



Kosovo's local elections and the way ahead

by Rosa Balfour and Alice Pappas

The municipal elections held in Kosovo between 3 November and 1 December have been seen as a major step towards resolving one of the most complicated issues in the Balkans. For the first time since Kosovo's declaration of independence in 2008, Serbs from northern Kosovo participated in local elections with Belgrade's blessing. Facilitated and monitored by the OSCE mission on the ground and with NATO and EULEX support, the elections aimed at providing the municipalities of North Mitrovica, Leposavić, Zvečan, and Zubin Potok with a degree of autonomy within Kosovo's legal framework.

Second time lucky: the election re-run

This institution-building process in northern Kosovo has been fraught with difficulties. With some Serbs boycotting the process, the first round of elections was marred by violence and intimidation of voters in several polling centres, in particular in North Mitrovica. This led the OSCE to take custody of the election material, close polling centres, and re-run the elections on 17 November amidst tight security. With the second round having been conducted smoothly on 1 December, the EU and UN consider the election result – despite the extremely low turnout, estimated at only 10-20% – to have provided a sufficient mandate for municipal governance and fulfilled the expectations of the 19 April agreement on normalising Serbia-Kosovo relations. Huge problems remain, especially in northern Kosovo, but the peaceful conduct of the elections potentially paves the way for

Kosovo's Serbs to vote in the parliamentary elections of 2014 – and is a milestone for Kosovo, Serbia, and the future of EU engagement in the region.

Implementing the Serbia-Kosovo agreement

Heralded as both a major breakthrough for the Balkans and a success for EU foreign policy, the April 2013 Brussels Agreement made institution-building in northern Kosovo a key component of the normalisation of relations. The holding of local elections and the incorporation of the four Serb-majority northern municipalities into Kosovo's legal system are important steps in implementing the Agreement. The next phase will be the creation of an Association of municipalities which should allow for greater self-governance for Kosovo's Serbs. This is a particularly contentious issue, as some suspect it to be an attempt by Belgrade to retain a foothold in Kosovo.

The other points in the Agreement include the creation of one police force (the Kosovo Police) ensuring participation and representation of Serbs and a Regional Commander for the four northern municipalities; a single judiciary, with special provisions for the Mitrovica District Court; and a general commitment by both sides not to obstruct each other in the development of their respective bilateral relations with the EU.

As a test of Kosovo's and Serbia's commitment to respecting the Agreement and its implementation, the

elections will be taken into account in the decisions due shortly on EU enlargement. In the case of Serbia, a decision is fast approaching: at the European Council meeting of 19-20 December, heads of government will decide when to start accession talks, the shape of the negotiating framework and, crucially, whether the issues relating to the normalisation of relations with Kosovo will be consolidated into one additional negotiating chapter or spread across the accession negotiations.

For Kosovo, the elections represent another step in the right direction. In contrast to the paralysis which characterised EU-Kosovo relations since the 2008 declaration of independence, 2013 saw much progress made. The Agreement enabled the delivery of important reforms identified in the 2012 feasibility study of the European Commission. Kosovo has made much progress in changing and adapting its economy and legislation to match those of the European *acquis*. As part of the visa liberalisation roadmap, it has adopted new laws on asylum, party financing, and human trafficking. Last January, new laws on courts and on prosecution entered into force. Its reward was the opening of negotiations for a Stabilisation and Association Agreement (SAA) in October 2013 – a crucial departure from being the only territory in the region to have no formal status in its relations with the EU. Furthermore, this will also make it eligible to funding from the Instrument for Pre-Accession (IPA).

In other words, the combination of the April Agreement and the prospect of accession has proven to be a powerful engine for reform. This drive is much needed in view of the scale of the challenges faced: improving the rule of law, judiciary, and public administration, fighting against corruption and organised crime, and protecting human rights.

A steep hill to climb

If the broader picture presents reasons for optimism, the devil remains in the detail of Serbia-Kosovo relations – how these develop in northern Kosovo will prove to be the real test. The months during which Catherine Ashton facilitated the high-level talks between the two sides revealed how differently the discussions were presented to respective domestic audiences. The 15 points of the Agreement still leave some room for uncertainty and misinterpretation among the different stakeholders as to the future status of Kosovo. While the EU has emphasised the *process* itself, Pristina sees the agreement as a major step towards recognition of Kosovo's independence. For Belgrade, however, the agreement remains status-neutral.

For the EU, carefully balancing the carrots (progress on the accession track for Serbia and on the SAA and visa liberalisation for Kosovo) with sticks (ensuring that the agreements are effectively implemented on the ground) will test its leverage capacity.

Another important advancement is that locally elected politicians will now share the responsibility for the well-being of citizens in northern Kosovo, many of whom still live in socially deprived environments and often lack access to basic services and security. The ability of these representatives to address the challenges in northern Kosovo through their municipalities and the planned Association will show the true extent to which a 'normalisation' of relations between the two communities is taking place.

The low electoral turnout was just one sign of the insecurity and uncertainty which plague the citizens in northern Kosovo. A survey conducted just before the elections by the Forum for Ethnic Relations (Belgrade) and the Centre for Community Development (Mitrovica) in the four Serb-dominated municipalities showed that the problems faced by the citizens are primarily socio-economic, relating principally to the rule of law, unemployment, crime, freedom of movement, poverty, and waste management.

The elections provide an opportunity for all actors working on the ground to transcend heavily politicised debates and start pursuing concrete and transparent policies which aim at improving the quality of life of *all* citizens, regardless of ethnicity. Local players will be expected to prove their ability to act as mediators and cooperate effectively with the central government in order to reduce mutual distrust between communities. Effective post-election implementation of the Agreement starts with the reintegration of the previous parallel structures funded by Belgrade, the creation of the Assembly and, eventually, the Association of municipalities. An agreement will also be needed on how local institutions and public administration are to be funded (whether by Belgrade or Pristina) as well as on the transparent use of EU funding for northern Kosovo.

The EU now has the opportunity to turn its April success into a far-reaching transformation of the region. Navigating through the detail of the Kosovo and northern Kosovo microcosm whilst continuing to pursue solutions to problems which, until a few months ago, seemed intractable, could indeed help steer the entire region towards further EU integration.

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