

In Brief: Takes on Kosovo's policy challenges

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PUBLISHER:

Kosovo Foundation for Open Society
Imzot Nikë Prelaj, Vila 13,
10000, Prishtina, Kosovo.

Issued in print and electronic formats.
"In Brief: Takes on Kosovo's policy challenges"

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Designed by Envinion.
Printed on recycled paper in Prishtina, Kosovo.

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Introduction

Lura Limani & Ioannis Armakolas



In the immediate aftermath of the Kosovo war, and with the establishment of a UN protectorate, Kosovo became an attractive topic for policy analysts, academics, diplomats and journalists. The interest of academics and laypeople alike was piqued once again when Kosovo declared independence in 2008, sparking another wave of writings and research on its state-building efforts.

But more than ten years after Kosovo's declaration of independence, the challenges that this post-war society faces are less appealing to academics and journalists, and 'the Kosovo question', which dogged the international policy circles in the beginning of the 21st century, has markedly lost its relevance.

Nevertheless the question remains. Kosovo's state-building effort still face multiple challenges domestically and internationally, presenting both an interesting area of research as well as an actual political conundrum demanding the attention of policymakers.

Since the Thessaloniki Summit of 2003, Kosovo's development efforts have been geared towards Eu-

ropean integration and fulfilling benchmarks defined by the European Commission's conditionality and annual country reports. Yet, Kosovo's EU prospects remains bleak: five member states of the European Union continue to not recognize Kosovo, as do two of its neighboring countries: Serbia and Bosnia and Herzegovina. Meanwhile, tensions between Kosovo and Serbia remain high, especially since the end of 2018, when the Brussels-mediated dialogue was suspended after Pristina introduced high tariffs on Serbian goods.

In such a complex political constellation, the project "Building Knowledge about Kosovo," initiated and supported by the Kosovo Foundation for Open Society, was born in 2017. From the outset, the project aimed to bring together young researchers from the Western Balkans and the EU countries in order to create a platform for the production and exchange of knowledge about Kosovo. In its third year, the program continues to produce novel original research about Kosovo in various disciplines, as well as papers that can affect policy changes in Kosovo and the region. While the main output of the program has been two academic

publications (State-building in Post-Independence Kosovo: Policy Challenges and Societal Considerations[2018]; Local and International Determinants of Kosovo's Statehood [2018]), young researchers and policy analysts have also produced dozens of opinion pieces published by prominent international and regional media outlets.

The publication you have in front of you is a curated selection of some of the hard-hitting pieces that the second cohort of researchers produced throughout 2018 and 2019.

Coming from a variety of academic fields, the authors of these op-eds cover a lot of ground: from pinpointing main challenges that Kosovo faces in its EU integration path, to tackling the stalled Kosovo-Serbia dialogue, all the way to unpacking identity formation and education in an ethnically-divided country.

While some of the pieces tackle head-on issues that have crippled Kosovo's image abroad, such as corruption and radicalization, there is also hope and optimism that bridges can be built in

particular in environments that foster education and knowledge exchange. Pieces like Drosopoulos' "Debunking the myth of the enemy" and Trupia's "Good Personhood: Local Serb everyday responses to the citizenship dilemma" indicate that there is much to be gained in supporting civic, grassroots initiatives.

The 15 op-eds in the following pages were published by leading publications in various countries (El Pais, Huffington Post Greece, Osservatorio Balcani i Caucaso, Balkan Insight etc.) and in a variety of languages: English, Spanish, Greek, Romanian, French, and Albanian.

They show the breadth of the research disciplines and themes that the Building Knowledge about Kosovo has covered in the past year, giving us a glimpse into the empirical research that participating researchers have done and possible recommendations that can be drawn from their work. Finally, these opinion pieces are a good starting point to understand how young Europe sees not only Kosovo, but the region and Europe as a whole and how they want them to be.

— Francesco Trupia

Kosovo-Serbia - a 'land swap' for élites, not the people

ORIGINALLY PUBLISHED BY
TRANSCONFLICT, ON AUGUST 28, 2018.

The proposed partition of Kosovo would negate the day-to-day realities on the ground, particularly of those Kosovo Serbs living outside the four northern municipalities. It would also set a dangerous precedent that could legitimise further proposals for 'population exchanges' based on ethnic parameters.

A dichotomy of opinions has divided institutions and organizations from Kosovo, Serbia and beyond. Some welcome the proposal for "boundary correction", arguing that it might be reached through genuine will from below. Others, however, have warned that further "territorial swaps" based on ethnicity will impinge upon human security. The idea that a territorial swap could be beneficial for both communities in Kosovo and Serbia remains highly debate.

Splitting states along ethnic lines and thereby undermining the idea of multiculturalism would not only be deeply problematic for Kosovo-Serbia relations, but also perilous for the region's future. A territorial modification might

delegitimise Kosovo's recognition and its sovereignty, with five EU member states refusing to recognise it due to their own fears of territorial partitions. In addition, a re-allotment of north Kosovo would reward Belgrade's political interference, including through the maintenance of a parallel system (e.g., dual citizenship, health, education and taxation). In order words, a territorial exchange will not pacify the majority-minority relations nor the power struggle over Serb-majority municipalities. Partition would take for granted the existence of monolithic communities within which a sense of belonging cannot compromise in order to co-exist with other communities.

Furthermore, claims over a particular territory implies the narrow idea that a given community cannot be understood as plural, dynamic and in the process of change. Since 1999, there have been nuanced changes on the local level. While Belgrade has always imposed a frozen picture of Kosovo Serbs in order to claim legitimacy over Kosovo itself, Pristina has generally depicted the national identity of Kosovo Serbs in relation to (often violent) attempts to strive for, or secure, national claims over the country.

However, a look “from below” at Serb-majority areas demonstrates how Kosovo Serbs do not only live in north Kosovo and cannot be depicted as a tout court pro-Belgrade community. In north Kosovo, Serbs have always been the vessel of Belgrade, which managed to tighten its presence and limit interaction with Kosovo’s institutions in Pristina. Second, and most importantly, Kosovo Serbs in the north are more radical than their “compatriots” living in south of the Ibar, such as in the almost-urban areas of Štrpce or within the de facto enclave of Velika Hoča.

Within Serb-majority centrally (such as Gračanica/Gračanica), in the South (e.g., Štrpce/Shtërpca) and the East (e.g., around Novo Brdo/Novobërdë, Parteš/Partesh), however, Serbs have historically had a different environment and atmosphere. Although they remain tightly connected with their own national identity, which is reproduced and performed through everyday practices, it does not have negative impacts on everyday coexistence with Albanians, Bosniaks, and so on. In Eastern Kosovo, for instance, inter-ethnic attendance at public school is quite common, in which not just Serbian and Albanian language are taught, but even Bosnian and Turkish. Among these, other small Serbian communities such as Velika Hoča, near Orahovac/Rahoveci, shows a high level of political dissatisfaction toward Belgrade’s policy. The continuous attention paid to north Kosovo Serbs has shaped a both sense of alienation and disillusion based on the understanding that they will be left adrift if partition were to occur.

Therefore, the a priori idea that a potential “territorial swap” will come to “adjust” Kosovo-Serbia kin-state relations and internal inter-ethnic relations is distant from people’s real needs. Kosovo’s partitioning would only cover the legal-political failure and diplomatic ineptitude of those élites that have done very little in terms of reconciliation and normalisation. Hence, the concrete and growing perception of political disaffection among Kosovo Serbs - at least those living outside north Kosovo - who have recently begun to even criticise the parallel system (e.g., passport, taxation, school), cannot not so easily convince scholars and experts that Kosovo Serbs share views and behavioural patterns of a discourse that has been ascribed them.

At the very end, the potential result of a territorial swap could only legitimise further proposals for “population exchanges” based on ethnic parameters. This will give credence to the (mistaken) idea that inter-ethnic coexistence has been until day-present, and will thus remain so, a concern for the Balkan Peninsula, whose kin-states policies have failed because of people’s incapacity to well-live together instead of élites’ unwillingness to establish peace within and across the region itself.

— Pol Vila Sarrià

Kosovo and the Catalan ‘Procés’ for Independence

ORIGINALLY PUBLISHED IN THE SPANISH NEWSPAPER EL PAÍS ON DECEMBER 5, 2018.

The Catalan separatist movement has tried to mirror itself in processes of self-determination all over the world, from Quebec to Scotland, with Kosovo being the latest case. In this latest attempt, however, the separatists have ignored the reasons that led to Kosovo's independence and its subsequent recognition by more than a hundred UN countries.

The Kosovo factor was ingrained in the political mentality of Catalan nationalist parties before the Catalan quest for independence in 2018. Unlike the perception it created in the constitutionalist parties in Spain, Kosovo's unilateral declaration of independence on February 17, 2008, was received with great joy by the Catalan nationalist parties. The reason was very simple: for the advocates of an independent Catalonia, Kosovo's independence – and in particular, its subsequent recognition – opened the doors to the independence of new states in Europe.

The separatists' aspiration was reflected by the decision of Carod Rovira – secretary general of the *Catalan Republican Left* (ERC) at the time – to write a letter of congratulations to the then-Prime Minister of Kosovo, Hashim Thaçi. ERC's

position was blunt. Although they avoided comparing Kosovo with Catalonia, ERC undertook an energetic and vehement defence of Kosovo's independence, predicting that Kosovo's path – that of unilateralism – could serve as a model for Catalonia years later. This position became evident in a number of ultimately unsuccessful motions introduced by ERC in the Foreign Commission of the Spanish Parliament and Senate, urging the Spanish government to recognize Kosovo.

Convergence and Union (CiU), which always supported ERC's motions, was much more cautious in embracing Kosovo's path. Although CiU celebrated Kosovo's independence from Serbia and demanded that the Spanish government recognize Kosovo, the leader of CiU, Artur Mas, categorically remarked that there were no similarities between Catalonia and Kosovo.

After two quiet years, and then the frenzy of Kosovo's independence, the actions that took place in June and July 2010 changed the political course of Catalonia. In addition to the already well-known Constitutional Court judgment on Catalonia's Statute of 2006 – whereby some parts of the legal text were annulled – and the subsequent demonstration against this judgment on July 10, another judicial opinion was brought to the table. This one, issued by the International Court of Justice (ICJ) on July 22, held that Kosovo's unilateral declaration did not breach international law.

In this tense climate, the Catalan separatists did not hesitate to publicly uphold the ICJ opinion, keeping Kosovo's path as a Plan B. Once again, ERC was the main exponent of this support, arguing that after the ICJ ruling, Catalonia would have an international legal basis to declare independence unilaterally. Although focus persisted on a referendum in agreement with the central government in Madrid (following the Scottish example), after the ruling of the ICJ the Kosovo path started gaining momentum, especially since the Catalan separatists predicted that the Scottish path would fail due to the central government's resistance.

CiU leaders continued to be cautious in comparing the Catalan case to that of Kosovo. CiU, in those years, had not yet crossed to the pro-independence side. There were disagreements between the *Democratic Convergence of Catalonia* and the *Democratic Union of Catalonia* about the path Catalonia should take.

The pro-independence side was aware of this partisan interpretation, as it was well known that the decade preceding Kosovo's independence had been marked by repeated violations of human rights. Kosovo's independence would have been inconceivable without these events. The separatist movement, however, went ahead, instrumentalizing the ICJ ruling to legitimize a future Catalan declaration of independence. During ERC's national conference in July 2013, its leaders once again endorsed the Kosovo path as a model to be followed by Catalonia.

Kosovo's path became the blueprint for a road map for Catalan independence after the unconstitutionality appeal of the 9-N consultation in September 2014. The independence movement had hit the wall of the state: no referendum on self-determination could be agreed upon with the central government in Madrid. In June 2016,

Marta Rovira, the secretary general of ERC, asked to mirror the constituent process of Kosovo, as if Catalonia and the newest state in Europe had a shared and similar past. Even the current president of the Generalitat, Quim Torra, wrote in his book, *"The last 100 meters: the road map to win the Catalan Republic"*, that nothing could be as before after the ICJ's decision. And poor Kosovars, the reader will think – they would have loved to be in the same situation as Catalonia twenty years ago.

Catalonia's unilateral declaration of independence, on February 27, 2017, has little to do with the one proclaimed in Pristina a decade ago. Unlike the latter, "the Catalan political act" did not receive international recognition nor set in motion the institutions of the/a new Catalan state. Even Kosovo tacitly rejected Catalonia's recognition and closed the door to any analogy between what happened in Kosovo in the 1990s and what has happened Catalonia in recent years.

