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What Next in Northern Kosovo?



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Executive Summary

The northern Kosovo-Serb dominated part of Kosovo remains a key area to follow. In recent years, the Government of Kosovo led by Prime Minister Albin Kurti has reshaped the local context significantly. Kosovo's central institutions now have an unprecedented level of security control over the north. However, the local Serb community has opted out and remains disengaged from the institutional system. Although the security situation has stabilized after the violent attack by a group of Serb paramilitaries at Banjska on 24 September 2023, the north continues to be a challenge. Under present circumstances, Kosovo remains susceptible to security disruptions.

At the same time, the European Union (EU)-facilitated Kosovo-Serbia Dialogue, which previously provided a framework for generating solutions in the north of Kosovo, is at a prolonged impasse. Significant progress cannot be expected in the months ahead. This provides an opportunity for the Kosovo government to launch a north Kosovo initiative and achieve a multitude of goals. One of them would be to solidify the security gains into a full, functional, and democratic sovereignty in the north. Another one would be to demonstrate the capability of the state of Kosovo to deal with its own community issues beyond the internationally brokered processes. This would bring to life PM Kurti's stated policy of internal dialogue with the Kosovo Serb community as a primary means of addressing open issues. At the same time, this initiative would significantly reduce the Western pressure on the Kosovo government and shape its reputation as a factor of stability.

To achieve all these goals, such an initiative should be based on several guiding principles. One, it would be Kosovo's own, internal process, occurring outside international brokerage, while being conducive to the EU-facilitated Dialogue. It would thus take place under the rules provided by Kosovo's own constitutional and legal system. Two, the initiative should be based on the notion of a meaningful dialogue with the Kosovo Serb community. This dialogue would not replace or add on Kosovo's legally provided decision-making institutions. Instead, it would be set up to provide fine-tuned advice on addressing real community concerns, which the Kosovo government could enact in the pursuit of sustainable solutions and the achievement of the above-outlined goals. Three, the initiative should be comprehensive, discussing all key issues and launching implementation only upon achieving clarity across the board. This would enhance trust and avoid any concern by either party over engagement not followed by the agreed gain.

This discussion paper provides a vision on how to achieve all this over the coming period, additionally offering an overview of the current north Kosovo context and key points of analysis.

The Current Context: Key Elements

The north Kosovo region has experienced fundamental changes in recent years. It remained largely outside Kosovo's legal and institutional framework until the landmark First Agreement of Principles governing normalization of relations of April 2013. On the wings of this agreement, the northern Serb community began engaging with Kosovo institutions, through Kosovo-law elections, municipalities, police integration, judiciary integration, and a number of other avenues. This remained so throughout the years despite challenges, until late 2022 and the collective resignation of northern Serbs from all Kosovo institutions. The context of the resignations – its prelude and epilogue – are central to explaining the current north Kosovo context and are therefore the focus of this segment of the paper.

Following repeated stand-offs between the Kosovo Police and the local Serb community throughout 2021 and 2022, on 2 November 2022, the Kosovo Police regional commander north (a Kosovo Serb) refused to order the police officers in his region to enforce punitive measures against drivers with Serbia-issued vehicle plates and was immediately suspended by the Kosovo Police acting director upon recommendation by the Police Inspectorate of Kosovo. In view of this particular action but also in the context of a pre-existing situation, from

5 to 9 November 2022, all Serbs in northern Kosovo resigned from their posts – the four mayors, municipal councilors, prosecutors and judges of the Mitrovica court, including the administrative support staff, all police officers, and the *Srpska Lista* ministers and civil servants in the Government of Kosovo. The ten *Srpska Lista* members of the Assembly of Kosovo ceased their parliamentary activity. The new situation effectively grounded – possibly reversed – the gains achieved in this region through the implementation of the *First Agreement of principles governing normalization of relations* of April 2013.

In accordance with Kosovo law, the Kosovo central institutions first scheduled a by-election in the four northern municipalities for December 2022. In subsequent weeks, the Kosovo leadership followed international advice and postponed the holding of the by-election for April 2023, with the explicit purpose of allowing time for a new dialogue agreement and creating the conditions for Serb community participation. The new agreement was reached in February/March 2023, but the Serb political parties and population in their majority municipalities in northern Kosovo boycotted the local by-election in April. While the elections were not straightforwardly linked to the February/March 2023 Agreement on the Path to Normalization between Kosovo and Serbia (PNA), the PNA does include provisions requiring full implementation of all previous agreements. In this regard the 2023 European Commission Report on Kosovo (and on Serbia) noted that the April 2023 election boycott by the local Serb community had been a breach of commitments contained in the 2013 normalization agreement. The by-elections were held, and Kosovo Albanian mayors were elected with an overall turnout of approximately 3.5%. The stage was set for a serious security crisis and an intense challenge to PNA implementation.

