions. However, when populism enters the equation, differences are emphasized, and divisions are widened. This thesis project focuses on the issue of the formation of the Association/Community of Serb-Majority Communities, deriving from an Agreement reached in Brussels by both parties, that is the only agreement that has not been implemented at all, and has proven to be a topic that has created high divergences and tensions between both parties.

Keywords: Kosovo, Serbia, normalization of relations, reconciliation, populism.

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List of Abbreviations

ASM/CSM – Association/Community of Serb-majority Municipalities

EU – European Union

ICJ - International Court of Justice

KLA – Kosovo Liberation Army

LDK – Lidhja Demokratike e Kosovës (Albanian for: Democratic League of Kosovo)

LVV – Lëvizja Vetëvendosje (Albanian for: Self-determination Movement)

SAP – Socialist Autonomous Province

SFRY – Socialist Federal Republic of Yugoslavia

SNS - Srpska Napredna Stranka (Serbian for: Serbian Progressive Party)

UN – United Nations

UNMIK – United Nations Mission in Kosovo

US – United States of America

WB – Western Balkans

1. Introduction

Kosovo and Serbia have entered the dialogue for normalization of relations, facilitated by the European Union and supported by the United States in 2011. In the years since, the two countries have managed to negotiate over 50 documents and sign over 20 agreements, but the stated goal of the dialogue – the normalization of relations – is yet to be reached. Despite the efforts that have been poured into this Dialogue over the past decade by both parties in cooperation with the international community, Kosovo and Serbia – and the wider West Balkan region in general – have suffered from an explosion of populist and nationalist discourse, that is especially strong during elections. Currently, both countries have populist leaders at their helms, who gain political strength and relevance through the exploitation of the emotions of the public. In turn, this makes the normalization of relations more difficult, as there is no popular support for it. Populist leaders act precisely on the popular support, or lack thereof, which creates a vicious cycle that makes reconciliation and normalization nearly impossible.

This thesis begins with a brief overview of the history of Kosovo that explains the reasons of the ethnic divide that culminated with the war in Kosovo, and sheds light on the period that led to the declaration of independence of Kosovo. Throughout the research, I have explored the process of dialogue since its inception, and although there are several topics that require attention, I focus into more detail in the formation of Association/Community of Serb-majority Municipalities (ASM/CSM) in Kosovo, an agreement that was reached in Brussels in 2013 as part of the First Agreement on the Principles Governing the Normalization of Relations, whereas the General Principles/Main Elements for ASM/CSM were agreed upon in 2015. To date, this agreement remains the only one that is not implemented at all, but at the same time, it is the

agreement that has been the most widely abused by the political leaderships of both countries, using it as a condition for further developments in the process of the dialogue.

Taking into account that this agreement needs to be implemented in the territory of Kosovo, albeit in territories populated with majority Serb population, this thesis puts more emphasis on the Kosovar reaction to it and the role ASM/CSM has played in the internal politics of Kosovo. Furthermore, this agreement has sparked larger debates and divisions in Kosovo, whereas the Serbian political scene has been more unified around this topic - hence there have been fewer debates and reactions worthy of analyzing.

This agreement serves to illustrate the effects populist discourse can have when one topic is turned into a cause and is used from leaders and parties with populist tendencies to further their goals.

Finally, one thing in which the Balkans have had an advantage over Europe! Populism. Ever since that word entered general circulation, I have been getting ready to proclaim Serbia, and perhaps the entire Balkans, the vanguard of populism. To show that even we excel in something, that even we can explain to someone what's waiting for them, what you – latecomers – have to expect, and how you might proceed! (Dubravka Stojanovic)¹.

¹ Stojanović, “Populism the Serbian Way,” 7.

2. Research design

Discourse analysis has been my chosen methodology to conduct this research, through which I have analyzed the written and the spoken language used by political leaders on public statements and media interviews in both countries. In order to analyze the extent of the populist discourse, I especially focus on the statements made on and around election campaigns.

In this thesis, I try to answer the following research questions:

1. How does the populist discourse affect the process of normalization of relations between Kosovo and Serbia?
2. Is normalization truly a viable option if the populist discourse prevails over the internal politics of both countries?

2.1. Positionality and purpose of research

I am a master's student from Kosovo who has worked in two important state institutions in Kosovo - namely the Presidency and the Ministry of Foreign Affairs - as well as in the Kosovar civil society. I had the chance to be part of the public discourse around the dialogue, where I have witnessed biased and non-constructive standpoints from representatives of both countries, whose aim was to feed the populist and nationalist discourse rather than foster the dialogue and normalize relations. Despite being a researcher from Kosovo, I try to be impartial during this research, as I want to contribute to knowledge production that would benefit the normalization of relations between Kosovo and Serbia. This is also the main reason that drove me to pursue academic research besides the professional experience I have in the field.

3. Theoretical framework

I use the theories on populism in order to determine what qualifies as populist discourse, as a means of defining the rise of such discourse in the public discussions of political leaderships of Kosovo and Serbia. The phenomenon of populism has seen an increase in the western world over the last few decades and the Western Balkan region has not been immune to it. The populist and nationalist rhetoric is especially inflated around and during election campaigns. Such rhetoric appeals to the sentiments of those in the receiving end - in this case, the voters in the respective countries, and creates divisions instead of social and political cohesion within the country.

Cas Mudde defines populism as a “thin-centered ideology” which separates the society into two groups: “the pure people” and “the corrupt elite”², whereas Takis S. Pappas interprets populist ideology as one where the emphasis is put on “the people” as the core, while the institutions are disregarded³. The basis for this assumption can be traced back to one of the most well-known populist leaders of the XX century, former Greek Prime Minister, Andreas Papandreou, who famously proclaimed that “there are no institutions, only the people exist”⁴.

In a thorough analysis of speeches by another populist former Greek Prime Minister, Alexis Tsipras, Hercules Millas, in his paper “Anatomy of a Populist Speech” identifies the characteristics of a populist rhetoric, that in turn help me flag and identify the populist rhetoric used by the political leaderships of Kosovo and Serbia as well, which I analyze into more detail in the following sections of this thesis. According to Millas, there are eight characteristics of a populist speech: (I) Mentioning various self-evident truths, (II) Body language and style of address, (III)

² Mudde and Kaltwasser, “Populism: A Very Short Introduction,” 6.

³ Pappas, “Populism and Liberal Democracy: A Comparative and Theoretical Analysis,” 33.

⁴ Pappas, “The Rise of Modern Populism: A TED-Ed Lesson”.

Repeated pejorative characterizations, (IV) “Returning serve” against accusations, (V) Things could have been “even better”, (VI) The use of irony, insinuation, silencing, and debatable views as valid assumptions, (VII) Conclusions based on isolated events, and (VIII) Associating unrelated situations to reach conclusions⁵.