— Alexandru Damian & Agon Demjaha

The Kosovo Question in Romanian Politics

ORIGINALLY PUBLISHED BY OXPOL,
THE OXFORD UNIVERSITY POLITICS
BLOG ON JUNE 11, 2019.

The Western Balkans have been a core theme in the political programs of the countries holding the presidencies of the Council of the European Union in the last years. Both the Austrian and Bulgarian presidency of 2018 underlined the importance of the region and pushed forward the topic on the public agenda, without neglecting the difficult relation between Kosovo and Western Balkans and EU at large.

A similar pattern is followed in theory by the Romanian Presidency and the Trio countries (Finland - holding the presidency between July-December 2019 and Croatia between January - June 2020), with Croatia also to host an EU-Western Balkans summit during its Presidency.

Still, one key piece is missing from the Romanian public agenda and its approach towards the enlargement of the Western Balkans: Kosovo. Neither the programme of the Presidency, nor the national debates talk about Kosovo and its relation with the Union. Romania remains one of the five EU member states not recognizing Kosovo and continues not to do much on

this topic, having extremely limited interactions with the country.

The explanation of this absence on the public agenda is based on an utterly unchallenged stance not to formally recognize Kosovo: the political parties at the centre of this debate are shaping the public agenda and dismiss any dialogue almost instantly. This non-recognizer position is endorsed by all political established parties, with the exception of the Democratic Alliance of Hungarians in Romania. Nevertheless, the emergence of new political parties in recent years creates an opportunity to re-discuss the ties between Romania and the Western Balkans in general and Kosovo in particular.

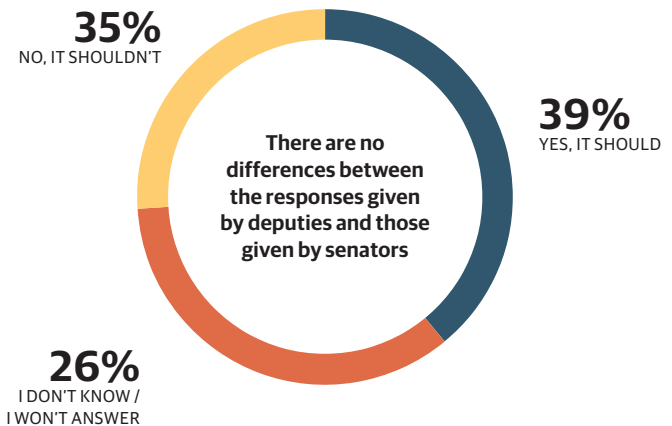
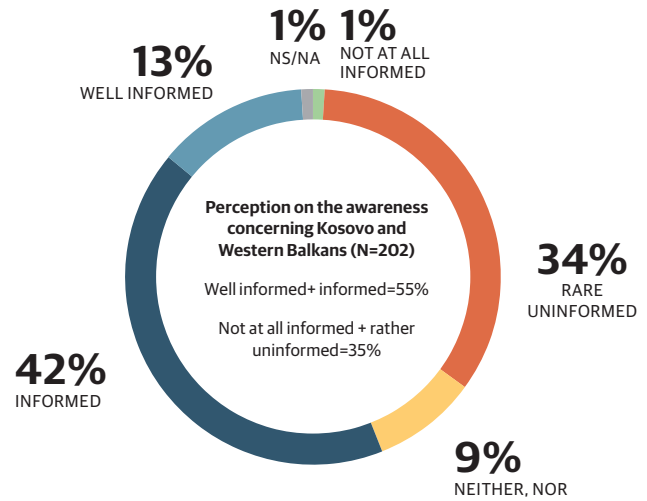
Developments in the position of Romanian political parties

Back in 2008, Romanian political parties expressed a clear refusal to recognize Kosovo's unilateral declaration of independence. On 18 February 2008, with a large majority - 357 in favour and only 27 against - the Romanian Parliament adopted a declaration against this recognition. The reasoning behind this position has embraced a legalist approach as Romania accused a breach of international law.

However, in the public space, alternative narratives have been promoted and grew stronger, portraying Kosovo as a presumably dangerous precedent. A parallel was drawn between Kosovo's independence and the fear of secession in Székely Land - a Romanian region inhabited mainly by ethnic Hungarians, the status of the breakaway region of Transnistria, and, after 2014, the illegal annexation of Crimea. What's more, the almost mythologized relation between Romania and Serbia, based on the connection with former Yugoslavia during communist times, is often referred to.

Unchallenged from within and with wide consensus among the mainstream parties (including the Social Democrats and National Liberals - the two main political groups), any debate on this topic has been blocked in the last decade.

In 2016, Romanian Center for European Policies carried out one of the few quantitative analyses on Kosovo, targeting the members of the Romanian Parliament at that time. 202 MPs responded to the research (51 members of the Senate and 151 members of the Chamber of Deputies - from 506 contacted MPs). First, the study showed large discrepancies between Romania's public positions and the knowledge that stands behind them: **Although 85% of the respondents believe that Romania's role in EU's enlargement policy in the Balkans is important, only 55% believe they are informed or well-informed about the Western Balkans and Kosovo in particular.**



Data from the study shows that **39% of the MPs believed that Romania should recognize Kosovo, 35% were against recognition, and 26% did not respond to this question.** These pro-recognition figures are not negligible and, at a first glance, they do not necessary reflect the strong mainstream position against recognition. There are two major explanations for this.

Romanian political parties, especially mainstream ones, follow a top-down approach, with critical decisions being taken by core members of the party that are rarely challenged from within. Secondly, despite the fact that the political parties stick to the non-recognition policy and use alternative narratives to fundament their opinion, there is also distress among them for being on the same side as a handful of countries in the EU, and not sharing the opinion of their European families and of Romania's most important partners. The decreased external pressure following the illegal annexation

of Crimea has eased this sentiment among the parties and has almost put a stop to any further debate on Kosovo.

The reasoning behind the parties' positioning was in line with the narratives that dominate the public agenda: 36% of the MPs indicated that "it creates a precedent for Russia and Hungary", while 13% argued that "it impacts the territorial integrity of Serbia", while the pro-recognition side argued that "Romania should follow EU partners and the US and recognize Kosovo".

Reasons for recognizing Kosovo as a state

To achieve balance and stability in the region, this is a natural step in a multi-ethnic and multi-cultural Europe **28**

Most EU countries have recognized Kosovo, and Romania should adhere to what the European Union wants **22**

Kosovo should be recognized as a state, it is a legitimate right of the citizens of any state to self-determination. As a state Kosovo should respect certain condition of democracy: the rights of all ethnicities, freedom of justice etc. **21**

I don't want to provide a reason. **7**

The relationships between Serbia and Kosovo are starting to normalize. **4**

Romania could become an important mediator in the Western Balkans. **3**

Romania should recognize Kosovo because of the possibility of recovering of Moldova. **1**

Reasons for not recognizing Kosovo as a state

It creates a precedent for Russia and Hungary. **28**

Kosovo lacks the features of an independent state, it is created artificially, based on ethnic criteria, non-democratically, it does not observe the principles of International Law, it was imposed by the Americans, it was imposed externally. **22**

It impacts the territorial/ cultural integrity of Serbia, the sovereignty of Serbia. **21**

I don't want to provide a reason. **7**

Romania should not damage its friendship with Serbia. **4**

Romania should not adopt a categorical position, it can act as a mediator. **3**

Romania should recognize the state only if the other countries do. **1**

Q6. Why do you believe that Romania should not recognize Kosovo as a state? (an open-ended question, recodified)

These alternative narratives, coupled with the well perceived relation between Romania and Serbia, created a snowball effect in time. Nowadays, the topic of Kosovo is even more marginal on the public agenda, absent in the political programs of the parties and also in the official programme of Romania during its Presidency.

In the absence of wide consensus among political actors - which could probably happen only following a major external event, such as an agreement between Pristina and Belgrade, the policy of non-recognition remains non-negotiable with Kosovo remaining marginal on the agenda.

An overview of the perspective of new political parties on the Western Balkans and Kosovo

The Romanian political environment underwent significant changes in recent years, as new political parties emerged, especially Union Save Romania (3rd parliamentary party following the 2016 parliamentary elections) and the Party of Liberty, Unity and Solidarity (PLUS), organized around former Romanian Prime Minister, Dacian Cioloș.

Parties such as USR and PLUS can bring to the table more substantive debates on Kosovo, by dismissing some of the alternative narratives and fake news surrounding the debate. But a change of position remains highly unlikely and would require a more favourable national and regional climate

However, during the past three years, when the first of these parties emerged and took part in the elections, Kosovo has been a marginal actor on the public agenda - thus there was no incentive for any debate on their position. In fact, to this date, neither of these parties has a clear agenda concerning the Western Balkans or Kosovo, with the sole exception of having conveyed a general message of support for EU enlargement in the Balkans

The new political parties or certain groups within mainstream parties could take small steps towards enhancing and better understanding the Western Balkans and Kosovo, but no sudden changes will occur from within. Dismissing the alternative narratives could give the new political parties an opportunity to discuss and better acknowledge the region and, in the medium to long term, might even bring about political gains. However, in the absence of a major external event, these are the limits within which the political parties - even the new ones - can act.

CONCLUSION

At the moment, the political contacts at party level between Kosovo and Romania are rather non-existent, while people-to-people exchanges (at academic or cultural level) remain critically low.

The entire political spectrum in Romania - whether it is the mainstream parties or the new political parties - shares a common view regarding the policy of non-recognition towards Kosovo. After a decade-long unchallenged position, any sudden shifts from within are highly unlikely. Romania's official position is widely supported by its political parties, and, in the absence of an agreement between Belgrade and Pristina, it is very improbable that Kosovo's recognition will be even debated internally.

This position should be understood through the lenses of the political environment and public agenda in Romania: the well-perceived relation between Romania and Serbia and the snowball effect of having drawn a parallel between Kosovo and Székely Land, Transnistria and Crimea, managed to dominate the public agenda and to undermine any significant dialogue.

Originally published by OXPOL, the Oxford University Politics Blog, this article can be retrieved at: <https://blog.politics.ox.ac.uk/the-kosovo-question-in-romanian-politics/>

— Pol Vila Sarriá & Agon Demjaha

Kosovo, Battling Eleven Years for its Recognition

ORIGINALLY PUBLISHED IN THE SPANISH MAGAZINE ATALAYAR ON MARCH 25, 2019

In addition to the high levels of corruption, nepotism, ethnic tension, organized crime and social dissatisfaction, Kosovo continues to face one of the most complex obstacles that exist on the international stage, a kind of political quagmire that keeps the old Serbian province trapped in a tunnel with very few signs of light: the absence of universal recognition, which plunges the youngest country in Europe into the international isolation it suffers.

Eleven years after Kosovo's Assembly met in Pristina and decided to declare its independence unilaterally, more than half of the states with a seat in the United Nations (UN) have recognized its independence from Serbia. However, the list of non-recognizers –including Russia, China, Mexico, India, Brazil and Spain– is long and includes countries with enormous leverage in the new geopolitical landscape.

The problem of non-recognition, which in principle might seem to be a trivial matter, is of utmost importance. It has an impact not only on Kosovo's foreign policy, but also on its internal affairs. The Serbo-Russian friendship, as well as Russia and China's veto power in the Security Council, pro-

fects Serbian interests and continues to block Kosovo's accession to the UN, despite the United States' (US) staunch defence of Kosovo's independence. The delay in acceding to the European Union (EU), however, is what has the greatest consequences for Kosovo's weak economy and the freedom of movement of its citizens, who still need to apply for a visa to travel freely in the EU.

Although twenty-three EU member states have recognized Kosovo's independence, the absence of recognition by the remaining five –Slovakia, Romania, Greece, Cyprus and Spain– continues to block Kosovo's accession to the European club. This fact explains, inter alia, why in the summer of 2019, the presidents of Kosovo and Serbia, Hashim Thaçi and Aleksandar Vučić, respectively, suggested a territorial exchange between the two states as a compromise. This hypothetical plan would imply the recognition of Kosovo as a sovereign state by Serbia and would close the chapter of the dissolution of Yugoslavia.