On 26 May 2023, apparently without prior coordination with international partners, the Kosovo government dispatched special police to the municipal buildings in the north to secure access for the newly elected mayors. The intervention was strongly condemned by the US and most of the Western bloc. The police intervention at the municipal buildings led to protests by local Kosovo Serbs that turned violent against KFOR soldiers posted there. More than 90 soldiers were wounded, some seriously. It is widely understood that KFOR's decision to create a buffer was crucial for preventing a much more serious incident that could have easily spiraled into an uncontrolled and widespread confrontation. The attack on KFOR soldiers by Serb protesters was also condemned by the international community.

The EU subsequently formulated a set of measures against Kosovo and a related de-escalation plan as a condition for the withdrawal of these measures. At the time of writing, the measures remain in place. Meanwhile, the situation in northern Kosovo remained fragile, ripe with possible violence triggers. One close call was the apprehension of three Kosovo Police officers by Serbian border police on 14 June 2023. Another – and most serious thus far – occurred on 24 September 2023, when a group of Serb paramilitaries attacked a Kosovo Police patrol at the village of Banjska in northern Kosovo, killing one and wounding two other officers. The attackers subsequently locked themselves in a nearby Serbian Orthodox monastery, which the Kosovo Police put under siege. Three of the attackers died in the armed exchanges before the police gained control of the situation. While some of the attackers were apprehended by Kosovo Police, others escaped, presumably to Serbia. It was subsequently revealed that the paramilitary leader was Milan Radoičić, who at the time was the vice president of *Srpska Lista*, the main Kosovo Serb party with close ties to Belgrade. A large amount of ammunition, weapons, vehicles, and other military-grade equipment was also found by the Kosovo authorities, which concluded that this had been a Serbia-sponsored terrorist attack.

Mr Radoičić publically admitted his role as the Banjska attack commander and resigned from *Srpska Lista* after Banjska. The president of the party was also replaced along with several other executives. In parallel, the party announced that it would be ready to participate in a new municipal election in the north and called for their organization. Prior to the Banjska attack, in early September, the Kosovo government adopted an administrative instruction for a municipal referendum for the mayor's recall, a facility that had existed in Kosovo law but without a precise definition. This was offered by the Kosovo government as the only legal way of repeating elections in the north. Having previously argued in favor of the resignations of the mayors and municipal councilors as the means to repeat elections, it appears that post-Banjska the Serb community in the north opted for the Kosovo government's preferred approach. A process that would be initiated by referenda for recalling the mayors and followed by a repeat mayoral election was seen as the method for the gradual return of Serbs to the institutions in northern Kosovo, beginning with the mayors.

The Administrative Instruction

The central framework for the political process in northern Kosovo thus became the Ministry of Local Government Administration's Administrative Instruction (AI 02/2023) on "the citizens' initiative for recalling election on the local level."¹ Given this status, it is important to provide the key elements of this AI. It anticipates 22 steps towards the organization of a mayoral recall referendum in a given municipality:

The basic premise is that citizens of a given municipality may organize a process that leads to a municipal referendum for the recall of the mayor. Citizens interested in initiating the procedure to remove the mayor from office should establish an initiative group consisting of three (3) or more citizens with the right to vote in the respective municipality. Upon initiating the process through establishing the group, there needs to be a citizen petition signed by at least twenty (20) percent of the voters with the right to vote in the respective municipality. The minimum number of twenty (20) percent of the signatories is calculated according to the total number of voters in the updated list of voters in the respective municipality, which holds the date of notification in the request. The petition is submitted to the Central Election Commission of Kosovo (CEC), with municipal authorities being involved in the processing of the official communication between the civic group petitioning and the CEC. Upon receipt of the petition, the CEC verifies the list of signatures according to the established deadlines. If the verification is positive, the CEC authorizes the holding of the municipal referendum. The voting process for the removal of the mayor of the municipality from office takes place according to the procedures and rules for the elections defined by the Law on General Elections and the Law on Local Elections. The voting is thus conducted by the CEC in a similar fashion as a regular election. Crucially, if the majority of 50%+1 of all voters registered in the respective municipality votes for the removal of the mayor, it is considered that the mayor is removed from office and a new mayoral election must be organized. Notably, if the required majority is not secured, another procedure for the recall of the mayor of the given municipality cannot take place sooner than 12 months from the previous referendum.