Given that this thesis talks about post-conflict societies aiming normalization of relations, I also use the concept of reconciliation to put the populist sentiment of the political leaders in context. According to David Bloomfield, reconciliation is both a *goal* and a *process*; a goal in the future tense where two conflicting sides aim to arrive, however it is a long-term process that requires continuous efforts from both parties involved “in the search of truth, justice, forgiveness, healing and so on”⁶. Reconciliation, however, is not an easy process especially when parties emerge from violent conflict, like in the case of Kosovo and Serbia. Bloomfield further suggests that in order to have a meaningful future, the past needs to be addressed and reconciliation as a process is the means to do that.

In order to have a meaningful and viable process of reconciliation, it is necessary to have justice that holds perpetrators accountable for their crimes. The human cost is the one that is the most difficult to come to terms with and that makes the process of reconciliation less attainable. Luc Huyse emphasizes this fact and suggests that societies that emerge from conflicts should have a public debate in order to determine who really are the victims that need to be acknowledged. According to Huyse, victims can be (I) individual or collective victims, (II) direct or indirect victims, (III) first- or second-generation victims⁷, and in order for reconciliation to work, it is

⁵ Millas, “Anatomy of a Populist Speech”.

⁶ Bloomfield et al., “Reconciliation after Violent Conflict: A Handbook,” 12.

⁷ Ibid., 54, 55.

necessary to empower the victims⁸ and judge/sentence the perpetrators of the crimes. The perpetrators, or offenders as referred to by Huyse, can be “men and women, state and non-state actors, local and foreign individuals and organizations, generals and foot soldiers”⁹. Huyse also separates the perpetrators into two categories, namely: (I) “primary” and “indirect offenders”, and (II) individual and collective offenders¹⁰.

⁸ Ibid., 62.

⁹ Ibid., 67.

¹⁰ Ibid., 67, 68.

4. Historical Background

Kosovo and Serbia were both constitutive parts of the Socialist Federal Republic of Yugoslavia; Serbia being a republic within the SFRY, whereas Kosovo being an autonomous province of the Socialist Republic of Serbia within the SFRY¹¹. Kosovo is predominantly populated by ethnic Albanians¹², who have different ethnic, linguistic, cultural and religious heritage from Serbs. Until 1968, despite the fact that Albanians made up the majority of the population in Kosovo, they were in the margins of the public life which was dominated by the Serbian minority, who maintained control over the institutions, the judiciary, law-enforcement, information, education and culture¹³. Until 1968, education in the mother tongue for the Albanian population of Kosovo was not possible beyond the primary school. After 1968, this was extended to the secondary education, and after the University of Prishtina was established in 1970¹⁴, higher education was also offered in the Albanian language. The post-1968 years saw an increase of ethnic Albanians in the public administration, and a shift in the percentages; the Serbian nomenclature was being replaced by ethnic Albanians¹⁵. With the constitutional changes of 1974, Kosovo was granted major autonomy¹⁶; then had its own Assembly¹⁷, Presidency¹⁸, Executive Council¹⁹, Administration²⁰, and courts and law enforcement²¹ that were independent of the Serbian republican control. Kosovo also had its members both at the Assembly and the Presidency of the SFRY. With the 1974 Constitution, the Socialist Autonomous Province of Kosovo enjoyed the

¹¹ “The Constitution of the Socialist Federal Republic of Yugoslavia (1974),” 79.

¹² “Kosovo (Unrecognized State) - World Directory of Minorities and Indigenous Peoples,” Minority Rights Group.

¹³ Rogel, “Kosovo: Where It All Began,” 171.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ “The Constitution of the Socialist Federal Republic of Yugoslavia (1974),” 79.

¹⁷ “Kushtetuta e Kosoves (1974),” 160.

¹⁸ Ibid., 177.

¹⁹ Ibid., 181.

²⁰ Ibid., 185.

²¹ Ibid., 189-199.

same rights and privileges as other constitutive entities within SFRY; however, it lacked the status of a republic and its own military.

The death of Josip Broz Tito in 1980²² was a reason for concern for the majority Albanian population of Kosovo, as the rights that SAP Kosovo enjoyed after the '74 Constitutional amendments were a merit of his vision. Shortly after Tito's death, protests from students began with simple requests such as better food in cafeterias and better conditions in dormitories, but after the brutal reaction of the federal police and the declaration of the state of emergency, protestors began to request for more rights and liberties²³. Albanians began to fear that with Tito gone, the Serbian elites would try to retract the status of Kosovo. Hence, they began to request the enhancement of the status of Kosovo into that of a seventh republic within SFRY²⁴ as a warranty that things would not go back to how they were prior to 1968.

The 1980s were a decade where ethnic tensions rose and the rights of the majority Albanian population in SAP Kosovo were continuously violated by the provincial, (Serbian) republican and federal forces. In 1987, with the rise of Slobodan Milosevic to power in Serbia²⁵, things took a turn for the worse. His nationalist discourse was threatening the entire fragile progress that had been achieved since 1968. Milosevic would address the Serbian minority in Kosovo, while threatening the majority-Albanian population of Kosovo for the "injustices" they had imposed upon the Serb population in Kosovo, which culminated in 1989, when the Provincial Assembly of Kosovo was forced to hold a vote to give up on the autonomy²⁶. Only ten Albanian members of

²² Bjelotomic, "43 Years since Tito's Death".

²³ Rogel, "Kosovo: Where It All Began," 168.

²⁴ Ibid., 173

²⁵ Djilas, "A Profile of Slobodan Milosevic," 83.

²⁶ Haxhijaj and Stojanovic, "Autonomy Abolished: How Milosevic Launched Kosovo's Descent into War".

the Assembly dared to vote against²⁷. The revocation of autonomy removed the veto rights of Kosovo over constitutional changes in Serbia, and it was exactly what the Albanian population of Kosovo had feared for after the death of Tito – a return to pre-1968. In June that year, Milosevic made a public threat at the St. Vitus Day Speech in Gazimestan, in the Field of Kosovo, where he said: “Six centuries later, now, we are being again engaged in battles and are facing battles. They are not armed battles, although such things cannot be excluded yet”²⁸.

The revocation of the autonomy was followed by mass-firing of Albanians from the positions they held in the institutions; the higher education was no longer offered in the Albanian language and schools were segregated. This forced the Albanian population of Kosovo to initiate a parallel institutional life²⁹. The independence of Kosovo was proclaimed through a referendum in 1991³⁰ and the leader of the Democratic League of Kosovo (LDK), Ibrahim Rugova, was elected President of Kosovo³¹. A government was formed in exile and private homes were turned into schools and hospitals³². This parallel system continued throughout the '90s as President Rugova was a firm believer in finding a peaceful solution to the situation. However, the systematic oppression by the Serbian police, military and paramilitary forces, led to the formation of guerilla forces named the Kosovo Liberation Army (KLA), who began to challenge the Serbian forces for their continuous harassment of the Albanian civilian population. This led to the beginning of the war in 1998 and 1999, that ended with the 78-day NATO bombing of Serbia³³.