Without a binding agreement for the normalization of relations between Serbia and Kosovo – which until now has seemed very distant– it will be very difficult for the five EU non-recognizers to change their position, and thus, Kosovo's integration into the EU will remain at a stalemate. The Kosovar population will be left to suffer the consequences of this stalemate, while the political elite will continue to entrench itself in power.

Recognition by the five EU non-recognizers is indispensable, as it will give a breath of fresh air to the Kosovar population and will consolidate an existing reality: that Kosovo, despite its deficient institutions, nonetheless functions as a state, even if it is only partially recognized at the global level. Furthermore, it is very difficult to imagine Kosovo being ruled by the Serbian Government, which viciously eroded the rights of ethnic Albanians during the 1990s.

Slovakia, Romania, Greece, Cyprus and, obviously, Spain should start understanding the Kosovo case in terms of foreign policy, instead of national politics. The situation faced by Albanians in the former Serbian province at the end of the 20th century is hardly comparable to the experience lived by Turkish Cypriots, Catalans or Basques in the last ten years. Contrary to what these states have intended, the decision not to recognize Kosovo by reference to problems of an internal nature has opened a small window of opportunity to draw an analogy between the two situations, despite it being an absurd and incomprehensible one.

The case of Spain is the one that has resonated most in recent years, especially due to the escalation of the independence movement in Catalonia and the attempt of the movement's leaders to draw an analogy between the latter and Kosovo. The various Spanish governments were unsuccessful with their chosen strategy; instead of recognizing Kosovo and demonstrating once and for all that there is no room for comparison between the two cases, they have deepened –without intending to– the analogy between their independence movements and Kosovo. This led to a deterioration of already poor diplomatic relations with Kosovo, when the Catalan quest for independence was at its highest peak. This included the reiteration that Kosovo's independence is a clear breach of international law, despite the 2010 International Court of Justice ruling that denied such a violation.



Overall, it emerged that Serbian ethno-nationalist claims, as still prevalent in the aftermaths of the 1999 Kosovo war, hold much less traction among the local Serbs interviewed than frequently assumed.

The recognition of Kosovo by Slovakia, Romania, Greece, Cyprus and Spain is necessary. It would not only have a positive impact on the future of Kosovo's people, but also on the national politics of the five EU-recognizers. This decision would accelerate Kosovo's path to the EU and would send a clear message to the respective nationalist groups of the five EU states: any analogy between Kosovo and the territorial aspirations of other regions, including Catalonia, is unsustainable.

— Katarina Tadić & Agon Demjaha

The internal dialogue in Serbia: rejecting the normalisation of relations with Kosovo

ORIGINALLY PUBLISHED BY
OSSERVATORIO BALCANI E CAUCASO
ON MARCH 20, 2019.

In 2017 Serbian President Aleksandar Vučić launched the “Internal Dialogue on Kosovo”. Purpose? In words, to consult in an inclusive way the Serbian society on potential solutions related to Kosovo. That didn’t really happen

Today already forgotten, public discussions known as the internal dialogue were announced in July 2017 by the Serbian President Aleksandar Vučić in an effort to consult with a wider public about the potential end solution on Kosovo. Yet, after about thirty events, the internal dialogue concluded without reaching its stated goal. Since June 2018, no activity within the internal dialogue has taken place and the announced final report has not been published yet. Having in mind that Serbia and Kosovo in 2019 remain locked in a seemingly unsolvable dispute regarding Kosovo’s statehood

and its international status, it is worth exploring what is the legacy of the internal dialogue and whether it had any impact on reaching a consensus within the Serbian society.

The initiative for the internal dialogue derived from the fact that Serbia finds itself in an almost impossible situation where, even though (still) does not want to recognise Kosovo, it has to find a magic formula for reconciling the need to solve this issue to continue with the EU integration process and still maintain the belief that Kosovo is an integral part of the country. However, regardless of whether it was a farce or sincere intention to try to find a creative solution, it only further exposed divisions in the Serbian society and a lack of willingness to settle the dispute with Kosovo. The general political and social context characterised by the lack of media freedom, suppression of opposition and decline of institutions, with an increased hostility towards critical voices, cannot be an environment that stimulates discussion

and participation of citizens. As a result, the internal dialogue, as an ad hoc process led outside the institutional framework in forms of roundtables, turned out to be a state organised public hearing with limited space for discussion.

Next, even though the internal dialogue was a call to different societal groups to engage in a discussion on Kosovo, in reality its organisers targeted a small, limited group of public officials and professionals, so the process was predominantly controlled. The government did not make an effort to include a wider range of actors (traditionally) interested in Kosovo, such as SPC and SANU. A lack of participation of the opposition parties and resistance to move the discussion to the Parliament shows a lack of sincere intention to reach out to Government opponents. Thus, the internal dialogue had a performative character with a fundamental lack of inclusivity and insufficient participation of different constituencies of the Serbian society. At the same time, as a process that primarily tackles the position of Serbs in Kosovo, their participation was inadequate with only two roundtables organised in Kosovo by the Working Group.

Also, if we look at the proposals that were dominant during the internal dialogue, they show several limitations of the Serbian society. First, the intellectual and academic elite is not informed about Kosovo, the Brussels dialogue and the EU integration process of Serbia. These aspects were completely neglected by most participants of the internal dialogue, as well as developments in Kosovo in the last ten years, resulting in proposals that were far from reality. Second, the EU integration process was not treated as a primary issue and strategic framework for resolving the issue of Kosovo. Only one roundtable emphasised the need to secure membership in the EU, while a large majority of participants simply disregarded the accession process, hoping for a change in

geopolitics. It indicates deeply anti-European sentiments embedded in the Serbian society. And finally, if we look at the proposals that were dominant – status quo and border correction – it can be concluded that normalisation of relations was essentially rejected. In conclusion, the internal dialogue did not serve to explore different alternatives for normalisation; it rather signified that normalisation of relations between present-day Serbia and Kosovo is not an option.

Thus, instead of contributing to the process of normalisation of relations with Pristina and reaching a compromise or offering some proposals on how the future relations between Serbia and Kosovo might look like, the internal dialogue for the most part neglected what has been achieved so far. It served as a platform for anti-European voices who called for border changes and an end to EU integration. A few who advocated for a continuation of the Brussels dialogue proved to be unable to provide a definition of what the normalisation of relations might entail. Yet, without a compromise and consensus within the Serbian society on Kosovo, it is difficult to reach any sustainable and peaceful solution. And the internal dialogue showed the unreadiness of Serbia to deal with the reality in Kosovo and indicated its willingness not to normalise relations, but to propose and advocate daring solutions.

This article was originally published by Osservatorio Balcani e Caucaso, and can be retrieved here: <https://www.balcanicaucaso.org/eng/Areas/Serbia/The-internal-dialogue-in-Serbia-rejecting-the-normalisation-of-relations-with-Kosovo-193468>.

— Doris Manu & Arolda Elbasani

What stands in the way of the council's approval of visa liberalisation for Kosovo?

ORIGINALLY PUBLISHED BY THE EUROPEAN WESTERN BALKANS, ON 15 MARCH 2019.

Last month, Kosovo celebrated 11 years since its Declaration of Independence. Most EU member states but five have recognised its statehood. The five non-recognizers tend to add specific political hurdles and complex negotiation 'specificities' to an already spiraling enlargement conditionality. As such, the Council of the EU, where most political concerns of member states are leveled out and final decisions decreed, has taken a 'wait and see' or 'go slow' approach towards Kosovo's EU accession process. The process of visa liberalisation with Kosovo, a key reward the EU can offer to Kosovo, shows how these case-specific ambiguities, complex negotiations but also the expanded conditionality inform and at times slow down the EU decision-making process.

As of now, Kosovo is the only country in the Western Balkans which doesn't have an agreement with the EU regarding visa-free travel in the Schengen area. This is despite the fact that the European Commission launched the visa liberalisation dialogue with Kosovo back in 2012 and soon after presented Kosovo authorities a Roadmap of necessary reforms that would entitle the

country to visa liberalisation. The roadmap entails legislative amendments, adoption of new laws, formation of new institutions, recruitment of new staff, as well as training in numerous areas such as immigration, asylum, border control, the fight against crime, terrorism and corruption, and the protection of identity.

Since then, the EU Commission has annually assessed and updated the range of targeted reforms on the basis of identified benchmarks. It has also spiced up the traditional roadmap requirements with additional ones which have now emerged as key priorities in the Western Balkans accession process, including resolution of border disputes and promotion of rule of law. This strategy has been effective in encouraging domestic reforms elsewhere in the Balkans, while offering tangible benefits to citizens, which the distant EU membership perspective cannot.

In 2016, four years after the initiation of the process, the Commission suggested that Kosovo be granted visa-free travel for its citizens based on the fulfillment of two remaining conditions -an agreement on the border demarcation with Montenegro and sustained track record in the fight against corruption and organised crime. Kosovo ultimately fulfilled the two conditions in July

2018, but the EU member representatives in the Council were not as fast as the Commission in certifying the results. While the European Parliament voted the Commission's proposal in September 2018, the Council has not even included the file on the agenda to this date. Resistance in the Council of the EU convolutes both the politicised nature of negotiations on every issue that regards Kosovo; but also member countries' raising concerns about the state of rule of law and corruption, as well as more specific concerns about high rates of asylum seekers from the Western Balkans, including Kosovo.

Decisions in the Council of the EU usually reflect the lowest common denominator of EU member states' positions. Negotiations happen on three levels: in working groups at expert level, at ambassadors' level and finally among EU countries' ministers. Consensus is always favoured as a decision-making method. Even if a decision is taken at the level of the working group, it is the national ministers who ultimately approve or not experts' decisions. As a result, quite often member states' position on enlargement in general and Kosovo in particular departs from a common EU standpoint because of specific political considerations. At this instance of negotiations, the EU Commission agenda can be challenged by member states' more particularistic agendas and concerns. Interviews with three European diplomats present at the Council meetings in Brussels confirm that in the current political climate, a more 'politicised' conditionality that reflects member states' concerns tends to prevail.

Most EU member countries' concerns voiced in the Council or elsewhere are usually framed within the new priorities of the EU enlargement strategy towards the Balkans - demonstrated results in solution of bilateral conflicts and the fight against corruption. Given that Kosovo struggled to fulfill both remaining requirements for the visa liber-

alisation - the demarcation of the border with Montenegro and a demonstrated track-record in fighting corruption and organised crime - the Commission delayed its assessment of country's readiness to be exempted from the visa requirement until mid-2018. By then, Kosovo lost much of the general momentum to accelerate the deal. When the Commission issued a positive evaluation in 2018, key member countries appeared less convinced and kept raising concerns mostly about the shaky achievements of Kosovo in the battle against corruption.

Finally, even those member countries considered traditional supporters of the Kosovo's EU perspective, such as Austria which held the Council Presidency in the second half of 2018, failed to push the process forward. Particularly in the context of ongoing negotiations on the reform of the EU asylum policy in the Council, member states that receive the largest number of asylum requests - such as Germany, France and Netherlands - worried about a possible influx of asylum-seekers or illegal migrants. In 2013, there were 5,310 first-time asylum seekers from Kosovo. Although the numbers went down when compared to previous years, the perception remains that the region, particularly Kosovo, remains a key source of asylum seekers in Europe.

The approaching of the forthcoming EU elections to be held in May this year has only increased the likelihood of EU member countries voicing migration and asylum-related concerns and consequently politicising the EU decision on visa liberalisation for Kosovo.

— Zoran Nechev & Arolda Elbasani

Visa Liberalisation Conditionality for Kosovo: Navigating between Technical Criteria, Regional Priorities and Case Specificity

ORIGINALLY PUBLISHED BY THE EUROPEAN
WESTERN BALKANS ON APRIL, 3, 2019.

The EU approach towards liberalising the visa regime for short term stays in EU and Schengen countries with Kosovo follows the same pattern as for all the other Western Balkan countries beforehand. Identical policy instruments were used in the case of Kosovo as with the other countries. Most of the technical criteria and reforms that shaped the visa liberalization dialogue with Kosovo and the relevant roadmap launched back in 2012 are rooted in the Justice and Home affairs acquis, or what has been known as the negotiation chapters 23 and 24, which deal with rule of law issues.