The failure of the referendum

The AI requirement for 50%+1 of all registered voters casting their ballot for the mayor's removal was among the key discussion points in the run-up to the referendum, given its presumed difficulty in the context of northern Kosovo.

The last municipal elections in northern Kosovo were held in October 2021. The turnout in those elections ranged from 65-84 percent participation of voters in the four northern municipalities.

Municipality	Municipal elections 2021	Number of voters	Turnout	Percent
Mitrovica North		17,721	12,110	69%
Zvečan		6,879	5,762	84%
Zubin Potok		6,443	4,146	65,6%
Leposavić		12,707	9,515	75%

Source: Central Elections Commission²

In early December 2023, a group of Serb citizens initiated the AI procedures. Following a substantial sequence of back and forth between them and the municipal authorities, the process moved onto the collection of signatures for the 20% petition. This was conducted in January 2024, when in a record time of 48 hours more than 20% of the signatures for recall of the four mayors were collected, suggesting a significant level of political organization behind the initiative. The breakdown of the signatures collected was as follows:

¹ See at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=80975>.

² Central Elections Commission of Kosovo, <https://kqz-ks.org/wp-content/uploads/2021/11/02.-Statistikat-sipas-komunave.pdf>

Municipality	Number of voters (January 2024)	Number of signatures collected	Number of valid signatures
Leposavic	13,441	2,905	2,689
Zubin Potok	6,732	1,576	1,380
Zvecan	7,052	1,834	1,714
Mitrovica North	18,199	4,148	3,653

Source: CEC

On 8 March 2024, after a lengthy verification process, the CEC announced a successful verification and declared that the referenda for the potential recall of the mayors would be held on 21 April 2024.

In the context of the previous tensions in northern Kosovo and the deep mistrust of the north Kosovo Serb community in the Kosovo institutions, the delays in the pre-petition procedures, the long verification process, and a number of CEC decisions taken for the referenda preparation, were seen by the community as deliberate efforts for the referenda's failure. Among the key points of grievance were the decisions on the final voting list, the introduction of CCTV cameras into the polling stations, and the lack of a by-mail system for voting from Serbia. In the background of the preparations for the recall vote was also Kosovo's advancement for membership in the Council of Europe (CoE), strongly opposed by Serbia.

On 18 March 2024, the CEC published the final voters list for the referenda, with an increased number of voters. The increase was criticized by community representatives as a strategy for raising the bar for the achievement of the 50%+1 requirement. These complaints were coupled with the claim that a high number of Serbs (the presumed voters in favor of the mayors' recall) had left Kosovo over the previous 12 months, thus making the achievement of the 50%+1 mark even more difficult. The breakdown of the CEC-approved voters list for the referenda is:

Municipality	Number of voters 2023	Number of voters 2024	Difference
Leposavić/q	13,318	13,639	+321
Zubin Potok	6,661	6,862	+201
Zvečan/Zveçan	6,998	7,201	+203
Mitrovica North	18,118	18,546	+428
Total:	45,095	46,248	+1,153

Source: CEC

Most notable was the complaint over the CEC's announcement that CCTV cameras would be used inside the polling stations. Community representatives took this to be further discouraging to voter turnout – noting it would be perceived as a form of intimidation. While the relevant Kosovo institutions recently changed the election framework to introduce the usage of CCTV cameras, the community complaint was that the north Kosovo referenda would be the first time for CCTV to be used.

In light of the above and with the process of Kosovo's membership in the Council of Europe moving ahead – invoking substantial criticism by Belgrade – on 8 April 2024, Serb members from the municipal election commissions resigned from their posts. The following day, *Srpska Lista* announced that it will boycott the referendum. "The position of the Serbian List is not to participate in the referendum called by Albin Kurti [Prime Minister of Kosovo], because he did everything for it to fail,"³ said chairman Zlatan Elek. He said that "unfeasible

³ <https://www.evropaelire.org/a/lista-serbe-kunder-referendumit-ne-komunat-ne-veri/32894728.html>

procedures” had been established for the 21 April vote and that the voter lists “do not reflect the real situation on the ground,” adding that the number of Albanians on the voter lists had increased. A number of other Kosovo Serb political parties also called for the boycott of the referendum, a decision supported by Belgrade.