²⁷ Ibid.

²⁸ Milosevic's 1989 St. Vitus Day Speech, 3.

²⁹ Demi, “How to Build a Parallel State”.

³⁰ President of the Republic of Kosovo, “The President: On September 26-30, 1991, Kosovo Expressed with a Referendum the Political Will of Its Citizens for an Independent State,”.

³¹ Isufi, “Ibrahim Rugova: Pacifist Father of Kosovo's Independence”.

³² Demi, “How to Build a Parallel State”.

³³ Zivanovic and Haxhijaj, “78 Days of Fear: Remembering NATO's Bombing of Yugoslavia”.

After the end of the war in Kosovo in 1999, Kosovo was placed under the administration of the United Nations Mission in Kosovo (UNMIK)³⁴. Under the UNMIK, the KLA was disarmed; a constitutional framework was put in place and institutions of self-government were formed. For the first time since 1989, Kosovo had formal institutions of its own that had a certain degree of decision-making, albeit their decisions and the legal framework were subject of review from UNMIK. During this period, the badly damaged infrastructure and economy began to revitalize. The political leadership continued their efforts to reach a final settlement with Serbia through international mediation³⁵. In 2005, then-Secretary General of the United Nations, Kofi Annan, appointed the former Finnish President, Martti Ahtisaari as Special Envoy for Future Status Process for Kosovo³⁶. Ahtisaari began working with both sides, Kosovo and Serbia, with the hopes of bringing a solution to the stalemate. During this period, Ahtisaari drafted the “Comprehensive Proposal for the Kosovo Status Settlement”, which recommended an initially supervised independence for Kosovo. This proposal was submitted to the Security Council in March 2007³⁷. The Proposal, however, was rejected by Serbia, who was committed in maintaining sovereignty over Kosovo.

Unable to reach a compromise, the negotiations failed. In June of 2007, then-US President, George W. Bush, made his first visit to Albania. During the press conference, referring to the situation in Kosovo, President Bush stated: “Sooner rather than later you've got to say enough is enough. Kosovo's independent”³⁸. This was the message that the Kosovar leadership had been

³⁴ “UNMIK Fact Sheet,” United Nations Peacekeeping.

³⁵ ReliefWeb, “Kosovo: Talks on Province’s Future Begin in Vienna”.

³⁶ United Nations, “Secretary-General Appoints Former President Martti Ahtisaari of Finland as Special Envoy for Future Status Process for Kosovo”.

³⁷ United Nations Security Council, “Report of the Special Envoy of the Secretary-General on Kosovo’s Future Status”.

³⁸ Traynor, “Bush Insists Kosovo Must Be Independent and Receives Hero’s Welcome in Albania”.

waiting for, and shortly after preparations for the declaration of independence began, despite the date being unclear. On February 17th, 2008, the Assembly of Kosovo declared the independence of Kosovo³⁹. This was endorsed by the US and the majority of the EU member states; however, it was categorically rejected by Serbia and its allies, Russia and China.

Serbia began a campaign to block the recognitions of Kosovo's independence, and through its allies at the UN, managed to block every attempt of Kosovo to join the UN. Through the UN General Assembly, in October 2008, an Advisory Opinion from the International Court of Justice was requested on the following question: "Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?". In 2010 the ICJ issued its Advisory Opinion that the declaration of independence of Kosovo "had not violated any applicable rule of international law"⁴⁰.

Kosovo, to date, is recognized as an independent country by 117 countries⁴¹, among which are the largest democracies in world. However, Kosovo is eleven recognitions short of reaching two-thirds of the UN, which would pave the way for a seat at the UN. In the EU, five out of 27 EU member states do not recognize its independence, namely Cyprus, Greece, Romania, Slovakia and Spain.

³⁹ United Nations High Commissioner for Refugees, "Kosovo Declaration of Independence".

⁴⁰ International Court of Justice, "Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo".

⁴¹ Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo, "List of Recognitions".

5. The EU-facilitated dialogue for normalization of relations

Partial recognition has prevented Kosovo from integrating into international organizations and taking its place as an equal actor in the international arena. Thus, normalization of relations with Serbia and mutual recognition has been the aim of Kosovo's political leadership since the first years of the country's statehood. The two countries entered a Brussels-facilitated Dialogue for the Comprehensive Normalization of Relations (hereinafter referred to as 'the Dialogue') since 2011⁴², with the aim of resolving the outstanding matters. The stated goal, however, differs in the public discourse in the two capital cities; while in Kosovo, the aim is mutual recognition, in Serbia, the aim is resolving matters with "its southern province".

The Dialogue between the two countries began as a technical process, in which delegations from both sides would meet under the auspices of the EU to discuss topics related to the day-to-day lives of their citizens. During the period of the technical dialogue, several important agreements were reached, such as: The Agreement on Civil Registry Books (2011); The Agreement on the Recognition of Diplomas (2011); The Agreement on Freedom of Movement (2011); The Agreement on Cadastral Records (2011); The Agreement on IBM (2011); The Agreement on Custom Stamps (2011); The Agreement on Regional Representation and Cooperation (2012); the Agreement on the Collection of Custom Duties (2013); The Agreement on Telecommunications (2013); and the Agreement on Energy (2013)⁴³. In 2013, with the signing of the First Agreement on the Principles Governing the Normalization of Relations, the nature of the dialogue changed from a technical one into a political one⁴⁴.

⁴² European Union External Action Service, "Belgrade-Pristina Dialogue".

⁴³ The Dialogue, "Introduction to the Dialogue".

⁴⁴ Ibid.

The political dialogue offered more opportunities for reaching the stated goal of the dialogue – the normalization of relations – as well as theoretically would create a more favorable environment for the implementation of the agreements reached during this process. However, the involvement of the political leadership in the dialogue also changed the tone as well as the rhetoric around the dialogue. The meetings were more politically charged, the accusations more serious and this added to the distrust in the process. Although regular meetings were held, they were followed with pompous headlines and both sides continued attacking the other from a distance. The mediator – the EU – managed to keep the parties committed to the process and during the period since the Dialogue began, according to an analysis conducted by Friedrich Ebert Stiftung, 50 documents were negotiated between the two parties that have resulted in 21 agreements, out of which “10 agreements have been *implemented*, 6 agreements have been *largely implemented*, 4 agreements have been *partly implemented*, and 1 agreement has *not been implemented*”⁴⁵. This analysis was conducted in 2020, and in the time-being, the parties have managed to agree on another agreement on the license plates⁴⁶, and have also agreed in ‘good faith’ on the normalization of relations in Ohrid in 2023, although that agreement was purposely not signed⁴⁷.

⁴⁵ Gashi and Novaković, “Brussels Agreements Between Kosovo and Serbia: A Quantitative Implementation Assessment,” 2.

⁴⁶ Preussen, “Kosovo, Serbia Reach Deal over Car Plate Dispute, EU Says”.