Yet, besides established criteria, additional political conditionality is introduced in the process within the broader frame of EU approach to solv-

ing Balkan's sticky problems -bilateral conflicts and poor state of rule of law. In 2016, the European Commission proposed to grant visa free travel to Kosovo citizens upon the fulfillment of two remaining benchmarks - ratification of a border demarcation agreement with Montenegro and a sustained track record in the fight of corruption. The 2018 'Credible enlargement perspective for and enhanced EU engagement with the Western Balkans' re-emphasized that 'the rule of law must be strengthened significantly' and 'definitive and binding solutions' must be found to bilateral disputes.

The Commission's assessment and ultimate proposal to offer visa liberalization vacillated between both established technical criteria and additional Balkan-specific strategic priorities. Here one should add the specific status of Kosovo, which triplicates the complexity and specific detail of the process.

Readmission agreements

Kosovo, similar to the other Balkan countries was required to sign a readmission agreement with the EU prior to starting the visa dialogue. However, because of the peculiar situation with five EU member states not recognising it as a country, Kosovo is unable to sign a readmission agreement with the EU. As a result, Kosovo needed to negotiate and sign such agreement on a bilateral basis with individual or group countries from the EU. Therefore, even prior to starting the dialogue with the EU, Kosovo needed to bypass an 'extraordinary' issue deriving from its status. All other Western Balkan countries had to sign only one agreement with the European Community.

Until the end of the assessment period, Kosovo managed to sign 22 readmission agreements with 24 countries including 18 member states (one agreement for the Benelux countries), two associated countries, three Western Balkan neighbours with the exception of Serbia, and Turkey. Kosovo has also adopted a Law on readmission covering the remaining EU countries with which Kosovo doesn't have a readmission agreement.

Besides these requirements, Kosovo received few country-specific criteria which were not requested for the other Western Balkan precedents. Specifically, Kosovo was asked to reinforce its efforts in the area of reintegration as well as in border security, management of civil registries and issuance of documents in order to fight illegal migration and to reintegrate Kosovo citizens readmitted in the country, a pre-condition for initiating visa-free dialogue.

Roadmap similarities with other Western Balkans countries

Similarly, to roadmaps provided to other Western Balkan countries, the one for Kosovo published in 2012 was tailor-made and reflected the specificity of the country. Yet, the level of resemblance

between the roadmaps is high. Although the number of benchmarks in the case of Kosovo is almost double than in the cases of the other countries from the region, content-wise, the reforms required are largely same or similar. If we compare, for example, the segment of the Roadmap devoted to border management of both Macedonia and Kosovo we can see the resemblance. In the case of Macedonia, the Commission asked one single benchmark i.e. 'to implement the legislation governing the movement of persons at the external borders, as well as the legislation on the organisation of the border authorities'. The requirements under this specific benchmark included: 1) implementing legal and regulatory aspects on movement of persons at external borders; 2) implementing the legislation on the organisation/functions of border authorities, and 3) implementing Integrated Border Management (IBM) strategy/actions plan regarding checks, surveillance, manuals. Similar requirements in the case of Kosovo, were outlined in five individual benchmarks.

The situation is exactly the same when we compare the Kosovo's roadmap with the one of Serbia. The Serbian authorities needed to 'adopt and implement legislation governing the movement of persons at the external borders, as well as the law on the organisation of the border authorities and their functions in accordance with the Serbian National Integrated Border Management Strategy. The Roadmaps with the other countries follow the same structure.

More Detail and Precision

What is different in the case of Kosovo is the level of detail and precision in constructing the Roadmap. Whereas in previous cases with other Balkan countries, the Commission needed to go through a round of explanatory meetings to clarify the requirements under each specific benchmark; in the case of Kosovo this was not the case

or it was substantially decreased. The specificity in the approach towards Kosovo is the 'full involvement of Council and the member states in each step of the dialogue' as well as 'in in developing and, if necessary, amending this Roadmap'.

Although the Roadmap remained the same, the original benchmarks were interpreted differently and changed over time. A case in point is the one related to the border/boundary management (Block 2) which requires 'to complete the endeavor, in a coordinated manner with the other party, the delineation of the border/boundary with Montenegro'. This benchmark has been modified overtime to the extent that in the end Pristina authorities needed not only to delineate the border, but also to ratify the Agreement in the Parliament. The specific interpretation, allowed political parties to delay and exploit the process for political gain, and determined country's delay and loss of a 2016/2017 momentum with Georgia and Ukraine.

Delays and Postponements

The complexity of this three level conditionality - standard technical, region-specific and case-specific - has necessarily delayed and postponed the process. While other countries from the region needed approximately two-three years to fulfill the criteria, Kosovo took around six years. The number of benchmarks given to Kosovo exceeds by double the number of requirement provided to the other Western Balkan countries. The level of precision and detail of the documents itself was unique in amount and scope.

Yet, EU member states had agreed on moving forward with the issue of visa free travel thereby treating Kosovo as any other Western Balkan country despite of the issue of status. Although the status issue remains a huge burden, at least, in regards to visa liberalisation, the burden proved not insurmountable.



Yet, EU member states had agreed on moving forward with the issue of visa free travel thereby treating Kosovo as any other Western Balkan country despite of the issue of status. Although the status issue remains a huge burden, at least, in regards to visa liberalisation, the burden proved not insurmountable.



The results of the government reforms and actions in the four priority blocks were positively assessed by the European Commission in July 2018. The European Parliament too has since voted twice in favour of visa-free travel for Kosovo citizens. The issue is now pending for the ultimate approval of the Council, which has still to discuss and vote the proposal. Under these circumstances, it would help that Kosovo authorities maintain a positive track record of implementation in key priority areas, particularly progress of rule of law.

— Francesco Trupia & Stephanie Schwandner-Sievers

“Good Personhood”: Local Serb Responses to a Citizenship Dilemma in Everyday Life

ORIGINALLY PUBLISHED BY NGO AKTIV
PLATFORM ON JUNE 4, 2019.

Recognised as Kosovo's largest ethnic minority population, Kosovo Serb citizens live not just in the northern parts but in several local towns and villages across the municipalities of Kosovo. While particularly the ethnically more homogeneous structure, situation and identity of the Serbs of northern, urban-Mitrovica-dominated Kosovo has informed the contested, yet only recently rebutted, 'land swap' discussions at geopolitical levels, here we are particularly concerned with the identity negotiations of those locals of Serb ethnicity who live south of the river Ibar. These locals' situation and their adaptations are seldom heard amidst the wider nationalist and political rhetoric and an international prioritisation of securitisation as focussed on northern Kosovo, even though their daily struggles might reveal unexpected civic potentials.

As part of the research project “Building Knowledge on Kosovo v.2.0”, supported by the Kosovo

Foundation for an Open Society, we designed a small research project which aimed to undercut any ethnicised assumptions of conflicting identity categories. We focussed on the everyday, lived experiences and attitudes of local citizens living in one of the homogeneously Serb villages of west-central Kosovo. In summer 2018, Trupia conducted interviews in “The Village” [1] in an attempt to venture beyond the hegemonic, post-war discourse over ethnic majority-minority relations. This project aimed to explore what, from a Serbian perspective, constitutes “good personhood” in the realm of everyday life in Kosovo, thereby focussing on local values and their potentials in bridging societal divisions. We suggest that such an approach of identifying local ideas regarding ‘good personhood’ and corresponding practices, might offer an innovative method for revealing local, civic capacities which might otherwise remain hidden under the parapet of wider power dynamics and the ubiquitous political posturing on public display.

When exploring how local Serb people perceive their identity and citizenship, as well as the relationship and discrepancies between the two,

firstly, the prevalence of a specific citizenship dilemma¹ emerged as the most pertinent issue among those interviewed. Village respondents pointed to the two conflicting, external citizenship regimes imposed upon them: on the one hand, that of Kosovo citizenship, which was perceived as a, de facto, hegemonic Albanian; and, on the other, the citizenship model propagated by Belgrade-sponsored local institutions through provisions such as health care, pension funds and education. Arguably contingent on the specific situation of The Village, marked by a wider municipal context that demands cross-ethnic collaboration, most respondents evoked strategies and ideas of collaboration and inclusion in response to everyday challenges, rather than generically opposing, Kosovo's legal and institutional framework. For example, it is no longer uncommon to renew expired, personal Serbian documents (such as passport, ID or driving license) with those issued by the Kosovo institutions. Overall, Trupia documented constructive, local attitudes, which did not only reveal multiple forms of individual agency directed against any of the prevailing political discourses and their ethnically stereotyped assumptions, but also facilitated locals to counteract the nationalistic rhetoric on either side.

Secondly, in The Village, everyday discursive tropes of constructing national identities, including territorial claims, appear much less manifest than in those Serb settlements, mainly of northern Kosovo, which still envisage a future with Belgrade. Although Trupia found everyday performances of Serbian socio-cultural heritage and tradition persisted, these cannot be considered all nationalist, per se. Village respondents expressed resistance to any nationalised and politicised appropriation of their cultural identity that previously perpetuated interethnic segregation.

For example, one respondent talked of his refusal to participate any longer in the annual Vidovdan celebrations in The Village, after these had previously been abused by Serbs from outside The Village for a display of flags evoking territorial claims. By the same token, Trupia encountered respondents who, in interview, vividly criticised members of their wider community for engaging in practices that were feared potentially to incite interethnic hatred at local level or, more generally, to perpetuate exclusion and segregation for local Serbs. For example, a young resident of the village expressed discontent with graffiti dedicated to Vojislav Šešelj, a far-right nationalist Belgrade politician, plastered across several village walls. Another local recalled how he stopped a few young Serbs from elsewhere, when attempting to set a Kosovo flag on fire while taking Selfies and filming their actions - presumably for posterity on social media. Overall, it seemed that the local Serbs of The Village were most cognisant of their situation and the wider geo-political space they live in. While the language barrier seemingly has increased for the younger generation, respondents expressed how they envisaged life, both, in The Village, locally, and in Kosovo at large, based on mutual respect for 'the other'. They were open to contact with, and welcoming, Albanians who visited The Village. Guided by pragmatic aspirations of building their future in Kosovo, they resisted radicalisation attempts presented as imported from the outside.

However, not all was harmonious. Trupia also encountered local Serbs who appeared to subtly reinforce ethnic identity-based cultural claims while engaging in political actions, accordingly. Future research beyond this case study might wish to differentiate more precisely, in comparing Kosovo Serb communities in different local contexts

¹http://cadmus.eui.eu/bitstream/handle/1814/34477/EUDO_CIT_2015_03-Kosovo.pdf;sequence=1

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Overall, it emerged that Serbian ethno-nationalist claims, as still prevalent in the aftermaths of the 1999 Kosovo war, hold much less traction among the local Serbs interviewed than frequently assumed.

across Kosovo, how community members deal with, and perceive, multi-ethnic relations and ideas of border corrections, contingent on their specific geographic proximity to, and interlinkages with, the Serb institutional framework and central Serbia. However, even within this specific case study alone, it became apparent that respondents' attitudes correspond with their socio-economic situatedness, specific political dependencies and geography of residence. Those funded by Belgrade, exemplified by Serbs working in the parallel educational system; or those not living in The Village on an everyday basis, displayed much more staunch ethno-nationalist ideas than those trying to make an everyday living based on local agriculture and trade, and thus depending on collaboration beyond societal divisions. There were also ambiguous responses and attitudes, sometimes shifting with changing everyday context and situation.

Overall, it emerged that Serbian ethno-nationalist claims, as still prevalent in the aftermaths of the 1999 Kosovo war, hold much less traction among the local Serbs interviewed than frequently assumed. It seems that barely any of them represented, whom Belgrade's Vučić-led government only recently aimed to address: a supposed monolithic minority whose voice aligns with that of the hegemonic narrative. It would seem at the peril of any externally facilitated 'normalization process' between Serbia and Kosovo if the civic potentials of these ongoing, albeit inconspicuous, everyday processes and experiences of coexistence at grassroots levels as described, which occur outside the respective, hegemonic ethno-nationalistic rhetoric and its stated fears and claims, were just ignored.

[1] All personal names and place names have been anonymised in compliance with Sofia University's applicable research code of ethics and a generic risk assessment.

— Mary Drosopulos

Debunking the myth of ‘the enemy’: the case of Kosovar students in Greece

ORIGINALLY PUBLISHED IN GREEK BY HUFFINGTON POST GREECE ON MARCH 22, 2019.

When I said that I got a scholarship to study in Greece, my grandfather told me: ‘They don’t like us over there, Greeks are like Serbs. Greece is our enemy’. It is usually the elderly in a community who speak against Greeks. I said: ‘I don’t think about Greece, all I think about is the college’. When I came to Thessaloniki, however, it was a different story. Everyone was helpful. I felt at home.