On 11 April 2024, the CEC issued a statement noting that “the placement of surveillance cameras in the spaces inside the polling station is done in order to guarantee the security of election materials and maintain the integrity of the voting and counting process,” given that “in the electoral processes from 2009 to 2021, irregularities were identified which affected the integrity, cost and public confidence in the elections where on average, 36% of polling stations were recounted...which has influenced the increase in the cost of elections and the decline of actors' confidence in the administration of the election process.”⁴ The CEC statement continued that “the placement of cameras in polling stations will be done by fully ensuring the secrecy of the vote” and that “the storage of the camera recordings will be temporary, until the destruction of the election material.”⁵ On the new voters, the CEC stated that those “include all those persons who have reached the age of 18 after the elections held on 23 April 2023 or persons who were not previously on the voting list, and who can be considered as registered voters for the first time in the Central Civil Registry or voters who changed the municipality after those elections.”⁶ In direct response to claims that the number of voters was higher than the number of residents, the CEC explained that the Voting List does not only contain citizens with the right to vote who currently live in a certain residence, but also voting citizens living abroad.

The referenda were held as scheduled on 21 April 2024 with a total boycott by the Kosovo Serb community. The CEC announced on 22 April 2024 that conditions for the recall of mayors had not been met,⁷ based on the turnout in the table below:

Municipality	Number of voters	Turnout in numbers	Percentage
Leposavic	13,674	124	0.91%
Zubin Potok	6,877	18	0.26%
Zvecan	7,209	A	0%
Mitrovica North	18,796	111	0.59%

Source: CEC

Data on the exact number of people living in northern Kosovo is not precise, which is not helped by the north Kosovo Serb boycott of the Kosovo population census of April-May 2024.⁸ What further complicates any assessment with regards to what extent the CEC-approved official voters list for the referenda would have affected their success outlook had there been no boycott is the lack of precise information on the number of people who have left the region in recent years. Precise data is crucial for these projections, given the increase in the voters list vs. the actual availability of voters on the referendum day and the requirement for a 50%+1 majority. This is especially relevant given that existing indications do point to this being a factor: in its latest Trends Analysis report, the northern Kosovo-based NGO AKTIV noted that 83.7% of respondents in northern Kosovo answered ‘yes’ to the question “did anyone from your immediate family and/or friends/acquaintances leave Kosovo last year?”⁹

Field research for this report indicated other possible factors leading to the boycott of the referenda. One is that there exists a publicly unspoken belief among the north Kosovo Serb leadership (and in Belgrade) that the current (Kosovo Albanian) mayors would have challenged the referendum results (if they were to call for their

⁴ See at: <https://kqz-ks.org/sqarim-nga-kqz-lidhur-me-vendosjen-e-kamerave-ne-vendvotime-dhe-krijimin-e-listes-votuese/>.

⁵ See at: <https://kqz-ks.org/sqarim-nga-kqz-lidhur-me-vendosjen-e-kamerave-ne-vendvotime-dhe-krijimin-e-listes-votuese/>.

⁶ See at: <https://kqz-ks.org/sqarim-nga-kqz-lidhur-me-vendosjen-e-kamerave-ne-vendvotime-dhe-krijimin-e-listes-votuese/>.

⁷ See at: <https://kqz-ks.org/konferenca-e-katert-kqz-iniciativa-qytetare-per-largimin-e-kryetareve-te-komunave-leposaviq-zubin-potok-zvecan-dhe-mitrovica-e-veriut-ka-deshtuar/>.

⁸ On 12 July 2024, the Kosovo Agency of Statistics announced the preliminary results of the 2024 Kosovo census, indicating that the Serb community in the four northern municipalities largely boycotted the registration. For more, see at: <https://www.evropaelire.org/a/ask-regjistrimi-i-popullsise-kosove-33033673.html>.

⁹ See the report at: <https://ngoaktiv.org/wp-content/uploads/2024/02/Analiza-trendova-2023-eng-1.pdf>.

recall) at the Kosovo Constitutional Court. The field research could not verify these claims but has discerned a clearly present belief in this outcome. Another one is a similar publicly unstated belief among Kosovo Serb representatives that the referenda process was never meant to be fully implemented, i.e. that the north Kosovo Serb community just needed to show the intention to implement the AI by initiating its procedures and collecting the 20% signatures needed for the petition and that at that point the Kosovo government would have 'met them half-way' and facilitated the resignation of the mayors. As the one above, it is difficult to objectively verify the accuracy of this claim, but it does appear certain that this line of reasoning had a certain effect in the referenda context.