⁴⁷ Bytyci, “Serbia, Kosovo Reach Agreement to Implement EU-Backed Deal Normalising Ties”.

5.1. Association of the Serb-Majority Municipalities

As mentioned previously, out of the agreements reached so far during the Dialogue, while the rest have to the very least been *partly implemented*, the one agreement that has *not been implemented* is the agreement on the Association/Community of Serb-majority Municipalities (ASM/CSM). There are a total of ten Serb-majority municipalities in Kosovo, four of which (North Mitrovica, Leposavic, Zubin Potok and Zvecan) are in the north of Kosovo near the border with Serbia, whereas six other municipalities (Gracanica, Strpce, Novo Brdo, Ranilug, Klokot and Partes) are enclaves in Albanian-majority areas. The fact that these municipalities are scattered in different parts of Kosovo, made the idea of the creation of ASM/CSM a priority for the Serbian government, in order to have a more centralized communication, coordination and decision-making between these ten municipalities. The agreement on ASM/CSM was initially reached in 2013 in the First Principles Governing the Normalization of Relations and was ratified by the Assembly of the Republic of Kosovo that same year⁴⁸. In 2015, the parties agreed on the General Principles/Main Elements of the formation of the ASM/CSM, that also defined the scope of the competencies this entity will have. The parties, however, do not agree on the scope of powers of the ASM/CSM and its status within Kosovo's legal framework; while Kosovo wants a mere NGO with no executive powers, that is not a third layer of power, Serbia insists on it being more than simply an NGO, but rather an entity that will have a certain degree of autonomy in decision-making in matters concerning the Serb community in Kosovo.

An important article of the 2015 agreement is that the Kosovo Government decree by which the ASM/CSM will be established is subject to the review of the Constitutional Court of the Republic of Kosovo, as well as all future changes of the statute of the ASM/CSM will need to be

⁴⁸ Assembly of the Republic of Kosovo, "Law No. 04/L-199 on Ratification of the First International Agreement of Principles Governing the Normalization of Relations Between the Republic of Kosovo and the Republic of Serbia".

reviewed by the Constitutional Court⁴⁹. This has served as the basis for the delay in the implementation of the agreement, although article 21 of the agreement states that: “[The Statute] ... will be presented to the High-level Dialogue within 4 months from the date of agreement of these principles/elements”⁵⁰.

The signing of the 2015 agreement on the General Principles/Main Elements – alongside the agreement for border demarcation with Montenegro - triggered an unprecedented reaction in Kosovo, that was followed by the collection of 200,000 signatures against the formation of this entity⁵¹, massive protests and tear gas thrown in the Chamber of the Assembly of the Republic of Kosovo⁵². The opposition parties in Kosovo united in the fight against these two causes (ASM/CSM and Border Demarcation). The cause of ASM/CSM was taken on by the largest opposition party, Lëvizja Vetëvendosje (LVV; Albanian for: Self-Determination Movement), who was positioned against the process of Dialogue since the very beginning, considering that a meaningful dialogue cannot happen unless Serbia apologizes for the war crimes, returns the missing persons, pays retributions etc.

LVV began as a civic movement in 2005, with the aim of advocating for self-determination for Kosovo after five years of UNMIK administration and search for a solution to the Kosovo’s final status. LVV rose to prominence due to the methods it used to spread its message across; organizing mass protests that usually ended up in violence. LVV became famous for its stance against the Ahtisaari Proposal for Kosovo’s final status and opposed the independence of Kosovo deriving from that Proposal - which presented Kosovo as a multi-ethnic country - while advocating

⁴⁹ European Union External Action Service, “Association/Community of Serb Majority Municipalities in Kosovo – General Principles/Main Elements,” 1.

⁵⁰ Ibid., 5.

⁵¹ Telegrafi, “200 Mijë Nënshkrime Në Peticionin Kundër Asociacionit Dhe Demarkacionit (Video)”.

⁵² Fazliu and Butcher, “Tear Gas, Eggs and Protests”.

for a unification with Albania⁵³. LVV and its leader, Albin Kurti, gained a reputation for their nationalist and populist discourse. In the initial years of the independence of Kosovo, LVV refused to become part of the institutional life of Kosovo. In 2010, they registered as a civic movement at the Central Elections Commission and contested for the first time in Kosovo elections⁵⁴. In these elections, LVV came third, winning 12,2%.

In the question of ASM/CSM, LVV claimed that this entity would lead to the ‘Bosniazation’ of Kosovo, where an entity similar to *Republika Srpska* in Bosnia and Herzegovina would be created, that would prevent the internal functioning of Kosovo. ASM/CSM was labeled a ‘cancer’ for Kosovo – which required immediate action in order not to allow such an entity to be formed. Although the term for Association in Albanian is ‘Asociacion’, LVV decided to call it in Serbian ‘Zajednica’, in a move to incite fear and exploit the memories of war, while creating resistance among the majority Albanian population in Kosovo. Graffiti in the streets of the cities of Kosovo became common with LVV’s messages against the creation of the ASM/CSM.

Due to the unrest, then-President of the Republic of Kosovo, Atifete Jahjaga, sent the Agreement on General Principles/Main Elements for the formation of ASM/CSM to the Constitutional Court for review. The Constitutional Court ruled that the Agreement on General Principles/Main Elements is “not entirely in compliance with the spirit of the Constitution”⁵⁵, obliging the Government to review the agreement. Although the Constitutional Court’s decision did not rule out the implementation of the agreement – especially considering that the ruling states that the ASM/CSM “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

⁵³ Gursoy, “Albin Kurti & Vetëvendosje: A Political Earthquake in Kosovo”.

⁵⁴ Tjaden, “Vetevendosje Takes Gamble By Contesting Kosovo Polls”.

⁵⁵ Constitutional Court of the Republic of Kosovo, “Judgement on Case No. K0130/15,” 39.

Kosovo”⁵⁶. This was enough for the opposition to consider this a victory and continue its efforts to further block the implementation of the agreement. Faced with this situation, and with the general popular discontent with the creation of such an entity, the Government of the Republic of Kosovo began postponing the implementation.

While the Serb community in Kosovo is the most affected community from the formation of ASM/CSM, it is also the most marginalized group in the decision-making process with regards to this entity. They reside in the territory of Kosovo; however, they resist the authority of the Kosovo Government. Hence, the authorities of Kosovo do not represent them in the Dialogue process. On the other hand, they are outside of the jurisdiction of the authorities of Serbia to be effectively represented by Serbia in the process of Dialogue. Although they are the most affected party from the formation of ASM/CSM, their voices are only heard from the margins. Generally, they have been loyal to Belgrade’s authority, and have played along with Belgrade’s policies in this regard.