NAIM, 25, WHO GRADUATED TWO YEARS AGO FROM A COLLEGE BASED IN GREECE.

As soon as Kosovo declared its independence in 2008, the newly formed government signed an agreement with educational institutions based in Greece and started providing scholarships for young Kosovars to study in the nearby country. Today, there are dozens of young Kosovars studying in Greece, the majority of whom are in Thessaloniki, due to its geographic proximity to Kosovo. The distance between Thessaloniki and Prishtina is approximately 330km, meaning a four-

hour drive by car, or a five-hour journey by coach via Skopje. Despite the short distance between Kosovo and Greece, bilateral relations between the two countries are minimal. In the mind of many Greeks, Kosovo is a ‘mysterious’ or even dangerous place, associated with the war in the former Yugoslavia.

“ *I don’t want to be associated anymore with sad things. When people ask me where I am from, I reply that I am from Kosovo and I continue by saying: I come from the youngest country in Europe!*

ARDIAN, 22-YEAR OLD STUDENT IN THESSALONIKI

That is the answer I got from a Kosovar Albanian student, when, for the purposes of my research I asked him how he introduces himself to Greeks. The word ‘anymore’ stabbed me in the heart like a knife; decisive and angry, it felt to me like this ‘anymore’ contained years of suppressed emotions. ‘I don’t want to be associated anymore with the trauma of war’, he said.

For the young generation of Kosovars, the Yugoslav tragedy was a reality that they experienced in the cruelest way; years later, this narrative keeps following them like a shadow, even when they are traveling away from their homeland.



Greeks know nothing about Kosovo. And when they know something, it is negative. They associate Kosovo either with war or with crime. I guess this is the information they get from the media.

ARTA, 19-YEAR OLD SELF-IDENTIFIED BOSNIAK STUDENT OF RURAL BACKGROUND

Negative stereotypes between Greeks and Kosovars run both ways. On the one hand, Greeks identify Kosovo - and the Western Balkans in general - with instability, poverty, criminality and corruption; on the other hand, Kosovars also express skepticism toward Greeks, whom they regard as nationalists and detached from the Balkan reality. These are opinions shared by both Kosovar and Greek students who were interviewed in the context of my research. But what about Kosovar alumni?

Research findings show that Kosovar alumni from higher-education institutions in Greece currently hold key positions in Kosovar society and, more specifically, in the sectors of politics, education and banking. Some have also started their own businesses, either in Kosovo or abroad. At this point, it should be emphasized that Kosovar students in Greece constitute a special category. First of all, they cannot be labeled as 'migrants' in the conventional sense; Kosovars' migration to Greece has a transitory character. Unlike migrants who enter Greece seeking employment as unskilled laborers with an average-to-low educational profile, Kosovar students are usually well-educated, with a strong command of English and other foreign languages. Sometimes they come from affluent and socially

elite Kosovar families who have the economic capacity to send their children to study abroad. Some of them even left jobs at home, in order to pursue what they hope will be a better education.

For those who are on a quest for more promising professional or academic opportunities, Greece might just serve as a transitory country on the way to Europe or America, a country that according to the interviewees' words, teaches them values such as 'tolerance' and 'respect for difference', values that are indispensable to the citizens of a young state that aspires to become part of the European family by entering the EU and other international organizations.

On the other hand, Greeks' contact with the young people of Kosovo is an awakening. The unknown Balkans, which have historically been treated by Greece as "the poor relative", are a historical and cultural treasure and a real-life lesson for the young generation of Greeks. As we speak, history is being made in the Western Balkans.

Visiting one another's respective settings and having a personal experience of the other culture is the only way for Greeks and Kosovars to understand one another and change existing stereotypes. Evidence shows that Kosovar students transmit a positive image of our country back to their homeland, refuting many of the misconceptions prevailing in various Balkan areas about Greece and the Greeks. On the other hand, Greece should invest more consciously and systematically in its dynamic perspective as a center of education, research and innovation in Southeastern Europe; in this way, it could consolidate its position in the wider region and contribute pragmatically to the European effort to promote stability and reconciliation in the Western Balkans.

— Nedim Hagić & Arolda Elbasani

Whistleblower Protection in Kosovo—An Unlikely Success Story of Civil Society Collective Action and International Support

ORIGINALLY PUBLISHED BY THE
GLOBAL ANTICORRUPTION BLOG ON
MARCH 28, 2019.

Today's guest post is from and Arolda Elbasani, Visiting Scholar at New York University. The research on which this post is based was sponsored by Kosovo Open Society Foundation.

In Kosovo, as in the rest of the Balkans region more generally, anticorruption initiatives and institutional solutions have typically been top-down efforts based on templates recommended by international actors and hastily approved by a circle of local political allies. Few of those international initiatives have proved successful, often because the new laws provided enough discretion for political interests to thwart effective

implementation. Hence, Kosovo, like much of the rest of the Balkans, seems trapped in a continuous yet futile cycle of international-sponsored institutional- and capacity-building measures, which have not delivered.

The 2018 amendments to Kosovo's law on the protection of whistleblowers suggests a more promising model of legislative drafting. The amended law stands out for its collaborative and open mode of drafting, involving various international, governmental, and civil society actors, a welcome contrast to the more prevalent pattern of top-down, and largely futile, approach to legal and institutional reform.

Kosovo's previous whistleblower law, the 2011 "Law on Informants," was a commendable initial attempt to encour-

age and protect those who risk their careers, their livelihoods, and sometimes their safety in order to report wrongdoing by powerful people or institutions. High-profile cases of retaliation against whistleblowers in Kosovo, particularly individuals reporting abuses of international structures, prompted policymakers to do something about it, though the issue was not really on the international agenda.

Yet good intentions don't always translate into legislative effectiveness. The 2011 law, which was approved without much political or public discussion and preparation, had a number of serious flaws. For a start, the law's use of the word "informant" was a misstep, as the term carries the negative connotation of "snitch." More importantly, the law failed to designate an institution responsible for processing complaints, providing only that a public institution "may" designate an official in charge of receiving the complaints. When the institution doesn't do so, the manager of the institution is in charge of receiving complaints, which means that complaints must often be filed with the very person against whom those complaints are directed. The 2011 bill also failed to provide adequate protections for whistleblowers, such as sanctions against possible retaliation. It is therefore unsurprising that, from the time the law was enacted in 2011 to the time it was amended in 2018, there was not a single case in which the government took any action with regard to whistleblower reports.

That is not because there were no whistleblowers. To the contrary, Kosovo's population has ranked first in a regional poll measuring willingness to report whistleblowing. At different times, numerous individuals have publicly spoken about abuses of public office and misuses of public funds, and have often suffered as a result. For example, Abdullah Thaci, who reported alleged misuse of funds in a public school, was sentenced to prison

and fined 5000 euro for violating bank secrecy laws. In another case, Bujar Ejupi was fired from his position for reporting breaches of a public-private contract concerning the Prishtina airport, an affair that allegedly cost the state 14.5 million dollars.

The problems with the law were only fixed due to a combination of pressure from local activists and international support for their initiatives. From the beginning, the NGO sector and media took on a leading role in exposing the weakness of 2011 legislation and lobbying for changes. They also highlighted the courage of whistleblowers, told their stories, and criticized the government for failing to uphold its legal obligations. Related activities focused on attending relevant sessions of parliamentary committees, reporting on the issue and lobbying the MPs to advocate necessary amendments. The fact that local NGOs were the ones pushing for changes to the legislation is in itself exceptional, given that Western Balkans states have rarely taken any anticorruption initiatives without external pressure.

Yet, despite the fact that the push for these amendments was spearheaded by local rather than international actors, international attention and support still played a key role. Indeed, despite the dogged efforts by domestic NGOs, revisions to the whistleblower law didn't enter the political agenda until the international actors lent their support to the NGO campaigns. International pressure mounted when the 2016 EU annual country report on Kosovo discussed the problems regarding the 2011 Law on Informants—the first time the annual report had mentioned this issue since the law was adopted. At the same time, the issue gained traction at the European level, a development influenced in part by the eruption of whistleblower-triggered scandals like Lux Leaks and the Panama Papers.

The Council of Europe also recognized and supported local NGOs activity. The Council hired Flutura Kusari, a domestic expert with international credentials, to write the reports on the needed changes to the legislative framework on whistleblower protection. Using this report as evidence, the Council, together with domestic civil society organizations, succeeded in getting the Ministry of Justice on board in 2017. Thanks to collaboration of different actors—including representatives of the judiciary, the Ombudsman, the media, and civil society organizations—the results came few months later, in 2018.

The open, consultative, and NGO-led process did indeed lead to substantial improvements to the law. For example, the revised 2018 whistleblower law, which was based in part on Serbian and Irish models, specifies that every public institution with more than 30 employees, and every private institution with more than 80 employees, must designate a specific person in charge of receiving reports, and that the procedure for investigating a complaint must begin immediately upon receipt and be closed within 45 days. If internal reporting channels fail, the new law authorizes the whistleblower to freely distribute information in the media, and also entitles the reporting individuals to sue the state or a private entity for damages they might have incurred in the process of disseminating the information. The new law prohibits retaliation against whistleblowers, lowers the standard of proof in retaliation cases, and provides for compensatory damages. The 2018 law also provides for centralized management of the implementation process by assigning responsibility for the law's implementation to Kosovo's anticorruption agency.

In addition to these specific improvements, the open and collaborative process of legislative reform—in which local NGOs assumed a pivotal role by analyzing the deficiencies of the previous law,

suggesting revisions, and lobbying the legislature—also means that civil society, the media, and indeed the general public claim “ownership” of the law—it's not just the product of the Ministry of Justice and foreign advisors. That sense of ownership, in addition to the law's specific provisions, augurs well for the effective implementation of the law as well as the local safeguards needed in the process.

This article was originally published by the Global Anticorruption Blog and can be retrieved at <https://globalanticorruptionblog.com/2019/03/28/guest-post-whistleblower-protection-in-kosovo-an-unlikely-success-story-of-civil-society-collective-action-and-international-support/>.



— Mary Drosopulos & Stephanie Schwandner-Sievers

‘No more sad stories’: Kosovar students negotiating stereotypes in Thessaloniki

ORIGINALLY PUBLISHED IN ALBANIAN
BY THE DAILY KOHA DITORE ON MAY 15,
2019.

I don't want to be associated anymore with sad things. When people ask me where I am from, I tell them that I come from the youngest country in the world.

These are the words of a 25-year old Kosovar Albanian student in Thessaloniki, uttered during an interview when asked how he presented his country to Greeks in his social host environment. His emphatic way of pronouncing the word ‘anymore’ at first seemed incompatible with his young age. He belongs to a generation born either during or soon after the war in Kosovo. Many Kosovars of his generation seem eager to re-introduce themselves and their country through an optimistic, forward-looking narrative. They are torn between expectations and attractions of their family and wider home society, on the one hand; and that of the host society, on the other. In consequence,

they negotiate ethnic, nationalist and cosmopolitan presentations of Self in complementing ways which and thus, according to sociologist Craig Calhoun (2008, 434), not necessarily standing in opposition to each other.

According to Erving Goffman (1955, 5-19), human social interaction can be understood through comparison with a theatrical play performed in front of an audience: people put on different ‘faces’ in order to adjust to the relevant social setting, just like actors on a stage. Goffman defines ‘face’ as an image of the Self which depends, on the one hand, on the norms and values of a society and on the other, on the situation in which a social interaction is taking place.

The strategic negotiation of one's identity is a phenomenon which is also evident among the community of Kosovar students in Greece, as indicated by Drosopulos' findings during extensive, interview-based field research, entitled ‘Kosovar students in Greece: challenging and changing stereotypes’, which was partly conducted in the framework

of the program 'Building Knowledge About Kosovo' by the Kosovo Foundation for Open Society, between May 2018 and December 2019. Focused on the narratives employed by young Kosovars to introduce (or re-introduce) their country to Greeks, the research shows that Kosovar students use different strategies to present themselves, according to respective feedback given by the local society and lessons learnt during their experience of living in Greece.