Would the new Serb mayors have been able to govern?

Had the referenda succeeded in recalling the mayors, a question that would have arisen is whether that would have indeed led to wider normalization in northern Kosovo. While it would have been a potential first step, it is far from guaranteed that the successful referenda would have been self-sufficient. Namely, even if the referenda had recalled the mayors and a mayoral by-election had been organized, that would have only solved the issue of the mayors' legitimacy among the local population. Other issues would have persisted. Most notably, the election of new mayors would not have replaced the municipal assemblies elected in the April 2023 elections (boycotted by the Serb community). These local assemblies would have continued to be dominated by Kosovo Albanian councilors, in addition to some Kosovo Bosniak councilors affiliated with the Kosovo political establishment. Also, the municipal administration in the four municipalities has changed since the Serb staff resigned at large in November of 2022, and the new staff would not have been directly affected by the election of new mayors.

In the prevailing context, it is hardly imaginable that there would have been seamless cooperation between the new mayors (quite possibly from *Srpska Lista*) and the municipal assemblies (coming from *Vetëvendosje!* and other Kosovo Albanian parties). The mayors would not have been able to govern effectively nor advance any agenda that requires the municipal assembly's support. Furthermore, with no presence of Serbs in the police and the justice system, the new mayors could possibly have become "lame ducks" – without power to govern, with a central government presumably supporting the municipal councilors in their obstruction of the mayors, and with a limited 12-15-month mandate, since the regular municipal elections are to be held throughout Kosovo in the fall of 2025. Therefore, instead of leading towards stabilization, this situation would have likely become another source of tension in northern Kosovo.

An unsustainable situation

The situation in northern Kosovo is not sustainable in its present form. The mere presence and operability of special police does not ensure the full functioning of a democratic state system. Both from the point of view of long-term stability in the north and its existence under the Kosovo legal framework, engagement of the local community is needed. This should be the overall goal of restoring normalization in this region of Kosovo. Steps to get there should be designed carefully to discourage escalation and meet the legitimate aspirations of both the Kosovo central institutions and the local community.

The Serbs in the north are facing a number of challenges: They are not represented in any of the institutions governing these municipalities, receiving payments from Serbia is cumbersome, and local businesses are strongly affected by the measures preventing imports from Serbia. The accelerated implementation of Kosovo's regulations in the context of the enhanced police and rule of law presence in the north generates additional problems.

Another serious challenge remains the absence of authentic political leadership among the local Serbs. *Srpska Lista* is discredited, regardless of the potential votes it may receive due to influence from Belgrade. There are emerging new voices, such as the *Srpska Demokratija* ("Serbian Democracy") activist party which is mostly composed of young people, but the emerging pluralism is still insufficient to articulate the political demands of the population in the north, including the necessary substantial political organization.

Enhancing political pluralism further will also depend on the Kosovo government's action in the north. While the local Serb population can be assumed to be satisfied with the removal (or reduction) of influence by criminal organizations resulting from the Kurti government's policies there, reports also indicate a high degree of

dissatisfaction among the community with these policies more broadly. The extremely limited presence of Kosovo Serb police officers on the ground and a continued reliance on special police units to provide security remains a contentious issue. The special police officers who by and large do not speak the Serbian language and the police roadblocks reminiscent of a conflict zone are creating a picture of forceful presence of the Kosovo institutions. The questionable government decisions to expropriate land for police bases and appropriate facilities for the purposes of its Ministry of Internal Affairs is contentious. These features direct the dissatisfaction of the Serb community towards the Kosovo government and central institutions, pushing any gratification over the reduction of criminality firmly down the list of community priorities. All this, in turn, fuels the continued alignment of the north Kosovo Serb community with Belgrade and *Srpska Lista*, despite the widespread disillusionment in these actors. The total boycott of the 21 April 2024 mayor-recall referenda – called for by *Srpska Lista* – is clear evidence in this regard. Political pluralism in north Kosovo and among the Kosovo Serb community in general can only be achieved under a normalization-oriented policy by the Kosovo government. Such a policy would provide for the people’s political decisions devoid of any fear.