For Kosovo Serbs, the formation of the ASM/CSM is perceived as an opportunity to have a unification of Serb municipalities scattered in different parts of Kosovo and have a unified response to the issues they as a community face. This is a view that is not shared by the majority in the Albanian side. The fact that Kosovar Constitution defines the character of the country as multi-ethnic, where non-majority communities have reserved seats at the Assembly, can block any major changes such as the Constitution as the double two-thirds are required (two-thirds of the Assembly as a whole and two-thirds of the non-majority communities) and must be included in the formation of the central government, is a reason enough for many in Kosovo to not understand

⁵⁶ Ibid., 39.

the necessity of such an entity. However, in the best-case scenario, for anyone in Kosovo, ASM/CSM could be formed as an entity that does not have executive powers, does not change the unitary character of Kosovo and does not become a third layer of governance. In other words, if ASM/CSM becomes a replica of the existing Association of Municipalities of Kosovo, there would be no objections to it.

The Serbian side, however, sees this entity as much more than a replica of an existing Association of Municipalities of Kosovo; it wants it to have its own Assembly, its own President, its own Council, Board, Administration and Complaints Office, and which would oversee areas such as economic development, health and social care, education and urban and rural planning⁵⁷. While the Kosovar side has worked hard to ensure its citizens that ASM/CSM would not be anything other than an NGO, the Serbian side has worked hard to reassure the Serb community in Kosovo that this entity, although part of the legal system of Kosovo, will bring the Serb community executive powers, which would also be translated into an autonomy for the community there⁵⁸. According to the series of focus groups the Balkan Policy Research Group conducted with the Serb community in Kosovo, they feel left out of the process, betrayed and hopeless for the results of the process of dialogue, including the formation of the ASM/CSM; furthermore, they feel that both Pristina and Belgrade are using this topic to their advantage, with no regards to the community living there, “who feel as if they feel asleep in one country and woke up in another with no one showing them through the process”⁵⁹.

⁵⁷ The Dialogue, “Association/ Community of Serb–Majority Municipalities”.

⁵⁸ Balkans Policy Research Group, “The Association of Serb Municipalities: Understanding Conflicting Views of Albanians and Serbs,” 24.

⁵⁹ Ibid., 25.

The northern part of Kosovo has constantly opposed the authority of Pristina. Although nominally Kosovo authorities have presence in that part of the territory, with Kosovo Police, Customs and Courts, Serbia has effectively maintained control over the population there. The Kosovar authorities in the north are made up mainly of former members of the parallel structures of Serbia, and although for instance the Police Officers wear Kosovar uniforms, their loyalties do not necessarily lie with Kosovo. Although the Serbs of the north of Kosovo are left in the margins of decision-making, they are often instrumentalized by Serbian politics in order to further their goals and strengthen their position at the negotiating table in Brussels. An example of this is when then-Director of the Office for Kosovo in the Serbian Government, Marko Djurić, in 2018 entered the northern part of Kosovo illegally without prior approval from Pristina, the Kosovar Government sent Special Units for his arrest. Djurić was arrested and later deported from Kosovo; however, he began to publicly call for a unilateral formation of the ASM/CSM, given that the Kosovar Government was not working on forming the entity⁶⁰.

Serbian President, Aleksandar Vučić, has managed to form a strong support base, and his rhetoric is one that is often contradictory at best. For instance, he talks about the need to look forward to the future and forget the myths that surround Kosovo, while at the same time attacking the very idea of an independent Kosovo. In the question of Kosovo, Vučić has been at odds with a multitude of actors, such as the opposition, NGO's, the Serbian Orthodox Church, and has managed to build a purely populist position of "us" (i.e. Vučić and his supporters) and "them" (everyone who thinks differently)⁶¹. In this regard, Vučić has managed to create a unified Serbian political party, *Srpska Lista*, made of political representatives mainly from the north of Kosovo,

⁶⁰ Vulović, "The Serbian Progressive Party's Re-Articulation of the Kosovo Myth within the Internal Dialogue on Kosovo, 2017–2018," 11.

⁶¹ Ibid., 11.

that contests in Kosovo elections. The *Srpska Lista* has been instrumentalized by Vučić in achieving its goals in interfering in internal affairs of Kosovo. The leader of the list, Goran Rakic, has stated that: ‘we do not know what the compromise solution [for Kosovo] is, but we conveyed a message to President Aleksandar Vučić that he has our absolute support’⁶².

The issue of the formation of the ASM/CSM has been used by the political leadership in Belgrade as a condition for moving forward with the Dialogue; the issue of the formation of the ASM/CSM has been used as a precondition for solving any tension that has risen in the northern part of Kosovo, such as in the case of the roadblocks that the Serb community put when Kosovo authorities decided to enforce reciprocity measures towards Serbia for identity cards and license plates. "First form the Association of Serbian Municipalities, then we will remove the barricades"⁶³ was the stance of the Serbian President, showing that although this was happening in the north of Kosovo, Belgrade had a say in putting and removing roadblocks.

While the issue of the ASM/CSM remains an obstacle in the Dialogue, the issue of its formation has proven to be very problematic, especially in Kosovo. Although the formation of this entity has been postponed, it continued to be a topic (if not the main) in every election campaign in Kosovo. LVV has continuously proclaimed that the formation of such entity would mean giving away quarter of Kosovo’s territory and continued using its coined term of ‘Bosniazation’ of Kosovo every time it referred to this entity⁶⁴. Furthermore, the Constitutional Court’s verdict was used and abused by LVV, stating that “this deal has not passed the constitutional test”⁶⁵. Due to this rhetoric, the public began seeing the ASM/CSM in an unfavorable light, with 54.1% of

⁶² Ibid., 12.

⁶³ Radio Free Europe/Radio Liberty, “Vučić Says Kosovo Roadblocks Won’t Be Removed Until Serbian Municipalities’ Association Created”.

⁶⁴ Paparaci, “Kurti Më 2015: ‘Zajednica’ Na Bosnjëzon Dhe Ia Jep Serbisë Çerekun e Territorit Të Kosovës”.

⁶⁵ Radio Free Europe, “Kurti: Marrëveshja Për Asociacionin, e Vetnja Që s’e Ka Kaluar Testin e Kushtetueses”.

respondents in Kosovo thinking that this entity impairs the internal functioning of Kosovo⁶⁶. Interestingly, from the same poll, the Kosovo Serbs do not seem to have a clear picture on whether such entity will affect them for better or for worse, with 50% of the respondents either responding *don't know* or not responding at all⁶⁷.

As a result of this, Pristina did not rush in the agreement implementation, especially taking into consideration the fact that Belgrade was lagging with the implementation of other agreements the two parties had agreed on in Brussels. Furthermore, Belgrade was continuously creating obstacles for Kosovo on the international stage by trying to block every membership of Kosovo in international organizations. To effectively block Kosovo from reaching the needed votes, Belgrade began a de-recognition campaign, working with mainly countries in Africa and the Pacific, who had already recognized the independence of Kosovo, to withdraw their recognitions. This way, Belgrade aimed at reducing the chances of Kosovo gathering enough support for its bids in international organizations. This move went against the essence of the idea of normalization of relations. However, this move proved successful, with Kosovo failing to join UNESCO⁶⁸ and Interpol⁶⁹. Frustrated, the Kosovo Government decided to retaliate to this campaign of Serbia by imposing a 100% tax in all Serbian products⁷⁰. This effectively put the Dialogue at halt, and furthermore, was a violation of the Central European Free Trade Agreement (CEFTA). However, due to the Serbian campaign for de-recognitions and the non-tariff barriers Serbia imposed on Kosovar products and businesses, the Kosovo Government did not bend to the EU's pressure to

⁶⁶ Kosova Democratic Institute, "KDI Survey Reveals Dissatisfaction of Citizens of Kosovo and Serbia with Dialogue Process".