Young Kosovars such as the one cited above, while aiming to detach their identity from the notions of war and trauma, tend to clash with the collective memory of Greeks, who preserve a cloudy image of Kosovo as part of ex-Yugoslavia and a place of ongoing conflict. A large part of the Greek population is quite ignorant about independent Kosovo (Kostantinidis & Armakolas 2014) and confused about the dominant language, religion and population. Many Greeks still confuse Kosovars with Serbians. That is why for young Kosovar students, forefronting Albanian-ness as their paramount identity, emerges as a way of presenting modern Kosovo by introducing to the world their now dominant language and ethnicity. Dafina Paca (2015, 68-69) argues that 'Kosovo Albanian identity, is not simply I am Kosovo Albanian because I am not a Kosovo Serb or Serbian, or Albanian but it is more complex and, especially so, vis-à-vis the diasporas context'. In majority, Kosovar Albanian students in Greece consciously opt for introducing themselves firstly as 'Albanians' and then as 'Kosovars', transferring to the Greek socio-geographical context this time, the interior Kosovar dilemma over the dominance of 'ethnic versus national identity' (Sallova 2015).

One of the lessons, learnt, however during their stay in Greece is that being 'an Albanian from Kosovo' and 'an Albanian from Albania' can evoke very different reactions from the locals. With the first being seen by the local community as 'a victim of the Yugoslav tragedy' and the latter as 'a poor and usually illegal economic migrant', Greeks' initial reaction to a 'Kosovar' would be, to a large extent, that of pity and, to an 'Albanian', probably that of mistrust (Skoulidas in Schwandner-Sievers 2003, 24).¹ Both are negative feelings, in fact, and both describe the general stance of the Greek population towards their Balkan neighbors as a whole. Arguably indicative of 'Nesting Orientalism' (Bakic-Hayden and Hayden 1992), such attempts of self-superiorisation might barely disguise Greek nationalism, yet they can trigger more nationalism as a means of self-assertion from the other side.

Stavri Dayo (2015) uses the term 'reciprocal suspicion' to describe the way Greeks and Albanians have traditionally been perceiving each other. This mutual mistrust is true even in our days and quite evident in the narratives employed by young students from Greece and Kosovo when asked to describe each other. Therefore, it comes as no surprise that Greeks and Kosovars mutually consider each other nationalists. What is surprising, however, is to realize the extent at which young people from both sides can become radical in their attempt to preserve their identity from what they conceive as a potential threat. The research documented that preserving ethnic or social values and family traditions can become more important than friendship, love or partnership across the ethnic or national dividing lines.

¹ Elias Skoulidas (in Schwandner-Sievers 2003: 24) investigates how the Greeks' image of Albanians as criminals and bandits has its roots to the way Albanian merchants of the early 19th century had been depicted in the Greek press. Skoulidas concludes that these earlier negative narratives are still shaping the image that Greeks and Albanians project upon each other.

Nationalism among youth in the region has its roots in politics that have led to feeling 'under threat' or not recognised. For instance, with a restrictive visa regime, Kosovar youth experiences growing, rather than diminishing, isolation, and this has influenced greatly how young Kosovars view the 'outside world' as well as how the 'rest of the world' views them. The different Greek and Kosovar interpretations of the Yugoslav tragedy has further consolidated a frozen image of each other and led many Kosovars to depicting Greece as a 'Mediterranean Serbia'; a country hostile to them and culturally closer to the others (the Serbs), not least due to the shared Christian-Orthodox faith. However, the respondents' negotiations of stereotypes and the varied individual outcomes and life paths documented in the wider study, demonstrate that it is exactly opportunities of engaging with each other, which allow for critical reflection on, and changing of, previously consolidated assumptions and, hence, fostering young people's capacities for cross-cultural awareness and understanding.

As a concluding thought, we could say that in times of increasing radicalization, we need to consider the responsibility that countries have towards their young citizens. Visiting each other's setting and having a personal experience of the other culture is the only way for Greeks and Kosovars to understand each other and challenge existing stereotypes. Both governments have a moral obligation to facilitate this exchange. Once this is safeguarded, then it is in the hands of young people and the youth sector to find mutually understandable codes to communicate and take this exchange one step further.

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— Shkëlzen Gashi

Kosovo Has Wiped All Memory of Non-violent Resistance

ORIGINALLY PUBLISHED BY BALKAN
INSIGHT ON JULY 2, 2019

While streets and squares glorify the memory of the KLA's 'glorious battles' against Serbian occupation, the earlier strategy of non-violent resistance has been deleted from the nation's collective consciousness.

Gene Sharp, author of many publications on civil resistance, has classified non-violent methods of action into three types: first, "non-violent protests" involving symbolic acts of opposition, to show that those who resist are both against and for something; second, "non-cooperation methods", which refer to social, economic and political forms of non-cooperation; and, third, "non-violent interference", which implies actions designed to change the situation through psychological, physical, social, economic and political interference.

Using Sharp's distinctions, it is clear that Kosovo Albanians experienced an escalation of state violence and oppression

when applying the first type of non-violent method, which was characterized by non-violent protests that relied on symbolic acts of peaceful opposition - to show that those who resisted were both against and for something.

Between November 1988 and March 1989, Kosovo Albanians showed that they were against the abolition of Kosovo's autonomy as granted under the Yugoslav constitution of 1974, by the Serbian authorities under Slobodan Milosevic.

They protested through marches, strikes, appeals, petitions and other peaceful actions.

The Serbian government reacted brutally and abolished Kosovo's autonomy regardless, while killing dozens of demonstrators and incarcerating and isolating hundreds of others.

In response to this repression, Kosovo Albanians engaged in peaceful forms of opposition. They founded a host of political parties, defeating the monopoly of

the old League of Communists. They organized a petition with about 400,000 signatures, “For Democracy, Against Violence”.

They engaged in symbolic actions through “The Burial of Violence”, attended by about 50,000 citizens. They also campaigned for the “Reconciliation of Blood Feuds”, and much more.

From the beginning of 1990, through a series of non-violent acts, Kosovo Albanians showed that they were for something as well - namely the Republic of Kosovo, as evident in the Constitutional Declaration of the Republic of Kosovo, on July 2, 1990; declaring its constitution, on September 7, 1990; conducting a referendum on independence, from September 26-30 1991; and holding presidential and parliamentary elections for Kosovo, on May 24, 1992.

PARTIAL FAILURE OF THE PARALLEL SYSTEM:

From the second half of 1990, Kosovo Albanians increasingly started using the methods of the second category of non-violent resistance, as suggested by Sharp’s methods, to the Serbian system in politics, economy, health and education.

They did so by creating parallel system in all these sectors. Kosovo Albanians boycotted Serbian elections, on the one hand, and organized parallel parliamentary and presidential elections, on the other.

While these actions contributed to the denial of the legitimacy of Serbian rule in Kosovo, however, apart from the institution of the Presidency of Kosovo, the other parallel political institutions that emerged from these elections did not function.

Significantly, the Assembly hardly ever assembled. Meanwhile, the government acted in exile, mainly by informing the international community about Serbian repression in Kosovo and organizing the diaspora to support Kosovo financially.

Likewise, in the economy, while Kosovo Albanians opened many small businesses and collected a 3-per-cent tax on them to maintain the new “parallel” system, the non-cooperation methods proposed by Sharp were not fully implemented.

Albanians still registered their businesses in state-run Serbian institutions, and still paid taxes and fees to Serbian state bodies. Moreover, Albanians did not really produce anything, while still consuming Serbian products on a massive scale.

The education and health sectors best represented Sharp’s non-cooperation type of non-violent resistance. It is here that we find not just self-organization and solidarity but also boycotts of Serbian educational and health institutions.

RUGOVA TURNS AGAINST STREET PROTESTS:

The third type of Sharp methods comprises non-violent methods of interference, which refers to actions aimed at proactively transforming undemocratic situations, for example, by blocking streets, organizing hunger strikes, occupying public buildings, and similar activities.

However, such a form of resistance was rejected by Kosovo’s political representatives under Ibrahim Rugova’s leadership. Meanwhile, Rugova’s opponents, led by Adem Demaçi, aimed to use the methods of Sharp’s third type.

Rugova rejected non-violent intervention on the grounds that this would play into the hands of

Serbian interest groups, eager to see armed action in Kosovo.

Rugova claimed that these forces intended to justify the severity of their repression by portraying the Albanian resistance as terrorism, thereby counteracting any international sympathy for the plight of the Albanians in Kosovo.

Rugova also went further, and appealed to the people of Kosovo to stop demonstrating in the streets in order to avoid causing new victims and cause a civil war. "Demonstrations and manifestations of dissatisfaction of citizens are short-lived and only make sense where there is a functioning rule of law," he said.

Rugova suggested that while such conduct might appear cowardly, the Serbian authorities were only looking for a pretext to massacre the Albanians, as they had often done before, from 1912 onwards. Rugova also stated that what at first glance might seem as like giving up would in the long run be beneficial.

Rugova tried to prepare Kosovo Albanians for a long-term resolution process. From 1993, he warned also that, if no solution were found, radicalism would grow.

He therefore demanded pre-emptive measures, suggesting that Kosovo should be placed under UN protection.

He added that, "so far we have managed to avert war in Kosovo by not accepting provocations and by sacrificing a lot, so we ask the international community to reward this sacrifice of the people of Kosovo for stability in the region and in Europe".

It can be claimed that Rugova's primary goal was to avoid violent conflict. Even his close associates suggest that his main aim was "to save Kosovo



Rugova claimed that these forces intended to justify the severity of their repression by portraying the Albanian resistance as terrorism, thereby counteracting any international sympathy for the plight of the Albanians in Kosovo.

citizens from police brutality". He habitually stated that "we do not need a Kosovo without its people".

His second goal was to destroy existing prejudices against Albanians as an armed and vindictive people who started feuds for the smallest offence.

Rugova's third goal was to internationalize Kosovo's plight through a strategy of informing the world about Serbian repression in Kosovo. This way, he hoped to achieve a UN protectorate for Kosovo, and then to declare it independent later.

By contrast, Demaçi advocated the third type of Sharp's methods - methods of non-violent interference. Demaçi proposed that Kosovo Albanians should vacate political, judicial, economic, media, health, educational and scholarly institutions occupied by the Serbian regime and occupy the streets and main squares, staying there and not leaving as soon as Serbian forces arrived.

While critics insisted that Serbia would probably kill ten of thousands of citizens engaged in such protests, Demaçi countered that, "Serbia would probably kill even 20,000 citizens because Serbia is serious about the whole thing, but we need to show Serbia and the international community that we are serious about it, too, because Serbia will not give up the occupation of our institutions without washing them with blood."

In the mid-1990s, Demaçi criticized the passive non-violent resistance, as embodied by Rugova, as a kind of décor that enabled the Serbian government to prove to the international community that a democratic system still worked in Kosovo.

Moreover, he added that this policy was convenient for Serbia, because Kosovars still paid taxes to Belgrade for nothing in return, either for education, health, or any other field.

YOUTH DISILLUSION LEADS TO ARMED CONFLICT:

In 1995, at the Dayton peace conference on Bosnia, Kosovars acutely noticed that their situation was not being mentioned at all, and that Milosevic was now being promoted as a man of peace by the international community.

In conjunction with increasing repression by the Serbian regime, this led young people in Kosovo to gradually lose patience.

On September 1, 1996, Rugova and Milosevic, mediated by the Sant' Egidio Community, signed an agreement on the return of Kosovo Albanian students to schools and university buildings. On October 1, 1997, at the beginning of the academic year, and following the non-implementation of the Rugova-Milosevic agreement, the Independent Student Union of the University of Pristina, UPSUP, organized a massive student protest demanding the unconditional release of all of the university's facilities still occupied by the Serbian regime.

In response, the Serbian police intervened brutally, with arbitrary arrests and beatings. During 1996-97, the Kosovo Liberation Army, KLA, then launched a series of guerrilla actions against Serbian forces in Kosovo.

On November 28, 1997, the KLA also appeared publicly for the first time, at the funeral of a teacher killed by Serbian forces in a village in Drenica.

While Rugova's LDK party pronounced that Serbia was behind these militant actions against Serbian forces, Serbia pointed the finger at the KLA, describing it as a terrorist organization. At the end of February 1998, armed conflict commenced.

The "non-violent interference" methods - referring to actions aimed at changing the situation

through psychological, physical, social, economic and political interferences - were not used because they could have accelerated and aggravated the repression of the Serbian regime in Kosovo.

Kosovo's political representatives thought that Kosovo could achieve its main political goal - independence - through the intervention of the international community and by placing Kosovo under UN protection. In fact, following NATO military intervention, Kosovo was placed under UN administration and later became independent.