The current situation in the north, however, is not conducive to the interests of any of the involved parties. The community remains disengaged, unrepresented, and concerned over its future. The government is facing an in-between situation: Its enforcement ability is the strongest ever, but it lacks the comprehensive presence of institutions accepted and functioning under the rules of liberal democracy and Kosovo’s own constitution. Under present circumstances, further incidents cannot be excluded, providing not only for security disruptions but also for renewed negative international press coverage and political frustration among Kosovo’s Western partners. Indeed, despite accepting the failed referenda results and statements that the current mayors will continue to carry on with their duties in office, the Euro-Atlantic community does not consider the present situation in the north sustainable. This is clearly visible at the sight of any significant Kosovo government action in the north, notably reflected in the Western condemnation of the closure of Serbian post offices in early August 2024 and parallel administrations in late August 2024. Western objections were even fiercer in September 2024, as the Kosovo government was launching an initiative to open the main Mitrovica Bridge for vehicular traffic. The US Ambassador to Kosovo noted fears for the safety of US soldiers serving in KFOR and indications were given to Pristina that KFOR will physically prevent the opening of the bridge, which signaled the potential for the previously unimaginable: a stand-off between Kosovo Police and KFOR.

It is therefore high time for a comprehensive new plan that would consolidate the Kosovo government’s gains into actual democratic sovereignty in the north and meet all legitimate needs of the Kosovo Serb community there.

The Way Forward

With a summer and fall rife with elections in the EU and the US, and the shadow of war in Ukraine, stabilizing security in Kosovo is crucial. This entails a comprehensive set of actions to achieve the return of the Serb community to and their active participation in the Kosovo institutional framework in the north, thus providing for the full democratic sovereignty of Kosovo there. These actions should be done in full respect to the legal and legitimate aspirations of both the Kosovo state and the northern Serb community, as well as in a manner conducive to unlocking the implementation of the Path to Normalization Agreement. Below are the crucial elements of this process:

1. The priority would be to shape a political process under which the overall plan for north Kosovo normalization would be realized. First and foremost, this presumes the need for a dialogue forum between the Kosovo government and north Kosovo Serb representatives. While it would be natural for the government to insist on broadening the community representation through including opposition parties and civil society, this process would inevitably also require the involvement of *Srpska Lista*. This is still a legally registered party in Kosovo and one that clearly enjoys significant influence among Kosovo Serbs. A democracy cannot choose to ignore these facts. Establishing a consultation forum with the community would thus be a crucial step by the Kosovo

government, both in terms of the creation of functional solutions and as a good-will gesture. This would neither be a decision-making body nor a venue for formal negotiations. The Kosovo legal system does not anticipate such an institutional addition. Kosovo's central institutions would naturally retain the decision-making authority, while a standing consultative forum with the community would only enhance the quality of solutions and assure comprehensive community buy-in. Regardless of the informal standing of this consultative forum, it would still be prudent for the Kosovo government to express and uphold a commitment to concrete follow-up action in response to what the process distills as legitimate community concerns in tune with Kosovo's constitutionality and international minority rights standards.

2. It would also be prudent for the Kosovo government to keep its international partners abreast of this would-be engagement and its progression. This would not only enhance the good-will signal towards the Kosovo Serb community, but also provide an assurance to the government that the process cannot be held hostage by the community, for example through non-participation, obstruction, or arbitrary rejection. With the international community properly informed of the developments and solutions offered by the government, any arbitrary rejection would be seen and condemned as such and the government would not be blamed for any resulting lack of progress and protracted non-normalization. The international stakeholders of particular attention should be the EU (including the EUSR for the Dialogue, the EU Office in Kosovo, and to the extent possible the embassies of EU member states in Kosovo) as well as the Quint (both the embassies and the capitals). Support by these stakeholders would be critical for success in this endeavour, including in terms of the Kosovo government's concerns over Serbia's influence on the ground.

3. The key notion to instil from the outset is that the north Kosovo normalization plan should be crafted in advance in all of its key dimensions and rolled out once all of them are agreed. Thus, all elements are to be known to all involved stakeholders at the time of its implementation. This would ensure trust on both ends (Pristina and the northern Serb community) that the plan is fair, that all legitimate needs are to be met, and that no party will be misled into engaging without knowing what comes next.

4. The exception to the general approach may be confidence-building measures that the government could pursue as a prelude to the wider process. This would be prudent to demonstrate good will for more comprehensive solutions and to generate a more conducive environment irrespective of the subsequent process.