⁶⁷ Ibid.

⁶⁸ The Guardian, "Kosovo Fails in UNESCO Membership Bid".

⁶⁹ Gashi, Travers and Rudic, "Kosovo's Bid to Join Interpol Fails".

⁷⁰ Koleka, "Kosovo Hits Serbia, Bosnia with 100 Percent Customs Fees after Interpol Snub".

lift the tax and to resume talks⁷¹. Then-Prime Minister of Kosovo, Ramush Haradinaj, continued insisting on the 100% until Serbia recognizes the independence of Kosovo, whereas Vučić continued to state that until the tax is lifted, Serbia will not continue the Brussels Dialogue, although he agreed to meet with Kosovo’s President in Paris after the pressure from French President, Emmanuel Macron and then-German Chancellor, Angela Merkel.⁷²

The lack of an effective dialogue meant that the issue of ASM/CSM was not raised by either side for the time-being. In July 2019, Kosovo’s PM Haradinaj resigned after being summoned by the Kosovo Specialist Chambers over alleged war crimes⁷³, despite having been acquitted before by the International Criminal Tribunal for the Former Yugoslavia. The new Government was formed after the victory of Albin Kurti and his party, LVV, in the elections. Kurti campaigned under an anti-corruption platform, and throughout his campaign, he promised a new position of Kosovo in the Dialogue with Serbia. Kosovo would, according to Kurti, no longer make concessions to Serbia and he would not “...negotiate with Serbia before they apologize. When there are negotiations, they will only be about the recognition”⁷⁴. Kurti’s long-term promise that he would not allow the formation of ASM/CSM was reiterated throughout the campaign.

However, upon assuming the premiership, Albin Kurti changed his position and bowed down to the international pressure to sit at the negotiating table. He replaced the 100% tax with reciprocity⁷⁵ as a prerequisite for the continuation of the Dialogue. However, another problem arose when the Trump Administration, in pursuit of a success in their foreign policy for the upcoming US Presidential elections, tried to hijack the process of Dialogue from Brussels and

⁷¹ Gashi, “Fighting with Taxes”.

⁷² EurActiv, “Kosovo and Serbia Agree to Resume Talks after Macron, Merkel Push”.

⁷³ Deutsche Welle, “Kosovo PM Resigns to Answer for Alleged War Crimes”.

⁷⁴ Andric Rakic, “Broken Promises and What Is the Dialogue About”.

⁷⁵ Holroyd, “Kosovo Announces Removal of Tariffs on Serbian and Bosnian Goods”.

move it to Washington DC. Kurti was opposed to this, and after 50 days in government, he lost a motion of no-confidence in the parliament initiated by his junior coalition partner⁷⁶. The new government of Avdullah Hoti, Kurti's former deputy, was keener on continuing negotiations, however due to a Constitutional Court's ruling on the voting of the government, the Hoti Government fell within the year⁷⁷.

Albin Kurti and LVV won the election held on February 2021, winning the largest majority any political party has gathered in the post-war Kosovo⁷⁸. Kurti II Government is the only government in Kosovo that does not rely on a coalition with or on the votes of the Serb community.

⁷⁶ Radio Free Europe / Radio Liberty, "Kosovo's Parliament Topples Government In No-Confidence Vote".

⁷⁷ Radio Free Europe / Radio Liberty, "Kosovo To Hold Snap Elections After Top Court Ruling".

⁷⁸ Morina van Uijtregt, "Kosovo Certifies Election Results, Vetevendosje Wins 50.28%".

6. Two populist leaders in the quest for normalization of relations

Both Kosovo's Albin Kurti and Serbia's Aleksandar Vučić fall under the category of populist leaders, who have risen to power using a divisive language and feeding on people's emotions, but who have little in common with one another.

Albin Kurti began his political activism as a leftist opposing the ruling elite and the system. He and his movement initially refused to even participate in the elections, while hoping for a popular revolution from the streets. He was pragmatic enough, though, to understand that the only way to climb to power was if he joined the system, but keep a distance from it, nonetheless. In the initial years of his political activism, both before and after joining the Assembly, he refused to wear suits and ties, which he connected with the corrupt elite. He has continuously spoken against the widespread corruption in Kosovo, against the privatization of public assets and has considered the political elite as detached from reality. He has always portrayed himself as the man of the people; the man who lives in a rented apartment, who doesn't enjoy the privileges of politics. Kurti's remarks are famous in Kosovo for calling against nepotism, saying that "relatives are for weddings and parties, not for [employment in] ministries"⁷⁹. Explaining how detached the ruling elite was, Kurti would say:

They have SUVs, we want sidewalks. You have seen when the politician comes down to citizens, he comes out from armored SUVs with tinted windows, from where he sees you, and you don't see him. If he steps outside of the SUV, his bodyguard looks at you frowningly, because the bodyguard knows better than us that citizens have more reasons to do something to that politician whose body

⁷⁹ Ora News YouTube Channel, "'Fisi Për Dasma!' Kurti Shkakton Të Qeshura Me Historinë e Ministrit".

he is protecting, as all he has to protect is the body, as the mind has left him [the politician] long ago⁸⁰.

Kurti's oratory and ability to articulate the accumulated frustration of the citizens of Kosovo made him popular. Finding easy solutions to complex problems was Kurti's specialty. For instance, for the issue of electricity bills in the north of Kosovo, for which the Serb community did not pay since the end of the war, Kurti would say that: "If KEDS [Kosovo Electricity Distribution Services] does not gather the bills in the North, then the distribution and supply of energy need to be re-nationalized. If KEDS doesn't do it [gather bills], then the government has to"⁸¹. However, Kurti's government negotiated a deal with Serbia under the mediation of Brussels that these bills would be gathered by Serbia's Elektroserwis, who would obtain a license to operate in Kosovo⁸². So, neither KEDS nor the government, as Kurti would suggest in his over simplified discourse as an opposition leader.