However, this was not due to non-violent resistance but to an escalation of violence, including the violent victimization of civilians by Serbian forces, which was disseminated by the media worldwide.

History schoolbooks currently used in Kosovo make brief mention of only some of the symbolic peaceful actions taken against the abolition of Kosovo's autonomy, and there is also some mention of the symbolic peaceful actions for the proclamation of the Republic of Kosovo.

When it comes to the boycotts of the political, economic, health-care and educational system of Serbia in Kosovo, as well as the creation of the parallel system of Kosovo Albanians in politics, economics, health-care and education, the history schoolbooks in Kosovo superficially mention only the creation of the parallel educational system.

The schoolbooks say nothing about the parallel system in politics, economics, healthcare and other areas.

Likewise, they say nothing about the essence of the politics of non-violent resistance leadership in Kosovo under Ibrahim Rugova, which can be summed up in three pillars: avoiding armed

conflict in Kosovo; destroying prejudices against Kosovo Albanians as a routinely armed and vindictive people; and internationalizing Kosovo's plight through a communication strategy aimed at informing the world of Serbian repression.

In this way, he hoped to achieve a UN protectorate for Kosovo, and then to declare it independent later.

Furthermore, Kosovo's main political institutions - the President, the President of the Assembly and the Prime Minister - all led by people who were leaders of the armed resistance under the KLA, hardly ever organize anything to commemorate events or personalities related to the nonviolent resistance in Kosovo in the 1988-1998 period.

They only commemorate the KLA's "glorious battles", and the Serbian and Yugoslav military and police massacres of Albanians. Likewise, while squares and main streets in Kosovo are full of names and memorials of the participants of the armed resistance during 1998-1999, there is almost no main street or square bearing the names of the most important events or personalities of the non-violent resistance movement in Kosovo from 1988 to 1998.

— Nicasia Picciano

Kosovo: doubts about the private higher educational system

ORIGINALLY PUBLISHED BY
OSSERVATORIO BALCANI | CAUCASO ON
AUGUST 21, 2018.

How did the private higher educational system develop in Kosovo? A brief analysis. We received it and we gladly published it

Post-conflict peace-building is a political and relational process between local authorities and international agencies. It thus engenders a transnational interdependence and the basis for an instable peace is set. Internationals do not generate a request for change unilaterally. De facto they help and support political alliances and/or local organizations.

Kosovo is an emblematic case in this regard. After the Albanians' repression under Milošević and the end of the conflict in June 1999 (UNSC resolution 1244, 10th June 1999), the international community has in practice empowered the locals for the creation of an Albanian state (Ahtisaari Plan, 26 March 2007).

Various sectors have been analyzed and debated. However, attention has been almost inexistent about the role played by the internationals (UNMIK) in the conception, design and creation of the private higher educational system in the youngest Balkan State.

However, a look at this sector is necessary. Education is, in fact, a contested area in post-conflict settings and ethnically-divided societies. It is a crucial tool for stimulating and legitimizing collective organization and often inculcating beliefs about identity and political objectives to be achieved. Also, it assumes that there is a 'virgin' community (norms, values, traditions, etc.) to be preserved and guaranteed.

After seventy-eight days of NATO bombing, Kosovo was placed under international interim administration (UNSC res. 1244). The latter was entrusted, among other things, to rebuild Kosovo's educational system. UNMIK co-led the Department of Education and Science (DES), today the Ministry of Education Science and Technology (MEST), which

was in charge, together with other international agencies (UNESCO, UNICEF, etc.), for carrying out this task.

The main concern was to allow children and young students (primary and secondary school) to return to school. In contrast, the university system has been completely ignored, apart from having created two separate and ethnic universities (University of Pristina for Albanians and University of Mitrovica for Serbs). Not only has a long-term strategy for the sector not been developed, but no guidelines have been set for the establishment and management of private universities.

This negligence saw the blossoming of such institutes between 2002 and 2005. Pristina officially hosts twenty-five private colleges (unofficially the number is higher and no reliable statistics are available). The number is even bigger country-wide (twenty-nine in all). In comparison, Kosovo, four times smaller than Switzerland, has the highest number of private higher educational providers across all Western Balkans. This raises doubts and leaves room for reflection.

To date there is no control whatsoever over the type of education 'produced' in private colleges. Rather, it would be desirable to monitor the level of quality of education provided, the qualification of the teaching staff, and the level of integration of the other minorities as well as of disabled people. Besides that, many programs are accredited in a dubious manner and there are a considerable amount of cases of corruption. Additionally, there is no control over the staff quality and qualification. Also, it is not unusual to have professors who, in reality, are not qualified, who have previously worked in other sectors (e.g. bank, cinema, etc.) and/or who have de facto bought their PhD in Albania.

The major problem remains the integration of minorities (Serbs, Gorani, Roma, Ashkali, Egyptians, and Turks). These colleges are run by the Albanian majority and the language of instruction is Albanian. This discourages minorities who master a little Albanian from attending classes. A suggestion would be to launch English programmes for Bachelor and Master level. Moreover, it is necessary to highlight the teaching staff's lack of training, as well as the absence of ad hoc structures to guarantee disabled students' attendance. Almost twenty-years after the war and ten years after its independence, the path towards an inclusive, quality-oriented higher education in line with European standards has a long way to go in Kosovo.

Originally published by Osservatorio Balcani e Caucaso this article can be retrieved at <https://www.balcanicaucaso.org/eng/Areas/Kosovo/Kosovo-doubts-about-the-private-higher-educational-system-189674>

— Nicasia Picciano

Education in Kosovo: Segregation between Serbs and Albanians remains a reality

ORIGINALLY PUBLISHED IN FRENCH
BY LE COURRIER DES BALKANS ON
NOVEMBER 5, 2018.

On June 10, 1999, the United Nations deployed the most ambitious mission of its history: the United Nations Interim Administration Mission in Kosovo (UNMIK). This was supposed to guarantee the creation of a multi-ethnic educational system. However, it has fallen far short of achieving this goal. Why? Conversation with Dukagjin Pupovci.

Never in the history of the United Nations has a mission been so involved in state-building as has the United Nations Interim Administration Mission in Kosovo (UNMIK). After the end of the war, on June 10, 1999, the United Nations deployed, under resolution 1244, what is globally considered the test par excellence in this sector.

UNMIK was responsible, inter alia, for reforming the education system of the

former Serbian province. In principle, the mission was deployed to pursue a multi-ethnic paradigm. But practices on the ground have shown that this goal has failed, being overcome by the paradigm of exclusion. Indeed, “UNMIK was willing to establish a unified education system,” says Dukagjin Pupovci, executive director of the Kosovo Education Center (KEC). “I remember it,” mentions Pupovci, “because at that time I was Deputy Dean of the Faculty of Science and coordinator for the reconstruction of the University of Pristina”. In that position, Pupovci visited, along with his international colleagues, the various buildings. “We were interested in figuring out whether there was a solution for the Serbs to return to the University of Pristina, and if we could all work and study under the same roof. The idea of UNMIK was not that of creating two parallel education systems, but “of course, it was much easier said than done,” reports the KEC director.

Concretely, UNMIK was not operating in a vacuum, rather the opposite. In reality, it was confronted with two divided educational worlds. Historically, education in Kosovo has alternated between Serbian and Albanian domination. Between the First and Second World Wars, all education in the former province was in Serbian. In 1958, the School of Pedagogy of Pristina was created. In 1960, the Department of Philosophy launched the first four-year university degree. A year later, in 1961, four other departments of higher education were established: medicine, law, economics and the technical department. All operated as a branch of the University of Belgrade.

Under Tito, from 1945 onwards, Albanian domination of the education system started taking place. In addition, a growing Albanian identity required Kosovo to have its own university. In 1968, demonstrations spread through in Pristina, demanding the creation of a local university. In 1969, following the conclusion of an agreement, the subsidiary institutions of the University of Belgrade were transformed and expanded to form the University of Pristina. This was a multi-ethnic institution offering courses in Serbo-Croatian and Albanian. Ten years later, the number of Albanian students steadily increased, from 38% to 78%. The University of Pristina (UP) was built from scratch, and at a delicate moment, when Kosovo's legal, cultural and ethnic autonomy was gaining ground. Its founding was a historic event for the Kosovo Albanian population. Moreover, it was the main instrument of emancipation of Kosovars and it contributed considerably to the formation of an intellectual and administrative elite.

UP also played a key role in the "Albanisation" of the political, administrative and security structures under the 1974 Yugoslav Constitution. This provided Kosovo with substantial autonomy within the Yugoslav Federation.

With the arrival of Slobodan Milošević to power in the late 1980s and the rise of Serbian nationalism, Kosovo's autonomy was threatened. Until 1990, the 1974 Constitution defined educational policy in Kosovo. In this context, it recognized a large degree of autonomy for Kosovar education authorities. Under Milošević, various powers, particularly in the field of education, were transferred to Belgrade. In August-September 1990, a new curriculum in Serbian was introduced at the University of Pristina. Between September and December 1990, all Kosovo-Albanian academic staff and students were expelled from the university and educational segregation was introduced.

"I remember our expulsion," says Pupovci. At that time, "I was a member of the University Senate as a junior teaching assistant. During this period, Serbian academics were willing to create separate university councils because they wanted to take their own decisions. Their goal was to expel the Albanians from the University."

At the beginning of 1991, the University of Pristina became a Serb-dominated institution. Indeed, the Milošević's battle in Kosovo started in the field of education. As a countermeasure, Albanians began to set up a parallel system under the leadership of Ibrahim Rugova (LDK - Democratic League of Kosovo), the father of an independent republic proclaimed in 1990. The parallel system has effectively been supported by the UNMIK Department of Education and Science (DES) and was mainly financed (90%) by the diaspora. Established in the early 1990s, it marked the beginning of important and influential developments that have helped guide the planning and management of education in Kosovo since that time. Moreover, it represented the centerpiece of Kosovo's resistance to Serb domination and repression.

In concrete terms, this separate system strengthened the links between Albanian students, teachers and administrators to resistance and cultural identification. Over time, it swept away all the commonalities in the education sector between Albanians and Serbs. Under the parallel system, university students were taught in private homes. This situation lasted throughout the 1990s.

The period of the parallel system has become the main symbol of the process of separation of Albanian education from its Serbian counterpart. At that time, education for exclusion was a reality and UNMIK's post-war efforts to promote inclusion have been a big challenge. The parallel system ceased to exist with the end of the conflict. The University of Pristina reopened during the 1999/2000 academic year. "In light of the lack of security and possible revenge on the part of the Albanians, the Serbian academic staff and students have been relocated to Mitrovica-North," says Pupovci. In this context, "the University of Pristina, temporarily moved to the north of Mitrovica, has continued to operate under Serbian laws, and we under the laws of the independent Republic proclaimed by Ibrahim Rugova".

Meanwhile, Jagos Zelenovic has been appointed the new rector of the university by Belgrade. Previously, he was Dean of the Faculty of Economics and Federal Minister of Science in the government of Milošević. Zelenovic has been responsible, with UNMIK, for the development of a separate education system in Kosovo. Indeed, the University of North Mitrovica was recognized in 2001 by UNMIK. Originally, the transfer of the Serbian academic and student staff was thought to be temporary. In fact, the separation has been institutionalized by the UN mission. The latter passed and promulgated the Higher Education Law (2003) containing an article recognizing the University of North Mitrovica. With this move,

the internationals laid the foundation for increased separation in the education system between the two communities.

Was there a solution other than separation? Pupovci does not see any alternative. "How could we force the Serbs, who left and / or were threatened, to return to the University of Pristina? Moreover, "neither the Albanians nor the Serbs have been willing to find a common language in order to have a single university, and I perfectly understand that. In the 1990s, we were deprived of all normality. Moreover, "any hope of reunification between us and the Serbs was extinguished by the late 1980s".

Almost twenty years after the war, the division between the two communities has consolidated. And the project of a multi-ethnic education system in Kosovo has remained an illusion.

— Ervjola Selenica & Agon Demjaha

Societal effects of countering violent extremism and radicalization in Kosovo

ORIGINALLY PUBLISHED BY SECURITY PRAXIS ON FEBRUARY 25, 2019.