The *confidence-building* measures should include:

- The continued active engagement by the Kosovo Police to recruit members of the northern Kosovo Serb community into their ranks. Two public calls have already been made, which is commendable and should continue. Their reach could be extended by Serbian-language announcements, perhaps with appealing design, placed through the official channels of the Ministry of Internal Affairs and Kosovo Police, as well as through Kosovo Serbian-language media.
- All efforts should be made to appoint provisional Kosovo Serb officers as station commanders in all four northern municipalities. This can be achieved through transferring Kosovo Serb station commanders from the south – e.g., Ranilug/Ranilluk, Štrpce/Shtërpçë, Klokot/Kllokot. The transfers should be accompanied by appropriate messaging to the Kosovo Serb community indicating the intention towards the wider normalization in the north. The latter part would be important not only for the success of the policy of appointing Kosovo Serb station commanders but also for the broader positive response of Kosovo Serbs to the recruitment initiatives outlined under the previous point.
- Enhancement of Serbian-language capacities among the existing Kosovo Police and Ministry of Internal Affairs presence on the ground. This should range from systemic upgrades to *ad hoc* situations, reflecting across the board the notion of Kosovo as an advanced democracy fully committed to minority rights (i.e. opposing the notion of ethnic triumphalism and undemocratic imposition that has

periodically been referenced). Thus, the Kosovo Police Northern Directorate should increase the presence of Serbian speakers associated with its public outreach offices, and presence of either Serbian-speaking KP officers or translators should be placed throughout notable KP activities in the north (notably including the special police check points). Likewise, visits by Kosovo central-level officials – such as Minister Xhelal Sveçla – should always include the presence of a Serbian-Albanian translator, and as frequently as possible include some form of public outreach to the local community.

- Enhancing the local presence of the Police Inspectorate of Kosovo (PIK) would also contribute. Opening a small office in each of the four municipalities and staffing it with Serb inspectors as much as possible and/or Serbian-speaking staff could be considered. A special PIK hotline in Serbian could also be established. Serbian-language public outreach associated with this measure would provide another added value.

5. With the appropriate dialogue-oriented signals provided to the local community, along with the indications of its inclusiveness and hopefully the above confidence-building measures developing in the background, the Kosovo government should set up an advisory group with the local community to develop a comprehensive plan along the lines below. Once fully developed, this plan could then be kick-started through a renewed local election in the four northern municipalities, whether through a collective resignation of the mayors and municipal councillors or at the regularly scheduled time in 2025.

Dimensions to address are:

Elections: whether they are triggered by a resignation or are regularly held in 2025, the overall presumption is that the north Kosovo Serb community would participate. The government should have this guarantee provided by the community representatives ahead of the elections and as part of the comprehensive normalization plan for the north. The community representatives should be ready to give these guarantees as part of this intra-Kosovo process and in response to achieving their legitimate requests. On the issue of elections, this process should provide the government an expectation that they would be free and fair, void of undue influence by external parties. More concrete mechanisms can be sought in this regard, such as expanded presence of special prosecutors and civil society observers throughout the election process, including its prelude. The expanded police presence the government has obtained in recent years is an additional guarantee to the government that undue influence can be intercepted and addressed. For their part, community representatives should receive guarantees from the government that obtrusive administration of the elections will not take place. Concrete issues of concern expressed ahead of the failed referenda in April 2024 should thus be addressed, to include CCTV cameras and additions to the voters' list.

Police: A key issue to resolve towards a comprehensive normalization plan is the return of northern Kosovo Serbs to the Kosovo Police. This is not a straightforward matter given that the resignations of the previously serving Serb officers have been accepted and given the frequently stated claims by the police and central authorities that a portion of the previously serving officers were/are involved in criminality and/or subversive actions. A simple reinstatement is therefore not an option. On the other hand, resorting to a regular recruitment procedure deprived of any adaptation to the context would also not be conducive to overall normalization. Therefore, what this process should strive for is an agreement over the key elements of recruiting officers from the Serb community that would be rolled out along with the rest of this comprehensive plan through a special recruitment call by the Kosovo Police.

In line with the government's priority to maintain rule of law and the community's need to have officers from its ranks, the police segment of the comprehensive plan could include the following elements: 1) A commitment by the community representatives that recruitment and subsequent work of the Serb police officers would be endorsed, pursuant to the rest of the elements; 2) A methodology and appropriate time for the central authorities to assess each application properly, with the possibility of vetting out applicants with a questionable background. It would be beneficial for EULEX to observe and provide advice in this process; 3) A commitment to

genuine respect of Kosovo law, in particular the requirements for becoming and conducting oneself as a Kosovo Police officer; 4) A commitment by the Kosovo government to acknowledging the local demographics in choosing station and regional commanders, pursuant to the actual provisions of the Kosovo Law on Police; 5) A commitment by the government over an appropriate reduction in the presence of the Kosovo Police special units, in tune with the successful implementation of this overall plan. This would not be a blanket commitment applied to any future situation, as the special police may be re-deployed as needed, in line with their mandate and SOPs; 6) A commitment for the full respect of the Kosovo Police chain of command, played out under the law and rules of democratic policing.