Kurti has risen to prominence yet with another promise: the national unification with Albania. In opposition, Kurti has refused to use the Kosovo flag, and his party colleagues famously would not stand when the Kosovo Anthem would play - all because for them these national symbols were not selected by the people of Kosovo, and they did not represent them. For LVM, there was only one flag and one anthem: that of Albania. But, after taking the premiership, Kurti began to understand that the national unification with Albania is prohibited by the Constitution⁸³ – although that same Constitution has been in force since 2008, but that did not prevent him and his fellow party colleagues to exploit the national sentiments of the majority ethnic Albanian

⁸⁰ Demokracia, "VIDEO | Koha Kur Kurti i Shante Politikanët Me Xhipa, Por Nga Dita Që u Bë Kryeministër Harroi Të Ecë Në Këmbë".

⁸¹ Nacionale, "Kurti Dikur Propozonte Që Qeveria t'i Mbledh Faturat Në Veri, Tash Do Ta Bëjë Serbia".

⁸² Taylor, "EU Welcomes Energy Agreement between Kosovo and Serbia".

⁸³ Nacionale, "Bashkimi Kombëtar: Kurti Gjithnjë e Më i Matur Në Deklarime, Si Një Kosovarocentrist i Vërtetë".

population of Kosovo. Kurti has continuously used the relations with Serbia and the ASM/CSM during his political activism to maximize his votes and exploit the anti-Serbian sentiment, especially at a time when the Kosovar establishment emphasized the importance of normalization of relations and the need to reach an agreement with Serbia as a means of moving forward. Although fully aware of the pressure the Kosovar leadership had been under from the country's western allies in settling the disputes, Kurti has used the Dialogue to his advantage by calling to an end of it – although as Prime Minister he himself hasn't ended the Dialogue.

Aleksandar Vučić, on the other hand, is a right-wing populist, former ultranationalist, who has been in and around the establishment since the second half of the 1990s⁸⁴. He served as Minister of Information between 1998 and 2000, a period when Slobodan Milosevic was still in power in Serbia. Since 2012, Vučić has continuously remained in power, holding different positions in different governments. After leaving the extremist Radical Party and co-founding his Serbian Progressive Party (SNS), Vučić has worked hard in polishing his image and portraying himself as the leader capable of getting Serbia closer and into the EU, all while wanting to portray himself as “a common man but also as a superman”⁸⁵. In his rhetoric, however, Kosovo has always taken a center-stage, as he has portrayed himself as the defender of the Serbian sovereignty over Kosovo. Although he has been involved in the negotiations for the normalization of relations with Kosovo longer than any other Serbian leader, Vučić continues to give remarks such as “Kosovo will continue to remain in Serbia”⁸⁶, and although he continuously sits down with Kosovar leadership, he makes remarks such as “there will be no *factual* or *de jure* recognition of Kosovo”

⁸⁴ NBC News, “Serbia’s Populist, Right-Wing President Projected to Win Reelection”.

⁸⁵ France 24, “Aleksandar Vucic: Serbia’s Populist Leader Seeks to Extend Reign”.

⁸⁶ Zimonjić Jelisavac, “Vucic: Kosovo Will ‘remain in Serbia’ until Mandate End”.

which feeds his supporters. At the same time, Vučić makes statements that are contradictory to his stance on Kosovo, such as:

It is time for us as a nation to stop putting our heads in the sand, and try to be realistic, not to allow ourselves to lose, or hand over to somebody what we already have, but also not to wait to regain something that we have already lost long ago. [...] We Serbs did not want to be responsible enough to understand the strength and desires of Albanian [national interests]. [...] The solution does not lie in our myths and conflicts, nor does it lie in denying and negating all our national and state interests⁸⁷.

In another case, when trying de-mythologize the case of Kosovo, Vučić made a remark regarding the murder of the Serbian Consul to Pristina in 1890, when Kosovo Vilayet was part of the Ottoman Empire, as follows: “We Serbs tell ourselves that for 600 years now, we have kept the entire Kosovo and Metohija under our control, but my question is: how come our consul was murdered in 1890 [...]? Were they consuls in their own country, in their own territory?”⁸⁸. Vučić continuously makes contradictory statements, which differ based on the interest he has in that moment. In Serbia, he has managed to take effective control over the media⁸⁹, which serve his interests and push his agenda in the public discourse. This has allowed him to create narratives of “us” and “them”, although in a different fashion from other populist leaders who put these labels usually on the establishment politicians. Vučić’s populism is rather unique, in the sense that besides making promises that are impossible to be kept for the sake of maximizing his votes, he also very often

⁸⁷ Vulović, “The Serbian Progressive Party’s Re-Articulation of the Kosovo Myth within the Internal Dialogue on Kosovo, 2017–2018,” 9.

⁸⁸ Ibid.

⁸⁹ Zivanovic, “Serbian Leader ‘Following Orban’ in Controlling Media – Freedom House”.

victimizes himself and Serbia to explain to the public that he is ‘forced’ to make decisions that he himself doesn’t like in relation to Kosovo.

Both Kurti and Vučić have managed to rise to power by benefiting the democratic system, but both seek to control it and change it according to their needs. Vučić, being longer in power, has managed to get hold of the system in Serbia in ways that Kurti has not, and probably due to the strong international presence in Kosovo, cannot. The fact that these two [populist] leaders are in power in two countries at odds with one another, does not help the matter of normalizing the relations, as in this question, strong leadership and abilities to compromise are required. However, the problem with populist leaders is that they are better at speaking and creating narratives rather than solving issues, as their decisions are dependent on the public opinion’s ‘pulse’.

Bringing the two of them together to the negotiating table proved a challenge to the mediator, as they both have over-promised their people on issues that are impossible to keep for either of them. When Kurti finally went to the negotiating table, people began reminding him of his promises of not negotiating with Serbia until it apologizes for the war, pays retributions, returns the missing persons and recognizes Kosovo’s independence. The very fact that Kurti set on the same table with Vučić, was an indication that Kurti was being pragmatic, and many in Kosovo still believed that Kurti would never make concessions to Serbia. In fact, people in Kosovo believed that time had now come for Serbia to start making concessions to Kurti – who being uncorrupted was not subject of blackmail. And in the question of ASM/CSM, very few believed that Kurti would do it. After all, Kurti had won the elections with ASM/CSM being one of the main topics of his objection. Kurti as Prime Minister, however, began speaking with a softer tone on the issue ASM/CSM; first he began saying that this was the only Brussels agreement has not passed the test

of the Constitutional Court⁹⁰, then he stated that the Constitution does not allow a mono-ethnic entity in a multi-ethnic society⁹¹, and then he laid out five conditions for the formation of the ASM/CSM: (I) It has to be in accordance with the Constitution and the legislation of Kosovo, (II) Cannot be monoethnic, needs to have another name and cannot have any executive powers, (III) Non-majority rights and protection mechanisms need to be built in the reciprocity principle between the two countries [referring to the rights of the Albanian community in Serbia] based on the best European practices, (IV) The illegal structures of Serbia in the north need to be dismantled and the illegal weapons need to be submitted and (V) ASM/CSM is part of the final agreement with Serbia and will begin implementation only after the mutual recognition between the two countries⁹².