Countering terrorism and preventing radicalization and violent extremism have taken center stage in donors' and governmental policy agendas in Kosovo over the past 6 years. While many research and policy initiatives have been funded on drivers, causes and mechanisms to counter violent extremism and radicalization, there has been no critical analysis of their societal effects as they target specific sectors of Kosovo's society

Counter-terrorism, counter-radicalisation and countering violent extremism (CVE) have become top security priority for the European Union (EU), the United Nations (UN), UNESCO, the OSCE as well as EU member states.¹ Across Europe, softer detection and preventative measures have been developed to prevent violent extremism in sites such as

neighbourhoods, communities, schools and hospitals. This has entailed the involvement of a number of non-traditional security actors such as communities, social workers, families, religious authorities, and teachers.²

In EU member states, counter-radicalization and CVE measures have shown mixed results while raising fundamental questions regarding the efficiency of prevention, the risk of escalation and the broader societal effects in terms of fundamental rights, religious discrimination and social cohesion. These measures have been criticized for challenging citizens' fundamental rights and civil liberties as well as stigmatizing Muslim communities, thus potentially paving the ground to further violent escalation.³ Moreover, the incorporation of societal actors such as youth, teachers, families, and religious leaders has raised concerns

1 Kundnani A., Hayes B. 2018. *The Globalisation of Countering Violent Extremism Policies*, (Amsterdam: Transnational Institute).

2 Ragazzi, F. 2017. *Students as Suspect. The challenges of counter-radicalisation policies in education in the Council of Europe member states*. Interim report. Council of Europe. Strasbourg.

3 Bigo, D., Bonelli, L., Guittet, E.P. and Ragazzi, F. 2014. "Preventing and Countering Youth Radicalisation in the EU," PE 509.977 Council of Europe. 2014. *Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism*, 9956/14 (<http://data.consilium.europa.eu/doc/document/ST-9956-2014-INIT/en/pdf>, last access 15 December 2018).

on how by instilling a logic of surveillance and suspicion, these measures may hamper social trust and cohesion.

The increased participation of foreign fighters from Bosnia-Herzegovina and Kosovo in the Syrian war has brought the question of jihadism and the fight against radicalization and terrorism at the top of governmental and donors' agendas in the Western Balkans. Notwithstanding the emerging criticism from within EU member states regarding CVE, most of the concepts, measures and strategies that were initially developed in the EU, have been exported to, adopted and implemented in Western Balkans countries.

Since 2014, following 130 arrests with the charges of terrorism, Kosovo authorities have tightened the fight against radicalization and foreign fighters. The *Kosovo's Strategy on Prevention of Violent Extremism and Radicalization Leading to Terrorism 2015-2020* was adopted by the Kosovo government in 2015 and was mainly based on the EU strategy.⁴

Initially, counter-terrorism was based on repressive measures and criminalization of radicalized subjects. More recently, and reflecting a global policy shift, the focus of the Strategy has shifted towards prevention and social reintegration of returnees.

Around 400 Kosovo citizens travelled to Syria or Iraq between 2012-17, of which one third has returned to Kosovo and another third has lost their lives in conflict zones. The remainder are presumably still in Syria or Iraq or neighbouring states.⁵ Some Kosovan citizens have been arrest-

ed in Germany and Kosovo in 2018 on suspicion that they were preparing for a terrorist attack in their homeland and other European countries. While the country has not seen a single terrorist attack so far, the threat of violent extremism still attracts donors' funding and governmental actions. They increasingly focus on the perspective of the return of former fighters and the radicalization of imprisoned foreign fighters and imams. Data on radicalization and violent extremism threats in Kosovo are vague and often based on anecdotal evidence and media sensationalism. Interviews on the nature and extent of the threat of radicalization show differing and contradictory opinions. Numbers range from a couple of hundreds among those in prison and those expected to return to 20,000/30,000 thousand radicalized individuals detected by unverified intelligence sources in Kosovo.⁶ Even less consensus and often much confusion is found among stakeholders interviewed over the concepts of violent extremism and radicalization, with the latter being often identified with Islam and Islamist ideology. If, as interviewees have argued, extremism is that which leads to political violence, risk assessments on violence have shown that 40 percent of it is politically and ethnically based, whereas only 25 percent of it is religiously motivated.⁷ However, it is the political violence associated with religious extremism the kind that draws most of the attention to Kosovo, and the funding to prevent it.

While a single profile of Kosovo foreign fighters does not exist, most of those that had travelled to Syria and Iraq belonged to the 20-30 age group.

4 Author's interview with an investigative journalist, Prishtina, 24 September 2018.

5 Kursani, S. 2018. Kosovo Report. Western Balkans Extremism Research Forum, April 2018, funded by the British Council.

6 These data are not public and they were shared with the author informally and anonymously in various interviews. Author's interview with a local scholar, Prishtina, 25 September 2018; Author's interview with a local official working with an international organization active in CVE, 26 September 2018

7 Kursani, S. 2017 "Kosovo Risk Assessment Report Since Independence: February 2008 -- June 2017," Report. Prishtina, Kosovo: Kosovar Center for Security Studies. (<http://www.qkss.org/en/Reports/Kosovo-Risk-Assessment-Report-since-independence-February-2008-June-2017-1012>, last accessed 28 October 2018).

Kosovo has a substantial number of male youth in socio-economic conditions of poverty and marginalization: 43 percent of the population is below 25 years old, with unemployment around 32.9 and youth unemployment around 57.7 percent.

While a single profile of Kosovo foreign fighters does not exist, most of those that had travelled to Syria and Iraq belonged to the 20-30 age group. Kosovo has a substantial number of male youth in socio-economic conditions of poverty and marginalization: 43 percent of the population is below 25 years old, with unemployment around 32.9 and youth unemployment around 57.7 percent.

Several explanatory factors for the phenomenon of radicalization and foreign fighters in Kosovo have been identified. Two key factors have predominated the debate: firstly, the invasive presence of religious foreign foundations stemming from diverging Islamic spheres, and secondly, the socio-economic factors. The role of Gulf backed foundations and organizations, especially from Saudi Arabia and Turkey, have been regarded as instrumental in promoting trajectories of radicalization and recruitment of young Kosovars through a combination of private mediators, extremist imams and donations.⁸ They have contributed to the introduction in Kosovo of a Salafi/Wahhabi form of Islam, in contrast to the locally-rooted form of Hanafi Islam.⁹ There is little evidence that such foundations directly recruited people into violent extremist ideological groups. By contrast, recruitment seems to have occurred through physical or virtual close links.

The socio-economic conditions of the country, and more specifically, the combination of high

levels of poverty, (youth) unemployment and low levels of education have been identified as a second factor for radicalization in Kosovo. However, recent data on violent extremists in Kosovo show that education does not appear to be a significant factor in driving the phenomenon. When socio-economic data are further disaggregated, unemployment and social (im)mobility seem to play a greater. Regardless of their social strata, the unemployment rate of foreign fighters is double the rate of the Kosovo average unemployment rate. Findings from a recent British Council's report suggest that a significant driver seem to be based around the notion of an "identity vacuum, expressed as detachment from the social fabric, as well as very close intra-family ties of younger generations."¹⁰ In other words, belonging to a group that embraces violent extremist ideas is more important than religious doctrine.

Kosovo social sectors and actors such as education and youth have been incorporated in explanatory frameworks for violent extremism and radicalization as well as targeted by preventative measures, seeing them both as a potential cause and solution to the threats of extremism. The radicalization in Kosovo is a youth phenomenon. A neglected explanatory factor has been the widespread inactivity among Kosovo youth. While interrelated to the socio-economic dimension, this factor is at the same time analytically different as it points out and recognizes the agency of those choosing a path of radicalization. This is related also to a widespread absence of perspectives concerning those that have studied and that are not considered economically poor. In this framework, what is at stake is a dynamic of frustration of expectations, and a promise of

8 Kursani op. cit.

9 Demjaha, A. and Peci, L. 2016. What Happened to Kosovo Albanians: The Impact of Religion on the Ethnic Identity in the State Building-Period, June, Prishtina.

10 Kursani 2018 op. cit

order and meaning in a context that lacks both. In other terms, following the analytical perspective of Olivier Roy, rather than a mechanism of radicalization influenced by a sectarian and identity-based Islam, in Kosovo one could notice a form of Islamization of other issues and grievances, an identity radicalized between perceptions of marginalization and nihilism.¹¹ Inactivity and the absence of perspectives among Kosovo youth is related to another explanatory dimension, that of identity. The identity dimension is to be seen as a central factor in understanding and explaining the radicalization of both Kosovo and other Western Balkans youth. Several interviews confirmed that the main focus from international actors in the coming years is expected to be on youth.

Poor education has been identified as a driving factor behind radicalization and violent extremism in the country. Research analysis on the level of educational attainment of foreign fighters compared to the country level suggest no correlation between low educational levels and the emergence of the foreign fighters phenomenon. Foreign fighters have on average slightly higher levels of education. It is the way in which young people and students are engaged within the system that seems to matter more. Moreover, the extent to which education can act as a space where critical thinking is encouraged and the freedom to express themselves is ensured is identified as crucial for education's link and role vis-à-vis CVE and radicalization.

Those actors that regard radicalization as a phenomenon driven and underpinned by a religious ideology identify in education an arena where radicalization and violent extremism can be un-

derstood, prevented and addressed. An understanding of extremist indoctrination and radicalization as driven by inadequate information and awareness about extremist ideologies and their consequences has made education a key sector for counter-radicalization responses, narratives and interventions with more than 40 percent of activities in the government's strategy expected to be implemented by the Ministry of Education. In practice, this has translated into a plethora of training sessions addressing education from primary to tertiary level and implemented by a number of governmental and non-governmental actors often lacking coordination by the Ministry of Education.

Local and international counter-radicalization and CVE efforts have initially focused on the push and pull factors of extremism. Subsequently the focus has shifted on at risk communities such as youth, women and local communities. More recently, attention has been placed on reintegration of returnees and their families as well as radicalization in prisons. Social reintegration of returnees has become central and has been based on the German and Danish model. Other projects have focused on imams that are lecturing in prisons, putting counter-narratives as central in the fight against prisons radicalization. International donors have supported the creation of referral mechanisms based on the UK and Danish model, which have been jointly implemented by municipality authorities, imams, police officers. There is an attempt also to involve families as well as friend-to-friend involvement, thus developing a tool that can be applied to all kinds of violence. There have been several cases in which families have denounced their children to the police.

¹¹ Roy, O. 2004. Radical Islam appeals to the rootless, in «The Financial Times», 11 October 2004, (<https://www.ft.com/content/7a402706-1bb3-11d9-8af6-00000e2511c8>, last access 28 May 2018).

The CVE field in Kosovo raises a number of questions, both on the phenomenon itself and the consequences of how it has been fought so far. While the amount of funding that is expected to increase suggest an ever-present radicalization threat, data are contradictory and often backed by anecdotal and media sensationalism. Moreover, there is no consensus over what violent extremism and radicalization means in the Kosovar context, and often definitions carry and reproduce the same problematic vagueness that are found in international policy discourses on the same topic. The equivalence of violent extremism with religious Islamist extremism risks stigmatizing and alienating the Muslim community that represents also the majority of the Kosovo population. Current explanatory models seem to overemphasize the role played by foreign foundations and equally overlook other factors and dimensions underpinning the relationships between youth and radicalization in Kosovo: most importantly, the question of anomie, inactivity, a lack of employment opportunities for the generation born after the war.

The incorporation of religious leaders, families, teachers in CVE and counter-radicalization policies may hamper trust and damage social cohesion/inclusion in an already fragile country. A critical review of policy documents shows a framing of the role of youth, education and other local actors according to a securitized logic. In this regard, youth risks to be read within two opposing views: on the one hand, as objects of radicalization and thus potentially dangerous for the country's security; on the other, as a tool for preventing radicalization and violent extremism. This has entailed a semantic shift whereby youth are no longer regarded as radical agents but as potentially radicalized subjects. The risk that such a shift entails is that their immanent potentiality to become actors of social change, emancipation and critique is hampered and restricted. In a sim-

ilar vein, the instrumentalization of education to serve counter-radicalization goals may hamper trust and generate more resentment and exclusion and thus further fuel radicalization. Moreover, it risks restricting the function of education as a primary institution for the questioning of established values and authorities as well as the challenging and overcoming of the status quo.

This piece was originally published by Security Praxis. The original article is available at:

<https://securitypraxis.eu/kosovo-societal-effects-counteracting-extremism/>