Judiciary: Any comprehensive normalization plan must also include solutions that return the north Kosovo Serbs to the judicial and prosecutorial structures of Kosovo. In line with the overall approach, a set of agreements would be sought and be known prior to the actual roll-out of implementation. The situation is somewhat less complex than the police, given that these resignations have not been formally accepted. Therefore, the goal would be reinstatement of the previously serving judges, prosecutors, and clerks, if with some adjustment. This may include selective exceptions to the collective return in case the central authorities have verifiable information that given judges or prosecutors are not fit for this role due to any legally provided reasons. A reinstated commitment to the Brussels dialogue agreement on judiciary would also be needed in this context.

Land expropriation: Land expropriations by the Kosovo government, predominantly for the purposes of building police bases, have been among the prominent challenges in northern Kosovo. They have invoked significant frustration and even a lawsuit by the local Serb community. The international community, including through the 2023 EU country report and the report of rapporteur Dora Bakoyannis to the Council of Europe Parliamentary Assembly in the context of Kosovo's membership application, has signalled significant concern with the land expropriations and called for an approach more rooted in the law and more in tune with the prevailing circumstances in the north. Therefore, this overall process would need to address this issue through a commitment for a more genuine implementation of the Kosovo expropriation rules and for a wider consultation with the affected communities. A commitment by the government over the full respect of any final-instance court decisions on north Kosovo land expropriation would also be conducive, even if self-evident.

Mitrovica main bridge: It would be prudent to address the issue of opening the Mitrovica main bridge to vehicular traffic under this overall process. The underlying presumption here is that the bridge should ultimately be open, which is to be pursued through addressing legitimate community concerns and related issues. Thus, the community representatives may point out concrete security concerns that are related to vehicular traffic, which can be addressed through bespoke solutions (such as a continued police check-point on the bridge and similar policing solutions, especially under the notion of the ultimate return of officers from the Serb community). Likewise, resolving the issue of the delineation of the Mitrovica North and South municipal boundaries could be attempted in this context.

Miscellaneous: For the sake of sustainability and in the spirit of this initiative, it would also be prudent to address a number of other issues, even if as a follow on activity once the above comprehensive framework is developed and rolled out. One would be the largely blocked trade with Serbia. It would naturally be conducive to stability in northern Kosovo if trade issues are overcome. Pending that, the Kosovo government could consider a partial lift of the security measures affecting trade with Serbia in tune with the needs of the four northern municipalities. Given that security concerns are primary, the government could introduce additional border checks and similar measures that would address these concerns in full detail. Further, the revitalization of the North Kosovo Development Fund (NKDF) under its defined rules would also be extremely valuable for overall success. The government could also consider a special investment fund for projects of public interest in the north, that may include a mechanism for associated private investment, as a prelude to revitalizing the NKDF. Ultimately, this process could be used to discuss and agree on mutually beneficial solutions for issues such as the Trepça/Trepča concern and privatization of socially owned enterprises in the north.

A note on Community Dialogue: As argued above, the proposed concept herein is the establishment of a meaningful dialogue between the Kosovo government and the local community. This is an expected and well-established course of action for similar situations in liberal democracies around the world. There are many possible formats. Below is a proposal that could be adequate for this particular situation:



The internal dialogue could be structured as a campaign, jointly managed at the technical level by the Office for Community Affairs/Office of the Prime Minister, in cooperation with a reputable and credible civil society organizations. At the political level, the process would involve the participation of the Prime Minister and relevant government ministries on various occasions. The dialogue should take the form of public debates or consultations in north Kosovo (later with other Serb-majority municipalities and those with a significant presence of Serb community members). The list of participants for these consultations would be developed jointly by the government and civil society to ensure inclusiveness and representation. Each consultation would feature a panel composed of senior government representatives (including the Prime Minister and one minister), a local community leader, a civil society leader, and a political leader from the Kosovo Serb community. After each meeting, a technical team from the government would produce a report summarizing the conclusions and recommendations. At the conclusion of the dialogue process, the government would review and adopt a comprehensive report, which would include a list of policy measures to be implemented. The Office for Community Affairs, under the Office of the Prime Minister, would be responsible for overseeing the development and advancement of these policy measures, ensuring they are submitted for government approval and followed through.