Due to the beginning of the Russian aggression in Ukraine and the risk of escalations in the Western Balkans, the EU and the US began pressuring Kosovo and Serbia to work harder towards finalizing the Dialogue. While mutual recognition⁹³ was at the core of the US strategy in the EU-facilitated dialogue, it faded away in the prospect of an escalation in the situation with peace in Kosovo. France and Germany presented a plan for moving forward⁹⁴, which was later adopted by the EU as well. Through several rounds of negotiations, and several meetings conducted through shuttle diplomacy by the EU's Special Representative for the Belgrade-Pristina Dialogue and Other Western Balkan Regional Issues, Miroslav Lajčák, the parties managed to agree on a text that was set to be signed in Ohrid, North Macedonia. Both parties agreed to this Proposal, and it was decided that it would not be signed⁹⁵, leaving it as a 'gentlemen agreement',

⁹⁰ Radio Free Europe, "Kurti: Marrëveshja Për Asociacionin, e Vetmja Që s'e Ka Kaluar Testin e Kushtetueses".

⁹¹ Prishtina Insight, "Kurti Reveals His Approach to the Dialogue with Serbia".

⁹² Sinjali, "Kurti: Asociacioni Mund Të Konsiderohet Vetëm Nëse Plotësohen Gjashtë Kushtet".

⁹³ Crowcroft, "President Joe Biden Says 'mutual Recognition' Key to Kosovo, Serbia Talks".

⁹⁴ Brzozowski, Taylor, and Gotev, "LEAK: Franco-German Plan to Resolve the Kosovo-Serbia Dispute".

⁹⁵ Bytyci, "Serbia, Kosovo Reach Agreement to Implement EU-Backed Deal Normalising Ties".

but both parties would commit to the implementation of it⁹⁶. The EU and the US representatives witnessed the parties agreeing and would guarantee the implementation of this agreement⁹⁷. Although ASM/CSM is not specifically mentioned in this agreed-upon deal, Article 7 mentions ensuring “an appropriate level of self-management for the Serbian community in Kosovo”, whereas Article 10 mentions the implementation of all the previous agreements reached in the course of the Dialogue for normalization of relations since 2011 – one of which is the one on ASM/CSM.

Article 1 of this agreement stipulates that both countries recognize each other national symbols and maintain good neighborly relations, whereas Article 2 of this agreement stipulates that the relations between the two parties are governed by the UN Charter⁹⁸. This agreement satisfies both sides, although it leaves enough ambiguity for both sides to satisfy their voter base through their rhetoric; while Kurti commits to a certain degree of “self-management” for the Serb community and is obliged to implement all previous agreements, there is no specific mention of ASM/CSM in the text; whereas, while Serbia *de facto* recognizes Kosovo as an independent country for as long as it agrees to conduct relations in accordance with the UN Charter and recognizes its national symbols, there is no specific mention of the word ‘recognition’. This ambiguity in the text can be understood as the only way to come to an agreement when two leaders with populist tendencies are in combination. Yet, the fact that parties did not put their signatures on the agreement, gives either party opportunities to not stand by it – although in this sense, the stakes would be high for the future of their countries, who desperately need access to European

⁹⁶ European Union External Action Service, “Belgrade-Pristina Dialogue: EU Proposal - Agreement on the Path to Normalisation between Kosovo and Serbia”.

⁹⁷ Taylor, “Kurti: Kosovo Has EU, US Guarantees to Implement Serbia Agreement”.

⁹⁸ European Union External Action Service, “Belgrade-Pristina Dialogue: EU Proposal - Agreement on the Path to Normalisation between Kosovo and Serbia”.

and American funds and grants, as well as integration within the European Union - which is the primary reason that has kept the parties committed to the process thus far. To date, this agreement has not begun implementation. In fact, Serbia violated Article 4 of this agreement, which states that “Serbia will not object to Kosovo’s membership in international organizations”⁹⁹, when it voted against Kosovo’s bid to join the European Council¹⁰⁰.

⁹⁹ European Union External Action Service, “Belgrade-Pristina Dialogue: EU Proposal - Agreement on the Path to Normalisation between Kosovo and Serbia”.

¹⁰⁰ Politiko.al, “EU: Kosovo and Serbia to Fully Implement the Ohrid Agreement”.

7. Conclusion

The normalization of relations between two conflicting sides that have emerged from a war is not easy and requires leadership and also adoption and implementation of often unpopular decisions. The aftermath of war involves a lot of still-open wounds that make the process more difficult. In circumstances like these, a fertile environment is created for leaders and political parties to exploit the emotions of the affected people. The nationalist and populist discourse makes matters worse, as it feeds people with false hope, that in turn prevents political leaders from taking decisions that could in turn lead to their political suicide.

Kosovo and Serbia have been searching for a solution to their problem ever since the end of the war. The previous negotiations failed, as parties were in polar opposite ends. The current on-going Dialogue facilitated by the EU with the support the US, is the best chance that these two conflicting sides have for finding a solution, while at the same time benefiting from the prospects of European integration. However, the populist discourse in both countries sends the political leadership into a mode, in which they pretend to be looking for a solution, but instead they are playing along in a game that does not bring normalization of relations closer.

The EU has tried to satisfy both parties in the past, choosing a language that is constructively ambiguous for drafting agreements to satisfy both sides. This has provided space for leaders with populist tendencies from both countries to potentially turn it into a destructive ambiguity. Although coming to an agreement is more difficult when plain, straight-forward language is used - as parties will be reluctant to agree to it – the implementation is then made easier, as each side knows the expectations from them. On the contrary, the constructive ambiguity creates room for parties to have their own (diverging) understandings of the same text.

The populist discourse harms the process of normalization of relations, given that both parties will feed their support base with the rhetoric they want to hear, not the one they need to hear. When this happens, the normalization of relations between peoples potentially takes longer than normalization between countries. It is important that the process of normalization of relations is done in good faith, where parties abstain from using language that further adds to the divisions, whereas the communities affected are integrated in the process. For instance, when the issue of ASM/CSM is in question, the involvement of the Serb community in Kosovo in the negotiations is crucial, as no one understands the needs and wants of the community better than them. However, when such an entity is formed for the Serb community in Kosovo, a similar entity needs to be reciprocated for the Albanian community in Serbia, who are left even further in the margins in the process for normalization of relations. This trade-off will potentially allow for further popular support for the creation of a such entity.

The parties involved in the Dialogue have been focusing intensively on the goal, while disregarding the process. The process of reconciliation requires addressing the past and bringing justice for the victims of the war, as well as assurances for a better future. Currently, Kosovo and Serbia, as well as their people, have not reached to the phase of reconciliation yet. Hence, the parties are currently only working on normalization. Normalization without reconciliation is incomplete and not sustainable. Whereas the populist discourse that tends to separate people in “us” and “them”, both internally and externally, endangers the whole process. This becomes yet another challenge, that can only be solved when the two peoples do not fall prey of the divisive discourse and begin to realize of the importance normalization first, followed by reconciliation, has for their future.

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